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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

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

Merciful God, we give You thanks for giving us another day.

Bless the Members of the people's House as they work toward the difficult and complicated task of funding our government in a fair and equitable manner, amid the other pressing matters being considered at this time.

May they negotiate with one another in good faith and trust in a shared love for our Nation.

We pray that all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. Pursuant to section 7(a) of House Resolution 758, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. MORELLE) come forward and lead the House in the Pledge of Allegiance.

Mr. MORELLE 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.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1158, DHS CYBER INCIDENT RESPONSE TEAMS ACT OF 2019; PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1865, NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN ACT; AND PROVIDING FOR ADOPTION OF H. RES. 761, PERMITTING INDIVIDUALS TO BE ADMITTED TO THE HALL OF THE HOUSE IN ORDER TO OBTAIN FOOTAGE OF THE HOUSE IN SESSION FOR INCLUSION IN THE ORIENTATION FILM TO BE SHOWN TO VISITORS AT THE CAPITOL VISITOR CENTER

Mr. MORELLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 765 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 765

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or her designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 116-43. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. Upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1865) to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or her designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 116-44 modified by the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

SEC. 3. The chair of the Committee on Appropriations may insert in the Congressional Record not later than December 17, 2019, such material as she may deem explanatory of the Senate amendments and the motions specified in the first two sections of this resolution.

SEC. 4. House Resolution 761 is hereby adopted.

The SPEAKER pro tempore (Mr. CUELLAR). The gentleman from New York is recognized for 1 hour.

Mr. MORELLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Oklahoma (Mr. COLE), 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.

Mr. Speaker, I would just take a moment, if I may, to thank the gentleman from Oklahoma, the distinguished Mr. COLE. When I came to Washington, I hoped to meet people who were professional, thoughtful, dedicated, not only to this institution but to this country, and I am grateful for his leadership and for his friendship.

GENERAL LEAVE

Mr. MORELLE. Mr. 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 New York?

There was no objection.

Mr. MORELLE. Mr. Speaker, on Monday the Rules Committee met and reported a rule, House Resolution 765, providing for consideration of the Senate amendment to H.R. 1158, and the Senate amendment to H.R. 1865, which will fund the Federal Government through the fiscal year 2020.

For each measure, the rule provides for 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on Appropriations. The rule also self-executes a manager's amendment from Chairwoman LOWEY to H.R. 1865.

The rule provides the chair of the Appropriations Committee with the authority to insert into the CONGRESSIONAL RECORD such material as she may deem explanatory of both Senate amendments not later than December 17, 2019.

Lastly, the rule adopts H. Res. 761, a bipartisan resolution that permits individuals to be admitted to the Hall of the House in order to obtain footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center.

Mr. Speaker, these two spending bills provide funding for the entirety of government operations through the remainder of fiscal year 2020.

I am proud that Members of Congress from across the Nation have come together to reach this bipartisan consensus, even in areas where we disagree.

This deal provides certainty for millions of American families and businesses that are all fearful of a government shutdown. It also represents a tremendous investment in working families, our economy, and our national security.

These bills provide protections for our representative democracy with $425 million in support for election security to the various States and $7.6 billion for the approaching 2020 census.

These appropriations also invest in our children's future, with record funding for Head Start and Child Care & Development Block Grants, as well as strong investments in nutrition assistance for children and those in need.

We are also investing billions of dollars in renewable energy alternatives, environmental protection, and conservation to work toward a healthier planet for our children and our grandchildren.

We are providing a record level of investment in the health of every American, including more than $41 billion for the National Institutes of Health.

And, for the first time in more than 20 years, we have provided research funding to address a major threat to public health: the gun violence epidemic. This package includes $25 million for our public health experts at the Centers for Disease Control and the National Institutes of Health for firearm injury and mortality prevention research.

It also provides $1.5 billion in investment in State-level response to the opioid epidemic.

These measures fund community health centers through May 22 of next year, ensuring they can continue their vital work across the Nation while Congress works toward a long-term extension.

In addition to all this, these bills also include bipartisan measures to provide additional mental health services, low-income home energy assistance, increase the age to buy tobacco to 21 nationwide, increase competition in the prescription drug market, and more.

As the representative for Rochester, New York, I am grateful for Congress' ongoing, strong bipartisan support of $565 million for the Inertial Confinement Fusion program, including at least $80 million for the University of Rochester's Laboratory for Laser Energetics, or LLE, which is located in my district.

This funding will allow the LLE to continue to cement its place as a world-class institution and leader in cutting-edge scientific research.

Mr. Speaker, with these successes in mind, I am proud to speak in support of this legislation, and I urge all of my colleagues to join me in supporting its passage.

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

Mr. COLE. Mr. Speaker, I want to thank the gentleman from New York (Mr. MORELLE) for yielding me the customary 30 minutes. I also want to thank him for his very generous remarks. The fact that he was noted for his civility in New York, that is one of the reasons he was a leader there, and it is one of the reasons he is becoming a leader here.

□ 0915

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

Mr. Speaker, we are here at the beginning of what is likely to be a very eventful week. We are considering two items today as part of this rule, both of which are bipartisan, full-year appropriations bills.

Today's bipartisan appropriations packages are the culmination of many months of hard work by both parties and in both Chambers. Though this was a long road, I am pleased that the negotiations were ultimately successful. I have often said that funding the government and keeping it open is one of the most fundamental duties as Members of Congress that we have.

Together, both packages cover full-year funding for all 12 appropriations bills. This is significant. By advancing full-year appropriations, that means we are not relying on another short-term continuing resolution. While funding with the CR is certainly better than shutting down the government, doing so also abdicates Congress' ability to adjust spending and policies to reflect the country's changing needs and priorities.

It is important to remember that, at the end of July of this year, Congress passed and President Trump signed into law the Bipartisan Budget Act of 2019, which set budgetary levels for fiscal years 2020 and 2021. This bipartisan and bicameral compromise was the result of a good faith negotiation between the President and the congressional leadership of Speaker PELOSI, Majority Leader MCCONNELL in the Senate, Minority Leader KEVIN MCCARTHY in the House, and Minority Leader Senator SCHUMER in the Senate.

That compromise achieved many wins for the American people, including a significant and desperately needed increase to support and rebuild our national defense.

Though the budget agreement was enacted, the authorized spending could not be realized without full-year appropriations. Fortunately, that is exactly what we have here today. I want to highlight a few key provisions, Mr. Speaker.

The bills fulfill the top-line spending numbers Congress agreed to in the budget deal earlier this year.

H.R. 1158 provides an increase of $19.5 billion for our armed services over fiscal year 2019, which will allow us to continue rebuilding America's military. The additional funds will enable us to remedy our readiness crisis, allow our servicemembers to secure the valuable training time they need, and give those same brave servicemembers the largest pay raise they have had in a decade.

On the domestic side, the appropriations package boosts the funding for the National Institutes of Health by $2.6 billion. This is the fifth straight year of sustained increases for the NIH. The increased funding places the United States as the unquestioned global leader in biomedical research, which will lead to continued efforts to cure diseases like Alzheimer's and cancer.

The bill also includes a significant increase for the Centers for Disease Control and Prevention, America's frontline defense against pandemics, HIV/AIDS, Ebola, and other deadly diseases.

The bill includes substantial increases for various federally funded education programs like IDEA, title I, Impact Aid, and early childhood education. There is also a significant increase in funding for Head Start.

Close to my heart are TRIO and GEAR UP, two programs that help disadvantaged students, low-income students, or first-generation college students to succeed. These programs will receive a $35 million increase over fiscal year 2019, ensuring that still more students are able to achieve academic excellence.

We are also increasing spending for career and technical education by an additional $20 million.

Perhaps most critically for rural areas, we are providing a robust increase for a medical student education program to ensure we are training more primary healthcare providers who want to work in rural areas.

The bill also includes critical tax extender provisions that have either lapsed or are due to be reauthorized at the end of the year. This important end-of-the-year package ensures that these important provisions will be maintained in law, provisions like the Indian lands tax credit and the Indian employment tax credit, which are both of critical importance in my district. Typical tax credits provided to individuals who have been affected by disasters will also be extended under this legislation.

I am also pleased that three additional provisions of ObamaCare are permanently repealed in these appropriations bills: the so-called Cadillac tax, the medical device tax, and the health insurance tax. These provisions served two insidious purposes, driving up the cost of healthcare and forcing people to give up good healthcare plans that they enjoyed. I am thankful that my friends in the majority finally recognize this and included these overwhelmingly bipartisan solutions in the legislation before us today.

Finally, the bill maintains important pro-life protections that have been in previous appropriations bills. The so-called Hyde and Weldon amendments remain intact. Maintaining these protections are important to securing bipartisan support for these bills.

Though there is a lot to like in these bills, Mr. Speaker, there are also some things I would change if it were solely up to me. I don't think any of us here, Republican or Democrat, would view either of these bills to be perfect. But what we have achieved here is a bipartisan compromise.

I think all of us in this Chamber can be proud of the work we have accomplished here, especially in times of divided government and in an ever more polarized political environment. Finding compromise across party lines and between Chambers of Congress and the administration is no small feat. That we have done so here today is a testament to the House of Representatives and a reminder that the things that unite us are more powerful than those that divide us.

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

Mr. MORELLE. Mr. Speaker, there is a saying in Albany when things go on for a while that everything has been said but not by everybody. Apparently, maybe everything has been said, and apparently, everybody doesn't feel the need to weigh in.

Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ROY), my friend.

Mr. ROY. Mr. Speaker, I thank the gentleman from Oklahoma and the gentleman from New York for yielding time, and I respect the amount of work they have put into this legislation.

Mr. Speaker, I rise, without surprise to anyone in this room, in opposition to the legislation.

I keep hearing this phrase: ''this bill provides.'' I keep hearing my colleagues saying this. But this bill doesn't provide anything. The American people provide. This bill borrows, and it borrows at a time when we can't afford to borrow more.

Our Nation is $23 trillion in debt, now racking up more than $100 million of debt per hour.

We haven't figured it all out yet, but it appears this bill spends $50 billion more than 2019 spending levels. Don't worry, everybody will go back home and campaign on a balanced budget amendment that has no prayer of passage.

This bill is filled with massive policy changes that we should debate and vote on individually.

It has a bailout for Big Insurance cloaked as tax relief.

It embraces the very partial ObamaCare repeal that Republicans have argued props up ObamaCare, yet they now embrace.

The bill changes the tobacco age nationwide, turning federalism on its head, with nary a whimper from Republicans who like to talk about the 10th Amendment in speeches back home.

The bill extends the big giveaway to huge corporations like Boeing in the form of Ex-Im for 7 years.

The bill funds bureaucrats who wish to target your Second Amendment rights.

It funds abortion through ObamaCare plans.

The biggest problem is, we haven't read the bill.

Days like today, everyone declares bipartisanship. But in this version of bipartisanship, it is the bipartisan smell of Christmas jet fumes and everyone's desire to get home fueling the worst kind of bipartisanship, the kind that says: ''To heck with it, keep spending money we don't have and leave it to our kids and grandkids to clean up.''

No one has read the bill. It is a massive, unreadable, 2,313-page bill filled with government-expanded goodies and spending, and it was dropped on us yesterday afternoon at 4:30 p.m. My staff got their first look at 4:30.

The bill is a blatant violation of the House's 72-hour rule, a pretty weak rule requiring that we have at least 72 hours to review legislation—everyone back home is saying, ''Are you kidding me?''—in this case, 2,300 pages.

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

Mr. COLE. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Texas.

Mr. ROY. Seventy-five years ago this week, American forces were under siege from 200,000 German soldiers, over 1,000 panzers, as Hitler mounted a counteroffensive in the middle of the freezing-cold winter at Christmas. Our boys, no doubt, wanted to get home.

Yet, this Congress surrenders. It surrenders to the swamp, mortgaging the future, the very future those men fought for.

The President, last spring, about a massive omnibus, said: ''I will never sign another bill like this again. I'm not going to do it again. Nobody read it. It's only hours old. Some people don't even know what is in it.'' It was $1.3 trillion, the second largest ever.

Mr. President, I look forward to your veto.

Mr. MORELLE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. COLE. Mr. Speaker, since my friend is prepared to close, I yield myself the balance of my time.

Mr. Speaker, the first thing is, I want to serve notice that, if we defeat the previous question, I will offer an amendment to the rule to immediately bring up the bipartisan bill H.R. 1869, the Restoring Investment in Improvements Act.

With 288 cosponsors, H.R. 1869 would ensure that any improvement to the inside of a commercial building would be treated in the same way that they have historically been treated. That puts capital back in the pockets of job creators, which can be used to expand facilities, create new opportunities, and hire more workers.

H.R. 1869 is a bipartisan solution to a real problem facing American businesses. Passage will immediately boost job growth in communities across the country by reviving investment in communities that have been sitting on the sideline. If we defeat the previous question, we can pass this bill and send it on to the Senate today.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. COLE. Mr. Speaker, while I oppose the rule, I urge support for the two appropriations measures we are considering today.

Frankly, to be fair, there are many concerns that my friend, Mr. ROY from Texas, expressed that I agree with, but this is the product of real compromise. Frankly, in that compromise, each side actually reduced its spending.

The spending in this bill for defense, while it is a robust $19 billion increase, is $10 billion less than the President asked for in his original budget. That was the compromise on his side. The spending on the Labor-H bill, while certainly an increase, is $11 billion less than my friends introduced in the original House bill. So there are a lot of give-and-takes in this.

Frankly, as an appropriator, I would not be unhappy to see major provisions like the repeal of ACA taxes and tax extenders brought under their own legislation here. That would be better. But repealing those tax increases and extending those tax extenders are real

victories for the American people and prevent massive tax increases that, frankly, bipartisan majorities have opposed in this House from the very beginning.

The flaw in the ACA bill was funding it with things that even my friends on their side did not support and have not supported. They are not for the medical device tax. They are not for taxing people's insurance plans. They are certainly not for the taxes on so-called Cadillac healthcare plans, which are nothing more than good healthcare plans that American people and workers have bargained for.

So I consider these, however imperfectly achieved, real victories for the American people, real bipartisan compromises.

□ 0930

The most important part of this bill is actually the underlying appropriations process, and there we achieved what we failed to achieve last year, as regular governance working for most of the fiscal year: no government shutdown, thoughtful increases, and, frankly, reductions in places that, on a bipartisan basis, we were able to agree.

Mr. Speaker, I urge support for the two appropriations measures we are considering today. The two bills will fully fund the government for fiscal year 2020 and represent a truly bipartisan and bicameral compromise.

I want to applaud all of the Members for the work they have accomplished on these bills which show what we can do when we set our partisan differences aside and truly focus on governing our great Nation together. We will ensure that the government remains open and operating for our constituents and will ensure that the government resources are going where they are needed.

Mr. Speaker, I urge my colleagues, obviously, to vote ''no'' on the previous question and ''no'' on the rule, but I urge strong and enthusiastic support for the underlying legislation, which I think achieves many victories for the American people and does so to the credit of both parties.

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

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

Mr. Speaker, my friend, the late, great Governor of New York, Mario Cuomo, once said, ''We campaign in poetry and govern in prose,'' and I think he foresaw days like today when we come together in the spirit of compromise to accomplish great things for our communities and for the country.

I want to thank my colleagues for their support and Mr. COLE's support of both Consolidated Appropriations Acts, and I especially thank Chairwoman LOWEY, Ranking Member GRANGER, and all of the Members on the Appropriations Committee, including the distinguished gentleman from Oklahoma, for their tireless work in reaching this bipartisan compromise.

Mr. Speaker, I urge a ''yes'' vote on the rule and a ''yes'' vote on the previous question.

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

AMENDMENT TO HOUSE RESOLUTION 765

At the end of the resolution, add the following:

SEC. 5. Immediately upon adoption of this resolution, the House shall proceed to consideration in the House of the bill (H.R. 1869) to amend the Internal Revenue Code of 1986 to restore incentives for investments in qualified improvement property. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and the ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

SEC. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1869.

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 9 o'clock and 31 minutes a.m.), the House stood in recess.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUELLAR) at 10 a.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 765;

Adoption of House Resolution 765, if ordered; and

The motions to suspend the rules and pass:

H.R. 4183;

H.R. 3530; and

H.R. 722.

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 SENATE AMENDMENT TO H.R. 1158, DHS CYBER INCIDENT RESPONSE TEAMS ACT OF 2019; PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 1865, NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN ACT; AND PROVIDING FOR ADOPTION OF H.RES. 761, PERMITTING INDIVIDUALS TO BE ADMITTED TO THE HALL OF THE HOUSE IN ORDER TO OBTAIN FOOTAGE OF THE HOUSE IN SESSION FOR INCLUSION IN THE ORIENTATION FILM TO BE SHOWN TO VISITORS AT THE CAPITOL VISITOR CENTER

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. 765) providing for consideration of the Senate amendment to the bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; providing for consideration of the Senate amendment to the bill (H.R. 1865) to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; and providing for the adoption of the resolution (H. Res. 761) permitting individuals to be admitted to the Hall of the House in order to obtain footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center, 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 220, nays 192, not voting 18, as follows:

[Roll No. 683]

YEAS—220

Adams	Cisneros	Doggett
Aguilar	Clark (MA)	Doyle, Michael F.
Allred	Clarke (NY)	Engel
Axne	Cleaver	Escobar
Barragán	Clyburn	Eshoo
Bass	Cohen	Espaillat
Beatty	Connolly	Evans
Bera	Cooper	Finkenauer
Beyer	Correa	Fletcher
Bishop (GA)	Costa	Foster
Blumenauer	Courtney	Frankel
Blunt Rochester	Cox (CA)	Fudge
Bonamici	Craig	Gallego
Boyle, Brendan F.	Crist	Garamendi
Brindisi	Crow	García (IL)
Brown (MD)	Cuellar	Garcia (TX)
Brownley (CA)	Cunningham	Golden
Bustos	Davids (KS)	Gomez
Butterfield	Davis (CA)	Gonzalez (TX)
Carbajal	Davis, Danny K.	Gottheimer
Cárdenas	Dean	Green, Al (TX)
Carson (IN)	DeFazio	Grijalva
Cartwright	DeGette	Haaland
Case	DeLauro	Harder (CA)
Casten (IL)	DelBene	Hastings
Castor (FL)	Delgado	Hayes
Castro (TX)	Demings	Heck
Chu, Judy	DeSaulnier	Higgins (NY)
Cicilline	Deutch	Himes
	Dingell	

Horn, Kendra S.
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
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
Loebsack
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 (FL)
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tlaib
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Yarmuth

NAYS—192

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

NOT VOTING—18

Clay
Flores
Gabbard
Hollingsworth
Horsford
Hunter
Johnson (TX)
Katko
Lucas
Nadler
Pressley
Serrano
Shimkus
Thompson (MS)
Tonko
Van Drew
Vargas
Wilson (FL)

□ 1035

Mr. GALLEGO changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 219, nays 189, not voting 22, as follows:

[Roll No. 684]

YEAS—219

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

NAYS—189

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
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)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hudson
Huizenga
Hurd (TX)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Lipinski
Long
Loudermilk
Luetkemeyer
Marchant
Marshall
Massie
Mast
McAdams
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (NC)
Newhouse
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Scott, Austin
Sensenbrenner
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—22

Clay
Flores
Gabbard
Hollingsworth
Hunter
Johnson (LA)
Johnson (TX)
Jordan
Katko
Lucas
Nadler
Norman
Pressley
Ratcliffe
Schweikert
Serrano

Shimkus
Thompson (MS)
Tonko
Van Drew
Vargas
Wilson (FL)

□ 1044

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.

IDENTIFYING BARRIERS AND BEST PRACTICES STUDY ACT

The SPEAKER pro tempore (Ms. JACKSON LEE). Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4183) to direct the Comptroller General of the United States to conduct a study on disability and pension benefits provided to members of the National Guard and members of reserve components of the Armed Forces by the Department of Veterans Affairs, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 1, not voting 21, as follows:

[Roll No. 685]

YEAS—408

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amash
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (NC)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Cleaver
Cline
Cloud
Clyburn
Cohen
Cole
Collins (GA)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duncan
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Fortenberry
Foster
Foxx (NC)
Frankel
Fudge
Fulcher
Gaetz
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gianforte
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill (AR)
Himes
Holding
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Kaptur
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Massie
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Napolitano
Neal
Neguse
Newhouse
Norcross
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Palmer
Panetta
Pappas
Payne
Pence
Perlmutter
Perry
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Price (NC)
Quigley
Raskin
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roy
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sewell (AL)
Shalala
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Yoho
Young
Zeldin

NAYS—1

Norman

NOT VOTING—21

Clay
Flores
Gabbard
Hollingsworth
Hunter
Johnson (LA)
Johnson (TX)
Jordan
Katko
Lucas
Nadler
Pascrell
Pressley
Ratcliffe
Serrano
Shimkus
Thompson (MS)
Tonko
Van Drew
Vargas
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1053

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

IMPROVING CONFIDENCE IN VETERANS' CARE ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3530) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to enforce the licensure requirement for medical providers of the Department of Veterans Affairs, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 1, not voting 20, as follows:

[Roll No. 686]

YEAS—409

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amash
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (NC)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Cleaver
Cline
Cloud
Clyburn
Cohen
Cole
Collins (GA)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duncan
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Fortenberry
Foster
Foxx (NC)
Frankel
Fudge
Fulcher
Gaetz

Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gianforte
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill (AR)
Himes
Holding
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Kaptur
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Massie
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Napolitano
Neal
Neguse
Newhouse
Norcross
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Price (NC)
Quigley
Raskin
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roy
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sewell (AL)
Shalala
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Yoho
Young
Zeldin

NAYS—1

Norman

NOT VOTING—20

Clay
Flores
Gabbard
Hollingsworth
Hunter
Johnson (LA)
Johnson (TX)
Jordan
Katko
Lucas
Nadler
Pressley
Ratcliffe
Serrano
Shimkus
Thompson (MS)
Tonko
Van Drew
Vargas
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1100

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MIRACLE MOUNTAIN DESIGNATION ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 722) to designate a mountain in the State of Utah as ''Miracle Mountain,'' on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. HAALAND) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 20, as follows:

[Roll No. 687]

YEAS—410

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amash
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (NC)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Cleaver
Cline
Cloud
Clyburn
Cohen
Cole
Collins (GA)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duncan
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Fortenberry
Foster
Foxx (NC)
Frankel
Fudge
Fulcher
Gaetz
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gianforte
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill (AR)
Himes
Holding
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Johnson (SD)
Joyce (OH)
Joyce (PA)
Kaptur
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Massie
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Napolitano
Neal
Neguse
Newhouse
Norcross
Norman
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Price (NC)
Quigley
Raskin
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roy
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sewell (AL)
Shalala
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Yoho
Young
Zeldin

NOT VOTING—20

Clay	Jordan	Shimkus
Flores	Katko	Thompson (MS)
Gabbard	Lucas	Tonko
Hollingsworth	Nadler	Van Drew
Hunter	Pressley	Vargas
Johnson (LA)	Ratcliffe	Wilson (FL)
Johnson (TX)	Serrano	

□ 1107

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. PRESSLEY. Madam Speaker, due to flight delay issues, I was unable to vote in support the following votes.

Had I been present, I would have voted "yea" on rollcall No. 683, "yea" on rollcall No. 684, "yea" on rollcall No. 685, "yea" on rollcall No. 686, and "yea" on rollcall No. 687.

PERMITTING INDIVIDUALS TO BE ADMITTED TO THE HALL OF THE HOUSE IN ORDER TO OBTAIN FOOTAGE OF THE HOUSE IN SESSION FOR INCLUSION IN THE ORIENTATION FILM TO BE SHOWN TO VISITORS AT THE CAPITOL VISITOR CENTER

The SPEAKER pro tempore. Pursuant to House Resolution 765, H. Res. 761 is considered as adopted.

The text of the resolution is as follows:

H. RES. 761

Resolved, That the Speaker, in consultation with the minority leader, may designate individuals to be admitted to the Hall of the House and the rooms leading thereto in order to obtain film footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center.

SUBMISSION OF MATERIAL EXPLANATORY OF THE AMENDMENTS OF THE HOUSE OF REPRESENTATIVES TO THE AMENDMENTS OF THE SENATE TO H.R. 1158 AND H.R. 1865

Pursuant to section 3 of House Resolution 765, the chair of the Committee on Appropriations submitted explanatory material relating to the amendments of the House of Representatives to the amendments of the Senate to H.R. 1158 and H.R. 1865. The contents of this submission will be published in Books II and III of this RECORD.

DHS CYBER INCIDENT RESPONSE TEAMS ACT OF 2019

Mrs. LOWEY. Madam Speaker, pursuant to House Resolution 765, I call up the bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''DHS Cyber Hunt and Incident Response Teams Act of 2019''.

SEC. 2. DEPARTMENT OF HOMELAND SECURITY CYBER HUNT AND INCIDENT RESPONSE TEAMS.

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659) is amended—

(1) in subsection (d)(1)(B)(iv), by inserting '', including cybersecurity specialists'' after ''entities'';

(2) by redesignating subsections (f) through (m) as subsections (g) through (n), respectively;

(3) by inserting after subsection (e) the following:

''(f) CYBER HUNT AND INCIDENT RESPONSE TEAMS.—

''(1) IN GENERAL.—The Center shall maintain cyber hunt and incident response teams for the purpose of leading Federal asset response activities and providing timely technical assistance to Federal and non-Federal entities, including across all critical infrastructure sectors, regarding actual or potential security incidents, as appropriate and upon request, including—

''(A) assistance to asset owners and operators in restoring services following a cyber incident;

''(B) identification and analysis of cybersecurity risk and unauthorized cyber activity;

''(C) mitigation strategies to prevent, deter, and protect against cybersecurity risks;

''(D) recommendations to asset owners and operators for improving overall network and control systems security to lower cybersecurity risks, and other recommendations, as appropriate; and

''(E) such other capabilities as the Secretary determines appropriate.

''(2) ASSOCIATED METRICS.—The Center shall—

''(A) define the goals and desired outcomes for each cyber hunt and incident response team; and

''(B) develop metrics—

''(i) to measure the effectiveness and efficiency of each cyber hunt and incident response team in achieving the goals and desired outcomes defined under subparagraph (A); and

''(ii) that—

''(I) are quantifiable and actionable; and

''(II) the Center shall use to improve the effectiveness and accountability of, and service delivery by, cyber hunt and incident response teams.

''(3) CYBERSECURITY SPECIALISTS.—After notice to, and with the approval of, the entity requesting action by or technical assistance from the Center, the Secretary may include cybersecurity specialists from the private sector on a cyber hunt and incident response team.''; and

(4) in subsection (g), as so redesignated—

(A) in paragraph (1), by inserting '', or any team or activity of the Center,'' after ''Center''; and

(B) in paragraph (2), by inserting '', or any team or activity of the Center,'' after ''Center''.

(b) REPORT.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Center'' means the national cybersecurity and communications integration center established under section 2209(b) of the Homeland Security Act of 2002 (6 U.S.C. 659(b));

(B) the term ''cyber hunt and incident response team'' means a cyber hunt and incident response team maintained under section 2209(f) of the Homeland Security Act of 2002 (6 U.S.C. 659(f)), as added by this Act; and

(C) the term ''incident'' has the meaning given the term in section 2209(a) of the Homeland Security Act of 2002 (6 U.S.C. 659(a)).

(2) REPORT.—At the conclusion of each of the first 4 fiscal years after the date of enactment of the DHS Cyber Hunt and Incident Response Teams Act of 2019, the Center shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report that includes—

(A) information relating to the metrics used for evaluation and assessment of the cyber hunt and incident response teams and operations under section 2209(f)(2) of the Homeland Security Act of 2002 (6 U.S.C. 659(f)(2)), as added by this Act, including the resources and staffing of those cyber hunt and incident response teams; and

(B) for the period covered by the report—

(i) the total number of incident response requests received;

(ii) the number of incident response tickets opened; and

(iii) a statement of—

(I) all interagency staffing of cyber hunt and incident response teams; and

(II) the interagency collaborations established to support cyber hunt and incident response teams.

(c) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized to be appropriated.

MOTION TO CONCUR

Mrs. LOWEY. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mrs. LOWEY moves that the House concur in the Senate amendment to H.R. 1158 with an amendment consisting of the text of Rules Committee Print 116–43.

The text of the House amendment to the Senate amendment to the text is as follows:

In lieu of the matter proposed to be inserted by the Senate, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consolidated Appropriations Act, 2020''.

SEC. 2. TABLE OF CONTENTS.

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

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2020

Title I—Military Personnel
Title II—Operation and Maintenance
Title III—Procurement
Title IV—Research, Development, Test and Evaluation
Title V—Revolving and Management Funds
Title VI—Other Department of Defense Programs
Title VII—Related Agencies
Title VIII—General Provisions
Title IX—Overseas Contingency Operations
Title X—Natural Disaster Relief

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

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

DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2020

Title I—Department of the Treasury

Title II—Executive Office of the President and Funds Appropriated to the President
Title III—The Judiciary
Title IV—District of Columbia
Title V—Independent Agencies
Title VI—General Provisions—This Act
Title VII—General Provisions—Government-wide
Title VIII—General Provisions—District of Columbia
DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2020
Title I—Departmental Management, Operations, Intelligence, and Oversight
Title II—Security, Enforcement, and Investigations
Title III—Protection, Preparedness, Response, and Recovery
Title IV—Research, Development, Training, and Services
Title V—General Provisions

SEC. 3. REFERENCES.

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

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about December 17, 2019, and submitted by the Chairwoman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of divisions A through D of this Act as if it were a joint explanatory statement of a committee of conference.

SEC. 5. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020.

SEC. 6. AVAILABILITY OF FUNDS.

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

(b) Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2020

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $42,746,972,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $31,710,431,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $14,098,666,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $31,239,149,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 7038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,922,087,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,115,997,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $833,604,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,014,190,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $8,704,320,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,060,651,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, $39,597,083,000: *Provided*, That not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, $47,622,510,000: *Provided*, That not to exceed $15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $7,868,468,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, $42,736,365,000: *Provided*, That not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, SPACE FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Space Force, as authorized by law, $40,000,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $37,491,073,000: *Provided*, That not more than $6,859,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $44,500,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $4,500,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $17,732,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That of the funds provided under this heading, $643,073,000, of which $160,768,000, to remain available until September 30, 2021, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,984,494,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,102,616,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $289,076,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,227,318,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $7,461,947,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,655,292,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $14,771,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $251,700,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $385,000,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $485,000,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $19,002,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the

Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $275,000,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $135,000,000, to remain available until September 30, 2021.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance, including assistance provided by contract or by grants, under programs and activities of the Department of Defense Cooperative Threat Reduction Program authorized under the Department of Defense Cooperative Threat Reduction Act, $373,700,000, to remain available until September 30, 2022.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $400,000,000, to remain available for obligation until September 30, 2021: *Provided*, That no other amounts may be otherwise credited or transferred to the Fund, or deposited into the Fund, in fiscal year 2020 pursuant to section 1705(d) of title 10, United States Code.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,771,329,000, to remain available for obligation until September 30, 2022.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,995,673,000, to remain available for obligation until September 30, 2022.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,663,597,000, to remain available for obligation until September 30, 2022.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,578,575,000, to remain available for obligation until September 30, 2022.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $7,581,524,000, to remain available for obligation until September 30, 2022.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $19,605,513,000, to remain available for obligation until September 30, 2022.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $4,017,470,000, to remain available for obligation until September 30, 2022.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $843,401,000, to remain available for obligation until September 30, 2022.

SHIPBUILDING AND CONVERSION, NAVY

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

Ohio Replacement Submarine (AP), $1,820,927,000;

Carrier Replacement Program (CVN–80), $1,062,000,000;

Carrier Replacement Program (CVN–81), $1,214,500,000;

Virginia Class Submarine, $5,365,181,000;

Virginia Class Submarine (AP), $2,969,552,000;

CVN Refueling Overhauls, $634,626,000;

CVN Refueling Overhauls (AP), $16,900,000;

DDG–1000 Program, $155,944,000;

DDG–51 Destroyer, $5,065,295,000;

DDG–51 Destroyer (AP), $744,028,000;

FFG–Frigate, $1,281,177,000;

LPD Flight II, $524,100,000;

LHA Replacement, $650,000,000;

Expeditionary Fast Transport, $261,000,000;

TAO Fleet Oiler, $981,215,000;

TAO Fleet Oiler (AP), $73,000,000;

Towing, Salvage, and Rescue Ship, $150,282,000;

LCU 1700, $83,670,000;

Ship to Shore Connector, $65,000,000;

Service Craft, $56,289,000;

For outfitting, post delivery, conversions, and first destination transportation, $695,992,000; and

Completion of Prior Year Shipbuilding Programs, $104,700,000.

In all: $23,975,378,000, to remain available for obligation until September 30, 2024: *Provided*, That additional obligations may be incurred after September 30, 2024, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards: *Provided further*, That funds appropriated or otherwise made available by this Act for Ohio Replacement Submarine (AP) may be available for the purposes authorized by subsections (f), (g), (h) or (i) of section 2218a of title 10, United States Code, only in accordance with the provisions of the applicable subsection: *Provided further*, That an appropriation made under the heading ''Shipbuilding and Conversion, Navy'' provided for the purpose of ''Program increase—advance procurement for fiscal year 2020 LPD Flight II and/or multiyear procurement economic order quantity'' shall be considered to be for the purpose of ''Program increase—advance procurement of LPD–31''.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $10,075,257,000, to remain available for obligation until September 30, 2022: *Provided*, That such funds are also available for the maintenance, repair, and modernization of Pacific Fleet ships under a pilot program established for such purposes.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $2,898,422,000, to remain available for obligation until September 30, 2022.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $17,512,361,000, to remain available for obligation until September 30, 2022.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $2,575,890,000, to remain available for obligation until September 30, 2022.

SPACE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of spacecraft, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $2,353,383,000, to remain available for obligation until September 30, 2022.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,625,661,000, to remain available for obligation until September 30, 2022.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $21,410,021,000, to remain available for obligation until September 30, 2022.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $5,332,147,000, to remain available for obligation until September 30, 2022.

DEFENSE PRODUCTION ACT PURCHASES

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

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $12,543,435,000, to remain available for obligation until September 30, 2021.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,155,115,000, to remain available for obligation until September 30, 2021: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $45,566,955,000, to remain available for obligation until September 30, 2021.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $25,938,027,000, to remain available for obligation until September 30, 2021.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of

the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $227,700,000, to remain available for obligation until September 30, 2021.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,564,211,000.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $34,074,119,000; of which $31,321,665,000, shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2021, and of which up to $15,262,668,000 may be available for contracts entered into under the TRICARE program; of which $446,359,000, to remain available for obligation until September 30, 2022, shall be for procurement; and of which $2,306,095,000, to remain available for obligation until September 30, 2021, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided under this heading for research, development, test and evaluation, not less than $1,383,500,000 shall be made available to the United States Army Medical Research and Development Command to carry out the congressionally directed medical research programs: *Provided further*, That the Secretary of Defense shall submit to the Congressional defense committees quarterly reports on the current status of the deployment of the electronic health record: *Provided further*, That the Secretary of Defense shall provide notice to the Congressional defense committees not later than ten business days after delaying the proposed timeline of such deployment if such delay is longer than one week: *Provided further*, That the Comptroller General of the United States shall perform quarterly performance reviews of such deployment.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

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

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $893,059,000, of which $522,171,000 shall be for counter-narcotics support; $124,922,000 shall be for the drug demand reduction program; $220,595,000 shall be for the National Guard counter-drug program; and $25,371,000 shall be for the National Guard counter-drug schools program: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

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

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

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

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $556,000,000.

TITLE VIII

GENERAL PROVISIONS

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

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

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

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

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2020: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled Explanation of Project Level Adjustments in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise

made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

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

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

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

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

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

(1) ''Environmental Restoration, Army'';

(2) ''Environmental Restoration, Navy'';

(3) ''Environmental Restoration, Air Force'';

(4) ''Environmental Restoration, Defense-Wide'';

(5) ''Environmental Restoration, Formerly Used Defense Sites''; and

(6) ''Drug Interdiction and Counter-drug Activities, Defense''.

(TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

SEC. 8012. (a) During the current fiscal year, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2021 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2021 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2021.

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

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

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

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

(TRANSFER OF FUNDS)

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

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring

chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the Service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available in this Act to the Department of Defense, other than appropriations made for necessary or routine refurbishments, upgrades or maintenance activities, shall be used to reduce or to prepare to reduce the number of deployed and non-deployed strategic delivery vehicles and launchers below the levels set forth in the report submitted to Congress in accordance with section 1042 of the National Defense Authorization Act for Fiscal Year 2012.

SEC. 8018. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That, in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8019. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8020. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8021. Of the funds made available in this Act, $25,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8022. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8023. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8024. (a) Of the funds made available in this Act, not less than $51,800,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $39,100,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

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

(3) $1,700,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

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

SEC. 8025. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

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

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

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2020, not more than 6,053 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That, of the specific amount referred to previously in this subsection, not more than 1,148 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program and the Military Intelligence Program.

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

SEC. 8026. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8027. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8028. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8029. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating

against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

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

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2020. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 8030. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8031. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

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

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

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

SEC. 8032. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8033. None of the funds made available by this Act may be used to—

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

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled ''Army Senior Reserve Officer's Training Corps (SROTC) Program Review and Criteria'', dated January 27, 2014.

SEC. 8034. Amounts appropriated for ''Procurement, Defense-Wide'' in this Act may be used for the purchase of up to 24 new passenger carrying motor vehicles at a cost of not more than $47,000 per vehicle for use by the Defense POW/MIA Accounting Agency in carrying out the responsibilities specified in section 1501 of title 10, United States Code, in the United States Indo-Pacific Command, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8035. Up to $14,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8036. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive price in the local community: *Provided*, That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

SEC. 8037. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

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

SEC. 8038. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2021: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2021.

SEC. 8039. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8040. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

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

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

SEC. 8041. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

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

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

(c) This section does not apply to—

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

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

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

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

SEC. 8042. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

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

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

(B) $10,000,000; and

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

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

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

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

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

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

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

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

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

(RESCISSIONS)

SEC. 8043. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

''Shipbuilding and Conversion, Navy: DDG-51 Destroyer'', 2012/2020, $44,500,000;

''Shipbuilding and Conversion, Navy: LCAC SLEP'', 2013/2022, $2,000,000;

''Aircraft Procurement, Army'', 2018/2020, $44,000,000;

''Missile Procurement, Army'', 2018/2020, $5,182,000;

''Weapons and Tracked Combat Vehicles, Army'', 2018/2020, $97,000,000;

''Other Procurement, Army'', 2018/2020, $5,685,000;

''Aircraft Procurement, Navy'', 2018/2020, $114,781,000;

''Other Procurement, Navy'', 2018/2020, $23,526,000;

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

''Aircraft Procurement, Air Force'', 2018/2020, $160,975,000;

''Missile Procurement, Air Force'', 2018/2020, $75,973,000;

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

''Operation and Maintenance, Defense-Wide: Defense Security Cooperation Agency'', 2019/2020, $21,314,000;

''Aircraft Procurement, Army'', 2019/2021, $58,600,000;

''Missile Procurement, Army'', 2019/2021, $67,798,000;

''Weapons and Tracked Combat Vehicles, Army'', 2019/2021, $215,946,000;

''Other Procurement, Army'', 2019/2021, $107,483,000;

''Aircraft Procurement, Navy'', 2019/2021, $307,100,000;

''Procurement of Ammunition, Navy and Marine Corps'', 2019/2021, $22,000,000;

''Shipbuilding and Conversion, Navy: DDG-51 Destroyer Advance Procurement'', 2019/2023, $51,000,000;

''Shipbuilding and Conversion, Navy: LPD-17 Advance Procurement'', 2019/2023, $102,900,000;

''Other Procurement, Navy'', 2019/2021, $24,770,000;

''Procurement, Marine Corps'', 2019/2021, $74,756,000;

''Aircraft Procurement, Air Force'', 2019/2021, $713,455,000;

''Missile Procurement, Air Force'', 2019/2021, $39,979,000;

''Space Procurement, Air Force'', 2019/2021, $164,300,000;

''Procurement of Ammunition, Air Force'', 2019/2021, $236,100,000;

''Procurement, Defense-Wide'', 2019/2021, $337,000,000;

''Research, Development, Test and Evaluation, Army'', 2019/2020, $150,276,000;

''Research, Development, Test and Evaluation, Navy'', 2019/2020, $230,957,000;

''Research, Development, Test and Evaluation, Air Force'', 2019/2020, $263,050,000;

''Research, Development, Test and Evaluation, Defense-Wide'', 2019/2020, $267,000,000; and

''Defense Health Program: Research, Development, Test and Evaluation'', 2019/2020, $26,200,000.

SEC. 8044. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8045. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose: *Provided*, That this restriction shall not apply to any activities incidental to the Defense POW/MIA Accounting Agency mission to recover and identify the remains of United States Armed Forces personnel from the Democratic People's Republic of Korea.

SEC. 8046. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8047. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8048. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 103 of title 41, United States Code, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8049. Of the amounts appropriated for ''Working Capital Fund, Army'', $129,000,000 shall be available to maintain competitive rates at the arsenals.

SEC. 8050. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations and $24,000,000 to the Red Cross.

SEC. 8051. None of the funds in this Act may be used to purchase any supercomputer

which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8052. Notwithstanding any other provision in this Act, the Small Business Innovation Research program and the Small Business Technology Transfer program set-asides shall be taken proportionally from all programs, projects, or activities to the extent they contribute to the extramural budget.

SEC. 8053. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 8054. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8055. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

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

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

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account: *Provided*, That the Under Secretary of Defense (Comptroller) shall include with the budget of the President for fiscal year 2021 (as submitted to Congress pursuant to section 1105 of title 31, United States Code) a statement describing each instance if any, during each of the fiscal years 2015 through 2020 in which the authority in this section was exercised.

SEC. 8056. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 8057. Of the funds appropriated in this Act under the heading ''Operation and Maintenance, Defense-Wide'', $35,000,000 shall be for continued implementation and expansion of the Sexual Assault Special Victims' Counsel Program: *Provided*, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: *Provided further*, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8058. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That the Secretary of Defense shall, at the time of the submittal to Congress of the budget of the President for fiscal year 2021 pursuant to section 1105 of title 31, United States Code, submit to the congressional defense committees a report detailing the use of funds requested in research, development, test and evaluation accounts for end-items used in development, prototyping and test activities preceding and leading to acceptance for operational use: *Provided further*, That the report shall set forth, for each end-item covered by the preceding proviso, a detailed list of the statutory authorities under which amounts in the accounts described in that proviso were used for such item: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8059. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

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

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

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section XI (chapters 50–65) of the Harmonized Tariff Schedule of the United States and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8060. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8061. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees.

SEC. 8062. The Secretary of Defense shall continue to provide a classified quarterly report to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8063. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8064. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8065. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $138,103,000 shall remain available until expended: *Provided*, That, notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8067. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

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

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

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

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

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

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

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

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

SEC. 8068. In addition to amounts provided elsewhere in this Act, $10,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated for ''Operation and Maintenance, Navy'', up to $1,000,000 shall be available for transfer to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105).

SEC. 8070. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of United States Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force until a written modification has been proposed to the House and Senate Appropriations Committees: *Provided further*, That the proposed modification may be implemented 30 days after the notification unless an objection is received from either the House or Senate Appropriations Committees: *Provided further*, That any proposed modification shall not preclude the ability of the commander of United States Indo-Pacific Command to meet operational requirements.

SEC. 8071. Any notice that is required to be submitted to the Committees on Appropriations of the Senate and the House of Representatives under section 806(c)(4) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2302 note) after the date of the enactment of this Act shall be submitted pursuant to that requirement concurrently to the Subcommittees on Defense of the Committees on Appropriations of the Senate and the House of Representatives.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the headings ''Procurement, Defense-Wide'' and ''Research, Development, Test and Evaluation, Defense-Wide'', $500,000,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $95,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; $191,000,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $50,000,000 shall be for co-production activities of SRBMD systems in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for SRBMD, as amended; $55,000,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which $55,000,000 shall be for co-production activities of Arrow 3 Upper Tier systems in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for Arrow 3 Upper Tier, as amended; and $159,000,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $104,700,000 shall be available until September 30, 2020, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading ''Shipbuilding and Conversion, Navy'', 2016/2020: Littoral Combat Ship $14,000,000;

(2) Under the heading ''Shipbuilding and Conversion, Navy'', 2016/2020: Expeditionary Sea Base $38,000,000;

(3) Under the heading ''Shipbuilding and Conversion, Navy'', 2018/2020: TAO Fleet Oiler $3,700,000; and

(4) Under the heading ''Shipbuilding and Conversion, Navy'', 2019/2020: Expeditionary Fast Transport $49,000,000.

SEC. 8074. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2020 until the enactment of the Intelligence Authorization Act for Fiscal Year 2020.

SEC. 8075. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8076. The budget of the President for fiscal year 2021 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8077. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8078. The Secretary of Defense may use up to $650,000,000 of the amounts appropriated or otherwise made available in this Act to the Department of Defense for the rapid acquisition and deployment of supplies and associated support services pursuant to section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note), but only for the purposes specified in clauses (i), (ii), (iii), and (iv) of subsection (c)(3)(B) of such section and subject to the applicable limits specified in clauses (i), (ii), and (iii) of

such subsection and, in the case of clause (iv) of such subsection, subject to a limit of $50,000,000: *Provided*, That the Secretary of Defense shall notify the congressional defense committees promptly of all uses of such authority.

SEC. 8079. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8080. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8081. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

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

SEC. 8082. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2021.

SEC. 8083. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8084. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2020: *Provided*, That the report shall include—

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

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

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

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

SEC. 8085. Notwithstanding any other provision of law, any transfer of funds, appropriated or otherwise made available by this Act, for support to friendly foreign countries in connection with the conduct of operations in which the United States is not participating, pursuant to section 331(d) of title 10, United States Code, shall be made in accordance with section 8005 or 9002 of this Act, as applicable.

SEC. 8086. Any transfer of amounts appropriated to, credited to, or deposited in the Department of Defense Acquisition Workforce Development Fund in or for fiscal year 2020 to a military department or Defense Agency pursuant to section 1705(e)(1) of title 10, United States Code, shall be covered by and subject to section 8005 or 9002 of this Act, as applicable.

SEC. 8087. None of the funds made available by this Act for excess defense articles, assistance under section 333 of title 10, United States Code, or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

SEC. 8088. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of $10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

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

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

SEC. 8089. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8090. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

SEC. 8091. None of the funds appropriated by this Act may be available for the purpose of making remittances to the Department of Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8092. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

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

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

(2) the report contains proprietary information.

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

SEC. 8093. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

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

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

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

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

States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $127,000,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8095. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Defense or a component thereof in contravention of the provisions of section 130h of title 10, United States Code.

SEC. 8096. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8097. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed $1,500,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2020.

SEC. 8098. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

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

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

SEC. 8099. None of the funds appropriated or otherwise made available in this Act may be used to transfer any individual detained at United States Naval Station Guantánamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) and section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

SEC. 8100. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8101. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used by the Secretary of Defense, or any other official or officer of the Department of Defense, to enter into a contract, memorandum of understanding, or cooperative agreement with, or make a grant to, or provide a loan or loan guarantee to Rosoboronexport or any subsidiary of Rosoboronexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, determines that it is in the vital national security interest of the United States to do so, and certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic;

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine; and

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

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

SEC. 8102. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

SEC. 8103. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

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

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8104. (a) Of the funds appropriated in this Act for the Department of Defense, amounts should be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

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

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

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

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

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

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

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

SEC. 8105. The Secretary of Defense shall post grant awards on a public website in a searchable format.

SEC. 8106. The Secretary of each military department, in reducing each research, development, test and evaluation and procurement account of the military department as required under paragraph (1) of section 828(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note), as amended by section 825(a)(3) of the National Defense Authorization Act for Fiscal Year 2018, shall allocate the percentage reduction determined under paragraph (2) of such section 828(d) proportionally from all programs, projects, or activities under such account: *Provided*, That the authority under section 804(d)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note) to transfer amounts available in the Rapid Prototyping Fund shall be subject to section 8005 or 9002 of this Act, as applicable.

SEC. 8107. None of the funds made available by this Act may be used by the National Security Agency to—

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

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

SEC. 8108. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of any agency funded by this Act who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8109. Of the amounts appropriated in this Act for ''Operation and Maintenance, Navy'', $352,044,000, to remain available until expended, may be used for any purposes related to the National Defense Reserve Fleet established under section 11 of the Merchant Ship Sales Act of 1946 (46 U.S.C. 57100): *Provided*, That such amounts are available for reimbursements to the Ready Reserve Force, Maritime Administration account of the United States Department of Transportation for programs, projects, activities, and expenses related to the National Defense Reserve Fleet.

SEC. 8110. None of the funds made available in this Act may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112–81; 125 Stat. 1621) to initiate support for, or expand support to, foreign forces, irregular forces, groups, or individuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: *Provided*, That none of the funds made available in this Act may be used under section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: *Provided further*, That the Secretary of Defense may waive the prohibitions in this section if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8111. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 8112. The Secretary of Defense, in consultation with the Service Secretaries, shall submit two reports to the congressional defense committees, not later than March 1, 2020, and not later than September 1, 2020, detailing the submission of records during the previous 6 months to databases accessible to the National Instant Criminal Background Check System (NICS), including the Interstate Identification Index (III), the National Crime Information Center (NCIC), and the NICS Index, as required by Public Law 110–180: *Provided*, That such reports shall provide the number and category of records submitted by month to each such database, by Service or Component: *Provided further*, That such reports shall identify the number and category of records submitted by month to those databases for which the Identification for Firearm Sales (IFFS) flag or other database flags were used to pre-validate the records and indicate that such persons are prohibited from receiving or possessing a firearm: *Provided further*, That such reports shall describe the steps taken during the previous 6 months, by Service or Component, to ensure complete and accurate submission and appropriate flagging of records of individuals prohibited from gun possession or receipt pursuant to 18 U.S.C. 922(g) or (n) including applicable records involving proceedings under the Uniform Code of Military Justice.

SEC. 8113. (a) None of the funds provided in this Act for the TAO Fleet Oiler program shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

(b) None of the funds provided in this Act for the FFG(X) Frigate program shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Air circuit breakers; gyrocompasses; electronic navigation chart systems; steering controls; pumps; propulsion and machinery control systems; totally enclosed lifeboats; auxiliary equipment pumps; shipboard cranes; auxiliary chill water systems; and propulsion propellers: *Provided*, That the Secretary of the Navy shall incorporate United States manufactured propulsion engines and propulsion reduction gears into the FFG(X) Frigate program beginning not later than with the eleventh ship of the program.

SEC. 8114. No amounts credited or otherwise made available in this or any other Act to the Department of Defense Acquisition Workforce Development Fund may be transferred to:

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

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

SEC. 8115. None of the funds made available by this Act may be used for Government Travel Charge Card expenses by military or civilian personnel of the Department of Defense for gaming, or for entertainment that includes topless or nude entertainers or participants, as prohibited by Department of Defense FMR, Volume 9, Chapter 3 and Department of Defense Instruction 1015.10 (enclosure 3, 14a and 14b).

SEC. 8116. Notwithstanding any other provision of law, from funds made available to the Department of Defense in title II of this Act under the heading ''Operation and Maintenance, Defense-Wide'', $15,000,000 shall be available for a project in a country designated by the Secretary of Defense: *Provided*, That in furtherance of the project, the Department of Defense is authorized to acquire services, including services performed pursuant to a grant agreement, from another Federal agency, on an advance of funds or reimbursable basis: *Provided further*, That an order for services placed under this section is deemed to be an obligation in the same manner that a similar order placed under a contract with a private contractor is an obligation.

SEC. 8117. None of the funds appropriated by this Act may be made available to deliver F–35 air vehicles or any other F–35 weapon system equipment to the Republic of Turkey, except in accordance with section 1245 of the National Defense Authorization Act for Fiscal Year 2020.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8118. Of the amounts appropriated in this Act, the Secretary of Defense may use up to $82,046,000 under the heading ''Operation and Maintenance, Defense-Wide'', and up to $44,001,000 under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' to develop, replace, and sustain Federal Government security and suitability background investigation information technology systems of the Office of Personnel Management or other Federal agency responsible for conducting such investigations: *Provided*, That the Secretary may transfer additional amounts into these headings or into ''Procurement, Defense-Wide'' using established reprogramming procedures prescribed in the Department of Defense Financial Management Regulation 7000.14, Volume 3, Chapter 6, dated September 2015: *Provided further*, That such funds shall supplement, not supplant any other amounts made available to other Federal agencies for such purposes.

SEC. 8119. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

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

SEC. 8120. Notwithstanding any other provision of law, any transfer of funds appropriated or otherwise made available by this Act to the Global Engagement Center established by section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 22 U.S.C. 2656 note) shall be made in accordance with section 8005 or 9002 of this Act, as applicable, but only after the amount so transferred exceeds $20,000,000, the amount appropriated in this Act for the Global Engagement Center.

SEC. 8121. In addition to amounts provided elsewhere in this Act, there is appropriated $315,000,000, for an additional amount for ''Operation and Maintenance, Defense-Wide'', to remain available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall

give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That as a condition of receiving funds under this section a local educational agency or State shall provide a matching share as described in the notice titled ''Department of Defense Program for Construction, Renovation, Repair or Expansion of Public Schools Located on Military Installations'' published by the Department of Defense in the Federal Register on September 9, 2011 (76 Fed. Reg. 55883 et seq.): *Provided further*, That these provisions apply to funds provided under this section, and to funds previously provided by Congress to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools to the extent such funds remain unobligated on the date of enactment of this section.

SEC. 8122. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8123. In carrying out the program 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 memorandum, the Secretary of Defense shall apply such policy and guidance, except that—

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

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

SEC. 8124. None of the funds made available by this Act may be used to provide arms, training, or other assistance to the Azov Battalion.

SEC. 8125. None of the funds provided for, or otherwise made available, in this or any other Act, may be obligated or expended by the Secretary of Defense to provide motorized vehicles, aviation platforms, munitions other than small arms and munitions appropriate for customary ceremonial honors, operational military units, or operational military platforms if the Secretary determines that providing such units, platforms, or equipment would undermine the readiness of such units, platforms, or equipment.

SEC. 8126. The Secretary of Defense may obligate and expend funds made available under this Act for procurement or for research, development, test and evaluation for the F–35 Joint Strike Fighter to modify up to six F–35 aircraft, including up to two F–35 aircraft of each variant, to a test configuration: *Provided*, That the Secretary of Defense shall, with the concurrence of the Secretary of the Air Force and the Secretary of the Navy, notify the congressional defense committees not fewer than 30 days prior to obligating and expending funds under this section: *Provided further*, That any transfer of funds pursuant to the authority provided in this section shall be made in accordance with section 8005 or 9002 of this Act, as appropriate, if applicable: *Provided further*, That aircraft referred to previously in this section are not additional to aircraft referred to in section 8135 of the Department of Defense Appropriations Act, 2019.

SEC. 8127. Amounts appropriated for ''Defense Health Program'' in this Act and hereafter may be obligated to make death gratuity payments, as authorized in subchapter II of chapter 75 of title 10, United States Code, if no appropriation for ''Military Personnel'' is available for obligation for such payments: *Provided*, That such obligations may subsequently be recorded against appropriations available for ''Military Personnel''.

SEC. 8128. (a) None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting such tax liability, provided that the applicable Federal agency is aware of the unpaid Federal tax liability.

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

SEC. 8129. None of the funds made available by this Act may be used in contravention of—

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

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

SEC. 8130. During fiscal year 2020, any advance billing for background investigation services and related services purchased from activities financed using Defense Working Capital Funds shall be excluded from the calculation of cumulative advance billings under section 2208(l)(3) of title 10, United States Code.

SEC. 8131. None of the funds appropriated or otherwise made available by this Act may be used to transfer the National Reconnaissance Office to the Space Force.

SEC. 8132. The Secretary of Defense shall submit to the Committees on Appropriations the reports required by section 596 of the National Defense Authorization Act for Fiscal Year 2020.

SEC. 8133. Notwithstanding any other provision of this Act, to reflect savings due to favorable foreign exchange rates, the total amount appropriated in this Act is hereby reduced by $81,559,000.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $2,743,132,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

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

MILITARY PERSONNEL, MARINE CORPS

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

MILITARY PERSONNEL, AIR FORCE

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

RESERVE PERSONNEL, ARMY

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

RESERVE PERSONNEL, NAVY

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

RESERVE PERSONNEL, MARINE CORPS

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

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $16,428,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

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

NATIONAL GUARD PERSONNEL, AIR FORCE

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

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $20,092,038,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $8,772,379,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'',

$1,109,791,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $10,359,379,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $7,803,193,000: *Provided*, That of the funds provided under this heading, not to exceed $225,000,000, to remain available until September 30, 2021, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and Syria: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following written notification to the appropriate congressional committees: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and Syria, and 15 days following written notification to the appropriate congressional committees: *Provided further*, That these funds may be used to support the Government of Jordan in such amounts as the Secretary of Defense may determine, to enhance the ability of the armed forces of Jordan to increase or sustain security along its borders, upon 15 days prior written notification to the congressional defense committees outlining the amounts intended to be provided and the nature of the expenses incurred: *Provided further*, That of the funds provided under this heading, not to exceed $1,049,178,000 to remain available until September 30, 2021, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $37,592,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $23,036,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $8,707,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $29,758,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $83,291,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $176,909,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $4,199,978,000, to remain available until September 30, 2021: *Provided*, That such funds shall be available to the Secretary of Defense for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: *Provided further*, That the Secretary of Defense may obligate and expend funds made available to the Department of Defense in this title for additional costs associated with existing projects previously funded with amounts provided under the heading ''Afghanistan Infrastructure Fund'' in prior Acts: *Provided further*, That such costs shall be limited to contract changes resulting from inflation, market fluctuation, rate adjustments, and other necessary contract actions to complete existing projects, and associated supervision and administration costs and costs for design during construction: *Provided further*, That the Secretary may not use more than $50,000,000 under the authority provided in this section: *Provided further*, That the Secretary shall notify in advance such contract changes and adjustments in annual reports to the congressional defense committees: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing and not fewer than 15 days prior to obligating funds for any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That of the funds provided under this heading, not less than $10,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel: *Provided further*, That funds appropriated under this heading and made available for the salaries and benefits of personnel of the Afghanistan Security Forces may only be used for personnel who are enrolled in the Afghanistan Personnel and Pay System: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COUNTER-ISIS TRAIN AND EQUIP FUND

For the ''Counter-Islamic State of Iraq and Syria Train and Equip Fund'', $1,195,000,000, to remain available until September 30, 2021: *Provided*, That such funds shall be available to the Secretary of Defense in coordination with the Secretary of State, to provide assistance, including training; equipment; logistics support, supplies, and services; stipends; infrastructure repair and renovation; construction for facility fortification and humane treatment; and sustainment, to foreign security forces, irregular forces, groups, or individuals participating, or preparing to participate in activities to counter the Islamic State of Iraq and Syria, and their affiliated or associated groups: *Provided further*, That these funds may be used in such amounts as the Secretary of Defense may determine to enhance the border security of nations adjacent to conflict areas including Jordan, Lebanon, Egypt, and Tunisia resulting from actions of the Islamic State of Iraq and Syria: *Provided further*, That amounts made available under this heading shall be available to provide assistance only for activities in a country designated by the Secretary of Defense, in coordination with the

Secretary of State, as having a security mission to counter the Islamic State of Iraq and Syria, and following written notification to the congressional defense committees of such designation: *Provided further*, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces or individuals, such elements or individuals are appropriately vetted, including at a minimum, assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq and other entities, to carry out assistance authorized under this heading: *Provided further*, That contributions of funds for the purposes provided herein from any foreign government or other entity may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall prioritize such contributions when providing any assistance for construction for facility fortification: *Provided further*, That the Secretary of Defense may waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines that such provision of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the congressional defense committees, the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Provided further*, That the United States may accept equipment procured using funds provided under this heading, or under the heading, ''Iraq Train and Equip Fund'' in prior Acts, that was transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and Syria and returned by such forces or groups to the United States, and such equipment may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That equipment procured using funds provided under this heading, or under the heading, ''Iraq Train and Equip Fund'' in prior Acts, and not yet transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and Syria may be treated as stocks of the Department of Defense when determined by the Secretary to no longer be required for transfer to such forces or groups and upon written notification to the congressional defense committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided under this heading, including, but not limited to, the number of individuals trained, the nature and scope of support and sustainment provided to each group or individual, the area of operations for each group, and the contributions of other countries, groups, or individuals: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $531,541,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $1,423,589,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $346,306,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

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

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $1,080,504,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $95,153,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

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

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

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

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $351,250,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

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

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $851,310,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $201,671,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $934,758,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $3,748,801,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $438,064,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $147,304,000, to remain available until September 30, 2021: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $394,260,000, to remain available until September 30, 2021: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $20,100,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

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

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $153,100,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $24,254,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $2,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

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

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

SEC. 9005. Not to exceed $5,000,000 of the amounts appropriated by this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commanders' Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $2,000,000: *Provided further*, That not later than 45 days after the end of each 6 months of the fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that 6-month period that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each fiscal year quarter, the Army shall submit to the congressional defense committees quarterly commitment, obligation, and expenditure data for the CERP in Afghanistan: *Provided further*, That, not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $500,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

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

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to allied forces participating in a combined operation with the armed forces of the United States and coalition forces supporting military and stability operations in Afghanistan and to counter the Islamic State of Iraq and Syria: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

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

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

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

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

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

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

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

SEC. 9009. None of the funds provided for the ''Afghanistan Security Forces Fund'' (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further*, That the Department

of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding proviso and accompanying report language for the ASFF.

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

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

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

SEC. 9013. Of the amounts appropriated in this title under the heading ''Operation and Maintenance, Defense-Wide'', for the Defense Security Cooperation Agency, $250,000,000, of which $125,000,000, to remain available until September 30, 2020, shall be for the Ukraine Security Assistance Initiative: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; lethal assistance; logistics support, supplies and services; sustainment; and intelligence support to the military and national security forces of Ukraine, and for replacement of any weapons or articles provided to the Government of Ukraine from the inventory of the United States: *Provided further*, That of the amounts made available in this section, $50,000,000 shall be available only for lethal assistance described in paragraphs (2) and (3) of section 1250(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92): *Provided further*, That the Secretary of Defense shall, not less than 15 days prior to obligating funds provided under this heading, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall, not less than 90 days after such notification is made, inform such committees if such funds have not been obligated and the reasons therefor: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Ukraine and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the military or National Security Forces of Ukraine or returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

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

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

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

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

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

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

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

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

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

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in subsection (a) on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises such waiver authority, the Secretaries shall report to the congressional defense committees on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9018. In addition to amounts otherwise made available in this Act, $250,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve near-term intelligence, surveillance, and reconnaissance capabilities and related processing, exploitation, and dissemination functions of the Department of Defense: *Provided*, That the transfer authority provided in this section is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: *Provided further*, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That such funds may not be obligated for new start efforts: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the authority to provide funding under this section shall terminate on September 30, 2020.

SEC. 9019. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

SEC. 9020. None of the funds in this Act may be made available for the transfer of additional C–130 cargo aircraft to the Afghanistan National Security Forces or the Afghanistan Air Force until the Department of Defense provides a report to the congressional defense committees of the Afghanistan Air Force's medium airlift requirements. The report should identify Afghanistan's ability to utilize and maintain existing medium lift aircraft in the inventory and the best alternative platform, if necessary, to provide additional support to the Afghanistan Air Force's current medium airlift capacity.

SEC. 9021. Funds available for the Afghanistan Security Forces Fund may be used to provide limited training, equipment, and other assistance that would otherwise be prohibited by 10 U.S.C. 362 to a unit of the security forces of Afghanistan only if the Secretary certifies to the congressional defense committees, within 30 days of a decision to provide such assistance, that (1) a denial of such assistance would present significant risk to U.S. or coalition forces or significantly undermine United States national security objectives in Afghanistan; and (2) the Secretary has sought a commitment by the Government of Afghanistan to take all necessary corrective steps: *Provided*, That such certification shall be accompanied by a report describing: (1) the information relating to the gross violation of human rights; (2) the circumstances that necessitated the provision of such assistance; (3) the Afghan security force unit involved; (4) the assistance provided and the assistance withheld; and (5) the corrective steps to be taken by the Government of Afghanistan: *Provided further*, That every 120 days after the initial report an additional report shall be submitted detailing the status of any corrective steps taken by the Government of Afghanistan: *Provided further*, That if the Government of Afghanistan has not initiated necessary corrective steps within one year of the certification, the authority under this section to

provide assistance to such unit shall no longer apply: *Provided further*, That the Secretary shall submit a report to such committees detailing the final disposition of the case by the Government of Afghanistan.

SEC. 9022. None of the funds made available by this Act may be made available for any member of the Taliban except to support a reconciliation activity that includes the participation of members of the Government of Afghanistan, does not restrict the participation of women, and is authorized by section 1218 of the National Defense Authorization Act for Fiscal Year 2020.

(RESCISSIONS)

SEC. 9023. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

''Weapons and Tracked Combat Vehicles, Army'', 2018/2020, $30,000,000;

''Aircraft Procurement, Air Force'', 2018/2020, $32,300,000;

''Operation and Maintenance, Defense-Wide: DSCA Security Cooperation'', 2019/2020, $55,000,000;

''Operation and Maintenance, Defense-Wide: Coalition Support Fund'', 2019/2020, $30,000,000;

''Afghanistan Security Forces Fund'', 2019/2020, $396,000,000;

''Counter-ISIS Train and Equip Fund'', 2019/2020, $450,000,000;

''Missile Procurement, Army'', 2019/2021, $13,176,000;

''Weapons and Tracked Combat Vehicles, Army'', 2019/2021, $52,477,000;

''Other Procurement, Army'', 2019/2021, $8,750,000;

''Procurement of Ammunition, Navy and Marine Corps'', 2019/2021, $16,574,000;

''Aircraft Procurement, Air Force'', 2019/2021, $24,713,000; and

''Missile Procurement, Air Force'', 2019/2021, $25,752,000.

SEC. 9024. Nothing in this Act may be construed as authorizing the use of force against Iran.

TITLE X

NATURAL DISASTER RELIEF

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $427,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $394,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $110,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $45,700,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'' $75,015,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'' $73,323,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'' $204,448,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'' $77,974,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'' $130,444,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'' for the Navy Working Capital Fund, $233,500,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 10001. Notwithstanding any other provision of law, funds made available under each heading in this title shall only be used for the purposes specifically described under that heading.

This division may be cited as the ''Department of Defense Appropriations Act, 2020''.

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, 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, $521,250,000, of which $70,000,000 shall remain available until September 30, 2021: *Provided*, That $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 further*, 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), $292,500,000, to remain available until expended, of which $33,000,000 shall be for grants under such section 27 and $2,000,000 shall be for grants under such section 28.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $40,500,000: *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 enterprises, including expenses of grants, contracts, and other agreements with public or private organizations, $42,000,000, of which not more than $15,500,000 shall be available for overhead expenses, including salaries and expenses, rent, utilities, and information technology services.

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, $274,000,000: *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, $7,284,319,000, to remain available until September 30, 2021: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $3,556,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the Bureau of the Census: *Provided further*, That of the amount provided under this heading, $2,500,000,000 is designated by the Congress as being for the 2020 Census pursuant to section 251(b)(2)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $40,441,000, 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, $2,000,000 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), $754,000,000, 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, $162,000,000, to remain available until expended, of which $146,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $16,000,000 shall be for the National Network for Manufacturing Innovation (also known as ''Manufacturing USA'').

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $118,000,000, 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, $3,763,939,000, 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, $174,774,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program; Fisheries Data Collections, Surveys and Assessments; and Interjurisdictional Fisheries Grants: *Provided further*, That not to exceed $62,070,000 shall be for payment to the Department of Commerce Working Capital Fund: *Provided further*, That of the $3,956,213,000 provided for in direct obligations under this heading, $3,763,939,000 is appropriated from the general fund, $174,774,000 is provided by transfer, and $17,500,000 is derived from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents' Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary: *Provided further*, That the Administrator of the National Oceanic and Atmospheric Administration submit to Congress a report on existing supercomputing capacity and needs of the Administration and on the incremental improvement to operational weather forecasts that would result from a significant investment in additional compute capacity.

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, $1,530,890,000, 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 $1,543,890,000 provided for in direct obligations under this heading, $1,530,890,000 is appropriated from the general fund and $13,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That, within the amounts appropriated, $1,302,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 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.

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, $61,000,000: *Provided*, That no employee of the Department of Commerce may be detailed or assigned from a bureau or office funded by this Act or any other Act to offices within the Office of the Secretary of the Department of Commerce for more than 30 days in a fiscal year unless the individual's employing bureau or office is fully reimbursed for the salary and expenses of the employee for the entire period of assignment using funds provided under this heading: *Provided further*, 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 Censuses and Programs'' in division C of Public Law 116–6.

RENOVATION AND MODERNIZATION

For necessary expenses for the renovation and modernization of the Herbert C. Hoover Building, $1,000,000, 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.), $35,000,000: *Provided*, That notwithstanding section 6413(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112–96), $2,000,000, to remain available until expended, from the amounts provided under this heading, shall be derived from the Public Safety Trust Fund for activities associated with carrying out investigations and audits related to the First Responder Network Authority (FirstNet).

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by section 105 of title I of division B of Public Law 113–6, are hereby adopted by reference and made applicable with respect to fiscal year 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 $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a printed or digital copy of the report or document, the charge shall be limited to recovering the Service's cost of processing, reproducing, and delivering such report or document.

SEC. 109. To carry out the responsibilities of the National Oceanic and Atmospheric Administration (NOAA), the Administrator of NOAA is authorized to: (1) enter into grants and cooperative agreements with; (2) use on a non-reimbursable basis land, services, equipment, personnel, and facilities provided by; and (3) receive and expend funds made available on a consensual basis from: a Federal agency, State or subdivision thereof, local government, tribal government, territory, or possession or any subdivisions thereof: *Provided*, That funds received for permitting and related regulatory activities pursuant to this section shall be deposited under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' and shall remain available until September 30, 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. (a) There is hereby established in the Treasury of the United States a fund to be known as the ''Department of Commerce Nonrecurring Expenses Fund'' (the Fund): *Provided*, That unobligated balances of expired discretionary funds appropriated for this or any succeeding fiscal year from the General Fund of the Treasury to the Department of Commerce by this or any other Act may be transferred (not later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated) into the Fund: *Provided further*, That amounts deposited in the Fund shall be available until expended, and in addition to such other funds as may be available for such purposes, for information and business technology system modernization and facilities infrastructure improvements necessary for the operation of the Department, subject to approval by the Office of Management and Budget: *Provided further*, That amounts in the Fund may be obligated only after the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of the planned use of funds.

(b) In addition to amounts otherwise made available by this Act, there is appropriated $20,000,000, to remain available until September 30, 2022, to the Fund for necessary expenses for a business application system modernization.

SEC. 112. Not later than thirty days after the date of the enactment of this Act, using amounts appropriated or otherwise made available in this title for the Bureau of Industry and Security for operations and administration, the Secretary of Commerce shall—

(1) publish in the Federal Register the report on the findings of the investigation into the effect on national security of imports of automobiles and automotive parts that the Secretary initiated on May 23, 2018, under section 232(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1862(b)), as required under paragraph (3)(B) of that section; and

(2) submit to Congress any portion of the report that contains classified information, which may be viewed only by Members of Congress and their staff with appropriate security clearances.

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 $18,000,000 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, $105,000,000, 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, $920,000,000, of which

not to exceed $20,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the amount provided for INTERPOL Washington dues payments, not to exceed $685,000 shall remain available until expended: *Provided further*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) and to reimburse the Office of Personnel Management for such salaries and expenses: *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended: *Provided further*, That of the amount appropriated, not less than $193,715,000 shall be available for the Criminal Division, including related expenses for the Mutual Legal Assistance Treaty Program.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $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 intergovernmental and cooperative agreements, $2,254,541,000: *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 safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $18,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses: *Provided*, That amounts made available under this heading may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, $16,000,000: *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, $1,430,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $25,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $15,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,867,461,000, 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, $110,000,000, 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, $550,458,000, 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, $9,467,902,000, of which not to exceed $216,900,000 shall remain available until expended: *Provided*, That not to exceed $284,000 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; $485,000,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,279,153,000, 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, $1,400,000,000, 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, $7,470,000,000 of which not less than $75,000,000 shall be for the programs and activities authorized by the First Step Act of 2018 (Public Law 115–391): *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 until expended for necessary operations: *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, $308,000,000, to remain available until expended, of which $181,000,000 shall be available only for costs related to construction of new facilities: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) (''the 2000 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); the Rape Survivor Child Custody Act of 2015 (Public Law 114–22) (''the 2015 Act''); and the Abolish Human Trafficking Act (Public Law 115–392); and for related victims services, $502,500,000, to remain available until expended, of which $435,000,000 shall be derived by transfer from amounts available for obligation in this Act from the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101), notwithstanding section 1402(d) of such Act of 1984, and merged with the amounts otherwise made available under this heading: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) $215,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $37,000,000 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) $2,500,000 is for the National Institute of Justice and the Bureau of Justice Statistics for research, evaluation, and statistics of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

(4) $11,500,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303, and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $53,000,000 is for grants to encourage arrest policies as authorized by part U of the

1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $38,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $43,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) $20,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $46,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $5,000,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40801 of the 1994 Act;

(11) $17,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: *Provided*, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

(12) $6,000,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $1,000,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: *Provided*, That such funds may be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

(15) $500,000 is for a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women;

(16) $4,000,000 is for grants to assist tribal governments in exercising special domestic violence criminal jurisdiction, as authorized by section 904 of the 2013 Act: *Provided*, That the grant conditions in section 40002(b) of the 1994 Act shall apply to this program; and

(17) $1,500,000 is for the purposes authorized under the 2015 Act.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Missing Children's Assistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and other programs, $79,000,000, 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; and

(2) $36,000,000 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 national study to understand the responses of law enforcement to sex trafficking of minors; and $2,000,000 is for a national center on forensics.

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); the SUPPORT for Patients and Communities Act (Public Law 115–271); and the Second Chance Reauthorization Act of 2018 (Public Law 115–391); and other programs, $1,892,000,000, to remain available until expended as follows—

(1) $547,210,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $12,000,000 is for the Officer Robert Wilson III Memorial Initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR), $7,500,000 is for an initiative to support evidence-based policing, $8,000,000 is for an initiative to enhance prosecutorial decision-making, $2,400,000 is for the operationalization, maintenance and expansion of the National Missing and Unidentified Persons System, $2,500,000 is for an academic based training initiative to improve police-based responses to people with mental illness or developmental disabilities, $2,000,000 is for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315, $15,500,000 is for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79), $2,000,000 is for a grant program authorized by Kevin and Avonte's Law, $3,000,000 is for a regional law enforcement technology initiative, $20,000,000 is for grants authorized under the Project Safe Neighborhoods Grant Authorization Act of 2018 (Public Law 115–185), $2,000,000 is for a grant to provide a drug field testing and training initiative, $5,500,000 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 grants to States and units of local government to deploy managed access systems to combat contraband cell phone use in prison, $1,000,000 is for a collaborative mental health and anti-recidivism initiative, $100,000,000 is for grants for law enforcement activities associated with the presidential nominating conventions, $2,000,000 is for a program to improve juvenile indigent defense, $8,000,000 is for community-based violence prevention initiatives, and $3,000,000 is for a national center for restorative justice;

(2) $244,000,000 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) $85,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, for programs authorized under Public Law 109–164, or programs authorized under Public Law 113–4;

(4) $14,000,000 for economic, high technology, white collar, and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403, of which $2,500,000 is for competitive grants that help State and local law enforcement tackle intellectual property thefts, and $2,000,000 for a competitive grant program for training students in computer forensics and digital investigation;

(5) $20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(6) $27,500,000 for the Patrick Leahy Bulletproof Vest Partnership Grant Program, 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) $78,290,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, of which no less than $25,000,000 shall be for grants made under the authorities of the NICS Improvement Amendments Act of 2007 (Public Law 110–180) and Fix NICS Act of 2018;

(9) $30,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(10) $132,000,000 for DNA-related and forensic programs and activities, of which—

(A) $102,000,000 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) $19,000,000 for other local, State, and Federal forensic activities;

(C) $7,000,000 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) $48,000,000 for a grant program for community-based sexual assault response reform;

(12) $12,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(13) $38,000,000 for assistance to Indian tribes;

(14) $90,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199) and by the Second Chance Reauthorization Act of 2018 (Public Law 115–391), 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 $4,500,000 is for additional replication sites employing the Project HOPE Opportunity Probation with Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model: *Provided*, That up to $7,500,000 of funds made available in this paragraph may be used for performance-based awards for Pay for Success projects, of which up to $5,000,000 shall be for Pay for Success programs implementing the Permanent Supportive Housing Model;

(15) $67,500,000 for initiatives to improve police-community relations, of which $22,500,000 is for a competitive matching grant program for purchases of body-worn cameras for State, local and Tribal law enforcement, $28,000,000 is for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction, and $17,000,000 is for an Edward Byrne Memorial criminal justice innovation program;

(16) $378,000,000 for comprehensive opioid abuse reduction activities, including as authorized by CARA, and for the following programs, which shall address opioid, stimulant, and substance abuse reduction consistent with underlying program authorities—

(A) $80,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(B) $33,000,000 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) $31,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(D) $23,000,000 for a veterans treatment courts program;

(E) $31,000,000 for a program to monitor prescription drugs and scheduled listed chemical products; and

(F) $180,000,000 for a comprehensive opioid, stimulant, and substance abuse program;

(17) $2,500,000 for a competitive grant program authorized by the Keep Young Athletes Safe Act;

(18) $75,000,000 for grants to be administered by the Bureau of Justice Assistance for purposes authorized under the STOP School Violence Act; 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):

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Missing Children's Assistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); the Justice for All Reauthorization Act of 2016 (Public Law 114–324); the Juvenile Justice Reform Act of 2018 (Public Law 115–385); and other juvenile justice programs, $320,000,000, to remain available until expended as follows—

(1) $63,000,000 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) $97,000,000 for youth mentoring grants;

(3) $42,000,000 for delinquency prevention, of which, pursuant to sections 261 and 262 of the 1974 Act—

(A) $2,000,000 shall be for grants to prevent trafficking of girls;

(B) $5,000,000 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) $10,000,000 shall be for an opioid-affected youth initiative; and

(F) $8,000,000 shall be for an initiative relating to children exposed to violence;

(4) $27,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $87,500,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act); and

(6) $3,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (3) and (6) may be used for training and technical assistance: *Provided further*, That the two preceding provisos shall not apply to grants and projects administered pursuant to sections 261 and 262 of the 1974 Act and to missing and exploited children programs.

PUBLIC SAFETY OFFICER BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $24,800,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to ''Public Safety Officer Benefits'' from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the American Law Enforcement Heroes Act of 2017 (Public Law 115–37); and the SUPPORT for Patients and Communities Act (Public Law 115–271), $343,000,000, 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) $235,000,000 is for grants under section 1701 of title I of the 1968 Act (34 U.S.C. 10381) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (34 U.S.C. 10384(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further*, That within the amounts

appropriated under this paragraph, $27,000,000 is for improving tribal law enforcement, including hiring, equipment, training, anti-methamphetamine activities, and anti-opioid activities: *Provided further*, That of the amounts appropriated under this paragraph, $6,500,000 is for community policing development activities in furtherance of the purposes in section 1701: *Provided further*, That of the amounts appropriated under this paragraph $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, $5,000,000 is for training, peer mentoring, and mental health program activities as authorized under the Law Enforcement Mental Health and Wellness Act (Public Law 115–113);

(2) $10,000,000 is for activities authorized by the POLICE Act of 2016 (Public Law 114–199);

(3) $13,000,000 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) $35,000,000 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) $50,000,000 is for competitive grants to be administered by the Community Oriented Policing Services Office for purposes authorized under the STOP School Violence Act (title V of division S of Public Law 115–141).

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 207. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 208. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 209. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 210. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 211. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 212. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings ''Research, Evaluation and Statistics'', ''State and Local Law Enforcement Assistance'', and ''Juvenile Justice Programs''—

(1) up to 2 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 213. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years 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 reprogramming of funds under section 505 of this Act.

SEC. 217. Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law

113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal years 2019 and 2020.

SEC. 218. In this fiscal year and each fiscal year thereafter, amounts credited to and made available in the Department of Justice Working Capital Fund as an offsetting collection pursuant to section 11013 of Public Law 107–273 shall be so credited and available only to the extent and in such amounts as provided in advance in appropriations Acts: *Provided*, That notwithstanding 31 U.S.C. 3302 or any other statute affecting the crediting of collections, the Attorney General may credit, as a discretionary offsetting collection, to the Department of Justice Working Capital Fund, for fiscal year 2020 and thereafter, up to three percent of all amounts collected pursuant to civil debt collection litigation activities of the Department of Justice; and such amounts so credited in fiscal year 2020 and thereafter shall remain available until expended, and shall be subject to the terms and conditions of that fund: *Provided further*, That any such amounts from the fund that the Attorney General determines are necessary to pay, first, for the costs of processing and tracking civil and criminal debt collection litigation activities, and thereafter for financial systems and for debt-collection-related personnel, administrative, and litigation expenses, in fiscal year 2020 and thereafter, shall be transferred to other appropriations accounts in the Department of Justice for paying the costs of such activities, and shall be in addition to any amounts otherwise made available for such purposes in those appropriations accounts: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That any transfer of funds 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. 219. Section 1930(a)(6)(B) of title 28, United States Code, shall be applied for this fiscal year and next fiscal year by substituting ''$300,000,000'' for ''$200,000,000''.

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, $5,544,000.

NATIONAL SPACE COUNCIL

For necessary expenses of the National Space Council, in carrying out the purposes of Title V of Public Law 100–685 and Executive Order 13803, hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, $1,965,000: *Provided*, That notwithstanding any other provision of law, the National Space Council may accept personnel support from Federal agencies, departments, and offices, and such Federal agencies, departments, and offices may detail staff without reimbursement to the National Space Council for purposes provided herein.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $7,138,900,000, to remain available until September 30, 2021: *Provided*, That, $1,971,800,000 shall be for Earth Science; $2,713,400,000 shall be for Planetary Science; $1,306,200,000 shall be for Astrophysics; $423,000,000 shall be for the James Webb Space Telescope; and $724,500,000 shall be for Heliophysics: *Provided further*, 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 2025 and a lander launch no later than 2027, 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, $783,900,000, 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, $1,100,000,000, to remain available until September 30, 2021: *Provided*, That $227,200,000 shall be for RESTORE–L/SPace Infrastructure DExterous Robot: *Provided further*, That $110,000,000 shall be for the development and demonstration of a nuclear thermal propulsion system, of which $80,000,000 shall be for the design of a flight demonstration system: *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, $6,017,600,000, to remain available until September 30, 2021: *Provided*, That not less than $1,406,700,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $2,585,900,000 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 $300,000,000 shall be for Exploration Upper Stage development: *Provided further*, That $590,000,000 shall be for Exploration Ground Systems: *Provided further*, That the National Aeronautics and Space Administration 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 SLS, the Orion Multi-Purpose Crew Vehicle, and associated ground systems that will ensure an Exploration Mission-2 crewed launch as early as possible, as well as a system-based funding profile for a sustained launch cadence beyond the initial crewed test launch: *Provided further*, That $1,435,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $4,140,200,000, 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, $120,000,000, to remain available until September 30, 2021, of which $24,000,000 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, $2,913,300,000, 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, $373,400,000, 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. Any funds transferred to ''Construction and Environmental Compliance and Restoration'' for construction activities shall not increase that account by more than $75,300,000. 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.

Not to exceed 5 percent of any appropriation provided for the National Aeronautics and Space Administration under previous appropriations Acts that remains available for obligation or expenditure in fiscal year 2020 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. Any transfer pursuant to this provision shall retain its original availability and 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.

Not more than 40 percent of the amounts made available in this Act for the Gateway; Advanced Cislunar and Surface Capabilities; Commercial LEO Development; and Lunar Discovery and Exploration, excluding the Lunar Reconnaissance Orbiter, may be obligated until the Administrator submits a multi-year plan to the Committees on Appropriations of the House of Representatives and the Senate that identifies estimated dates, by fiscal year, for Space Launch System flights to build the Gateway; the commencement of partnerships with commercial entities for additional LEO missions to land humans and rovers on the Moon; and conducting additional scientific activities on the Moon. The multi-year plan shall include key milestones to be met by fiscal year to achieve goals for each of the lunar programs described in the previous sentence and funding required by fiscal year to achieve such milestones.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $6,737,200,000, to remain available until September 30, 2021, of which not to exceed $500,000,000 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, $243,230,000, 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, $940,000,000, 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; $336,900,000: *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.), $4,500,000: *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, $16,500,000, 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, decommissioning, termination, or deconstruction of any NSF-owned facilities or any NSF capital assets (including land, structures, and equipment) valued greater than $2,500,000.

This title may be cited as the ''Science Appropriations Act, 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 the Chair may accept and use any gift or donation to carry out the work of the Commission: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Nondiscrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $30,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $389,500,000: *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 may 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, $99,400,000, 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, $440,000,000, of which $402,700,000 is for basic field programs and required independent audits; $5,300,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $22,000,000 is for management and grants oversight; $4,000,000 is for client self-help and information technology; $4,500,000 is for a Pro Bono Innovation Fund; and $1,500,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996d(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 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, $54,000,000, 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 TRANSFER OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

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

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 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 export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101) in any fiscal year in excess of $2,641,000,000 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 and remain available until expended 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 from prior year appropriations available to the Department of Commerce, the following funds are hereby rescinded, not later than September 30, 2020, from the following accounts in the specified amounts—

(1) ''Economic Development Administration, Economic Development Assistance Programs'', $17,000,000; and

(2) ''National Oceanic and Atmospheric Administration, Fisheries Enforcement Asset Forfeiture Fund'', $5,000,000.

(b) 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'', $107,000,000;

(2) ''Federal Bureau of Investigation, Salaries and Expenses'', $71,974,000 including from, but not limited to, fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;

(3) ''Drug Enforcement Administration, Salaries and Expenses'', $10,000,000;

(4) ''State and Local Law Enforcement Activities, Office of Justice Programs'', $70,000,000; and

(5) ''State and Local Law Enforcement Activities, Community Oriented Policing Services'', $13,000,000.

(c) Of the unobligated balances available to the National Aeronautics and Space Administration from prior year appropriations under the heading ''Science'', $70,000,000 is hereby rescinded.

(d) The Departments of Commerce and Justice and the National Aeronautics and Space Administration 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 subsections (a), (b), and (c).

(e) The amounts rescinded in subsections (a), (b), and (c) 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—

(1) 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; or

(2) such conference is a scientific conference and the department or agency head determines that such attendance is in the national interest and notifies the Committees on Appropriations of the House of Representatives and the Senate within at least 15 days of that determination and the basis for that determination.

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, the United States Virgin 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, or any territory or possession of the United States.

SEC. 534. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

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

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

SEC. 535. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

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

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 536. None of the funds provided in this Act shall be available for obligation for the James Webb Space Telescope (JWST) after December 31, 2020, if the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for JWST determines that the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) are likely to exceed $8,802,700,000, unless the program is modified so that the costs do not exceed $8,802,700,000.

SEC. 537. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 538. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 539. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 540. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

This division may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020''.

DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2020

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Freedman's Bank Building; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to State, local, and territorial entities; and Treasury-wide management policies and programs activities, $228,373,000: *Provided*, That of the amount appropriated under this heading—

(1) not to exceed $350,000 is for official reception and representation expenses;

(2) not to exceed $258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary's certificate; and

(3) not to exceed $24,000,000 shall remain available until September 30, 2021, for—

(A) the Treasury-wide Financial Statement Audit and Internal Control Program;

(B) information technology modernization requirements;

(C) the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund;

(D) the development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements;

(E) operations and maintenance of facilities; and

(F) international operations.

COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Committee on Foreign Investment in the United States, $20,000,000, to remain available until expended: *Provided*, That the chairperson of the Committee may transfer such amounts to any department or agency represented on the Committee (including the Department of the Treasury) subject to advance notification to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That amounts so transferred shall remain available until expended for expenses of implementing section 721 of the Defense Production Act of 1950, as amended (50 U.S.C. 4565), and shall be available in addition to any other funds available to any department or agency: *Provided further*, That fees authorized by section 721(p) of such Act shall be credited to this appropriation as offsetting collections: *Provided further*, That the total amount appropriated under this heading from the general fund shall be reduced as such offsetting collections are received during fiscal year 2020, so as to result in a total appropriation from the general fund estimated at not more than $10,000,000.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, human rights abusers, money launderers, drug kingpins, and other national security threats, $169,712,000, of which not less than $3,000,000 shall be available for addressing human rights violations and corruption, including activities authorized by the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656 note): *Provided*, That of the amounts appropriated under this heading, up to $10,000,000 shall remain available until September 30, 2021.

CYBERSECURITY ENHANCEMENT ACCOUNT

For salaries and expenses for enhanced cybersecurity for systems operated by the Department of the Treasury, $18,000,000, to remain available until September 30, 2022: *Provided*, That such funds shall supplement and not supplant any other amounts made available to the Treasury offices and bureaus for cybersecurity: *Provided further*, That of the total amount made available under this heading $1,000,000 shall be available for administrative expenses for the Treasury Chief Information Officer to provide oversight of the investments made under this heading: *Provided further*, That such funds shall supplement and not supplant any other amounts made available to the Treasury Chief Information Officer.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings owned by the Department of the Treasury, $6,118,000, to remain available until September 30, 2022: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement ''Internal Revenue Service, Operations Support'' or ''Internal Revenue Service, Business Systems Modernization''.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $41,044,000, including hire of passenger motor vehicles; of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which up to $2,800,000 to remain available until September 30, 2021, shall be for audits and investigations conducted pursuant to section 1608 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note); and of which not to exceed $1,000 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $170,250,000, of which $5,000,000 shall remain available until September 30, 2021; of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), $22,000,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; services authorized by 5 U.S.C. 3109; not to exceed $12,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $126,000,000, of which not to exceed $34,335,000 shall remain available until September 30, 2022.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, $340,280,000; of which not to exceed $8,000,000, to remain available until September 30, 2022, is for information systems modernization initiatives; and of which $5,000 shall be available for official reception and representation expenses.

In addition, $165,000, to be derived from the Oil Spill Liability Trust Fund to reimburse administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $119,600,000; of which not to exceed $6,000 for official reception and representation expenses; and of which not to exceed $50,000 shall be available for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: *Provided*, That of the amount appropriated under this heading, $5,000,000 shall be for the costs of accelerating the processing of formula and label applications: *Provided further*, That of the amount appropriated under this heading, $5,000,000, to remain available until September 30, 2021, shall be for the costs associated with enforcement of the trade practice provisions of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: *Provided*, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2020 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $30,000,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvement Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–III, $262,000,000. Of the amount appropriated under this heading—

(1) not less than $165,500,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)) with regard to Small and/or Emerging Community Development Financial Institutions Assistance awards, is available until September 30, 2021, for financial assistance and technical assistance under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to $1,600,000 may be available for training and outreach under section 109 of Public Law 103–325 (12 U.S.C. 4708), of which up to $2,397,500 may be used for the cost of direct loans, of which up to $4,000,000, notwithstanding subsection (d) of section 108 of Public Law 103–325 (12 U.S.C. 4707 (d)), may be available to provide financial assistance, technical assistance, training, and outreach to community development financial institutions to expand investments that benefit individuals with disabilities, and of which not less than $2,000,000 shall be for the Economic Mobility Corps to be operated in conjunction with the Corporation for National and Community Service, pursuant to 42 U.S.C. 12571: *Provided*, That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000: *Provided further*, That of the funds provided under this paragraph, excluding those made to community development financial institutions to expand investments that benefit individuals with disabilities and those made to community development financial institutions that serve populations living in persistent poverty counties, the CDFI Fund shall prioritize Financial Assistance awards to organizations that invest and lend in high-poverty areas: *Provided further*, That for purposes of this section, the term ''high-poverty area'' means any census tract with a poverty rate of at least 20 percent as measured by the 2011–2015 5-year data series available from the American Community Survey of the Bureau of the Census for all States and Puerto Rico or with a poverty rate of at least 20 percent as measured by the 2010 Island Areas Decennial Census data for any other territory or possession of the United States;

(2) not less than $16,000,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)), is available until September 30, 2021, for financial assistance, technical assistance, training, and outreach programs designed to benefit Native American, Native Hawaiian, and Alaska Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers;

(3) not less than $25,000,000 is available until September 30, 2021, for the Bank Enterprise Award program;

(4) not less than $22,000,000, notwithstanding subsections (d) and (e) of section 108 of Public Law 103–325 (12 U.S.C. 4707(d) and (e)), is available until September 30, 2021, for a Healthy Food Financing Initiative to provide financial assistance, technical assistance, training, and outreach to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities;

(5) not less than $5,000,000 is available until September 30, 2021, to provide grants for loan loss reserve funds and to provide technical assistance for small dollar loan programs under section 122 of Public Law 103–325 (12 U.S.C. 4719): *Provided*, That sections 108(d) and 122(b)(2) of such Public Law shall not apply to the provision of such grants and technical assistance;

(6) up to $28,500,000 is available until September 30, 2020, for administrative expenses, including administration of CDFI Fund programs and the New Markets Tax Credit Program, of which not less than $1,000,000 is for development of tools to better assess and inform CDFI investment performance, and up to $300,000 is for administrative expenses to carry out the direct loan program; and

(7) during fiscal year 2020, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): *Provided*, That commitments to guarantee bonds and notes under such section 114A shall not exceed $500,000,000: *Provided further*, That such section 114A shall remain in effect until December 31, 2020: *Provided further*, That of the funds awarded under this heading, not less than 10 percent shall be used for awards that support investments that serve populations living in persistent poverty counties: *Provided further*, That for the purposes of this paragraph and paragraph (1) the term ''persistent poverty counties'' means any county, including county equivalent areas in Puerto Rico, that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the 2011–2015 5-year data series available from the American Community Survey of the Bureau of the Census or any other territory or possession of the United States that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990, 2000 and 2010 Island Areas Decennial Censuses, or equivalent data, of the Bureau of the Census.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,511,554,000, of which not less than $11,000,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $12,000,000 shall be available for low-income taxpayer clinic grants, of which not less than $25,000,000, to remain available until September 30, 2021, shall be available for the Community Volunteer Income Tax Assistance Matching Grants Program for tax return preparation assistance, and of which not less than $209,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: *Provided*, That of the amounts made available for the Taxpayer Advocate Service, not less than $5,500,000 shall be for identity theft and refund fraud casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $5,010,000,000, of which not to exceed $250,000,000 shall remain available until September 30, 2021; of which not less than $60,257,000 shall be for the Interagency Crime and Drug Enforcement program; and of which not to exceed $15,000,000 shall be for investigative technology for the Criminal Investigation Division: *Provided*, That the amount made available for investigative technology for the Criminal Investigation Division shall be in addition to amounts made available for the Criminal Investigation Division under the ''Operations Support'' heading.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,808,500,000, of which not to exceed $250,000,000 shall remain available until September 30, 2021; of which not to exceed $10,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed $1,000,000 shall remain available until September 30, 2022, for research; of which not less than $10,000,000, to remain available until expended, shall be available for establishment of an application through which entities registering and renewing registrations in the System for Award Management may request an authenticated electronic certification stating that the entity does or does not have a seriously delinquent tax debt; and of which not to exceed $20,000 shall be for official reception and representation expenses: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: *Provided further*, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2021, a summary of cost and schedule performance information for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $180,000,000, to remain available until September 30, 2022, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for major information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Not to exceed 4 percent of the appropriation made available in this Act to the Internal Revenue Service under the ''Enforcement'' heading, and not to exceed 5 percent of any other appropriation made available in this Act to the Internal Revenue Service, may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers' rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make improvements to the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to enhance the response time to taxpayer communications, particularly with regard to victims of tax-related crimes.

SEC. 105. The Internal Revenue Service shall issue a notice of confirmation of any address change relating to an employer making employment tax payments, and such notice shall be sent to both the employer's former and new address and an officer or employee of the Internal Revenue Service shall give special consideration to an offer-in-compromise from a taxpayer who has been the victim of fraud by a third party payroll tax preparer.

SEC. 106. None of the funds made available under this Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

SEC. 107. None of the funds made available in this Act may be used by the Internal Revenue Service to target groups for regulatory scrutiny based on their ideological beliefs.

SEC. 108. None of funds made available by this Act to the Internal Revenue Service shall be obligated or expended on conferences that do not adhere to the procedures, verification processes, documentation requirements, and policies issued by the Chief Financial Officer, Human Capital Office, and Agency-Wide Shared Services as a result of the recommendations in the report published on May 31, 2013, by the Treasury Inspector General for Tax Administration entitled ''Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California'' (Reference Number 2013–10–037).

SEC. 109. None of the funds made available in this Act to the Internal Revenue Service may be obligated or expended—

(1) to make a payment to any employee under a bonus, award, or recognition program; or

(2) under any hiring or personnel selection process with respect to re-hiring a former employee;

unless such program or process takes into account the conduct and Federal tax compliance of such employee or former employee.

SEC. 110. None of the funds made available by this Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 111. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 112. Not to exceed 2 percent of any appropriations in this title made available under the headings ''Departmental Offices—Salaries and Expenses'', ''Office of Inspector General'', ''Special Inspector General for the Troubled Asset Relief Program'', ''Financial Crimes Enforcement Network'', ''Bureau of the Fiscal Service'', and ''Alcohol and Tobacco Tax and Trade Bureau'' may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 113. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 114. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 115. The Secretary of the Treasury may transfer funds from the ''Bureau of the Fiscal Service—Salaries and Expenses'' to the Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 116. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 117. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 118. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2020 until the enactment of the Intelligence Authorization Act for Fiscal Year 2020.

SEC. 119. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 120. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget submitted by the President: *Provided*, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, Treasury Franchise Fund account, and the Treasury Forfeiture Fund account: *Provided further*, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 121. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

SEC. 122. During fiscal year 2020—

(1) none of the funds made available in this or any other Act may be used by the Department of the Treasury, including the Internal Revenue Service, to issue, revise, or finalize any regulation, revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard which is used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)); and

(2) the standard and definitions as in effect on January 1, 2010, which are used to make such determinations shall apply after the date of the enactment of this Act for purposes of determining status under section 501(c)(4) of such Code of organizations created on, before, or after such date.

SEC. 123. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

(b) The reports required under subsection (a) shall include—

(1) the obligations made during the previous quarter by object class, office, and activity;

(2) the estimated obligations for the remainder of the fiscal year by object class, office, and activity;

(3) the number of full-time equivalents within each office during the previous quarter;

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

(c) At the request of any such Committees specified in subsection (a), the Office of Financial Stability and the Office of Financial Research shall make officials available to testify on the contents of the reports required under subsection (a).

SEC. 124. In addition to the amounts otherwise made available to the Department of the Treasury, $25,000,000, to remain available until expended, shall be for expenses associated with digitization and distribution of the Department's records of matured savings bonds that have not been redeemed.

This title may be cited as the ''Department of the Treasury Appropriations Act, 2020''.

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official reception and representation expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $55,000,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, $13,081,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within

such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House pursuant to 3 U.S.C. 105(d), $750,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,000,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, $11,500,000 of which not to exceed $5,000 shall be available for official reception and representation expenses.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $94,000,000, of which not to exceed $12,800,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, $101,600,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the annual work plan developed by the Corps of Engineers for submission to the Committees on Appropriations: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR

For necessary expenses of the Office of the Intellectual Property Enforcement Coordinator, as authorized by title III of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403), including services authorized by 5 U.S.C. 3109, $1,300,000.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998, as amended through Public Law 115–271; not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $18,400,000: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $285,000,000, to remain available until September 30, 2021, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas (''HIDTAs''), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: *Provided*, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities: *Provided further*, That any unexpended funds obligated prior to fiscal year 2018 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: *Provided further*, That each HIDTA designated as of September 30, 2019, shall be funded at not less than the fiscal year 2019 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2020 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the National Narcotics Leadership Act of 1988 and the Office of National Drug Control Policy Reauthorization Act of 1998, as amended through Public Law 115–271, $121,715,000, to remain available until expended, which shall be available as follows: $101,250,000 for the Drug-Free Communities Program, of which $2,500,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by section 8204 of Public Law 115–271; $2,500,000 for drug court training and technical assistance; $10,000,000 for anti-doping activities; $2,715,000 for the United States membership dues to the World Anti-Doping Agency; $1,250,000 for the Model Acts Program; and $4,000,000 for activities authorized by section 103 of Public Law 114–198: *Provided*, That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000, to remain available until September 30, 2021.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, $15,000,000, to remain available until expended: *Provided*, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,288,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 pursuant to 3 U.S.C. 106(b)(2), $302,000: *Provided*, That advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. From funds made available in this Act under the headings ''The White House'', ''Executive Residence at the White House'', ''White House Repair and Restoration'', ''Council of Economic Advisers'', ''National Security Council and Homeland Security Council'', ''Office of Administration'', ''Special Assistance to the President'', and ''Official Residence of the Vice President'', the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from ''Special Assistance to the President'' or ''Official Residence of the Vice President'' without the approval of the Vice President.

SEC. 202. (a) During fiscal year 2020, any Executive order or Presidential memorandum issued or revoked by the President shall be accompanied by a written statement from the Director of the Office of Management and Budget on the budgetary impact, including costs, benefits, and revenues, of such order or memorandum.

(b) Any such statement shall include—

(1) a narrative summary of the budgetary impact of such order or memorandum on the Federal Government;

(2) the impact on mandatory and discretionary obligations and outlays as the result of such order or memorandum, listed by Federal agency, for each year in the 5-fiscal-year period beginning in fiscal year 2020; and

(3) the impact on revenues of the Federal Government as the result of such order or memorandum over the 5-fiscal-year period beginning in fiscal year 2020.

(c) If an Executive order or Presidential memorandum is issued during fiscal year 2020 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that such order or memorandum is issued.

(d) The requirement for cost estimates for Presidential memoranda shall only apply for Presidential memoranda estimated to have a regulatory cost in excess of $100,000,000.

SEC. 203. Not later than 45 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue a memorandum to all Federal departments, agencies, and corporations directing compliance with the provisions in title VII of this Act.

This title may be cited as the ''Executive Office of the President Appropriations Act, 2020''.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $87,699,000, of which $1,500,000 shall remain available until expended.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief justice and associate justices of the court.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, $15,590,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, $32,700,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $19,564,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, $5,250,234,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $9,070,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,234,574,000 to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $53,545,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $639,165,000, of which not to exceed $20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $94,261,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $30,436,000; of which $1,800,000 shall remain available through September 30, 2021, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $19,670,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except ''Courts of Appeals, District Courts, and Other Judicial Services, Defender Services'' and ''Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners'', shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for ''Courts of Appeals, District Courts, and Other Judicial Services'' shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3315(a) of title 40, United States Code, shall be applied by substituting ''Federal'' for ''executive'' each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the matter following paragraph 12—

(1) in the second sentence (relating to the District of Kansas), by striking ''28 years and 6 months'' and inserting ''29 years and 6 months''; and

(2) in the sixth sentence (relating to the District of Hawaii), by striking ''25 years and 6 months'' and inserting ''26 years and 6 months''.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking ''26 years and 6 months'' and inserting ''27 years and 6 months''.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note), is amended—

(1) in the first sentence by striking ''17 years'' and inserting ''18 years'';

(2) in the second sentence (relating to the central District of California), by striking ''16 years and 6 months'' and inserting ''17 years and 6 months''; and

(3) in the third sentence (relating to the western district of North Carolina), by striking ''15 years'' and inserting ''16 years''.

This title may be cited as the ''Judiciary Appropriations Act, 2020''.

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $40,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $18,000,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $250,088,000 to be allocated as follows: for the District of Columbia Court of Appeals, $14,682,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $125,638,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $75,518,000, of which not to exceed $2,500 is for official reception and representation expenses; and $34,250,000, to remain available until September 30, 2021, for capital improvements for District of Columbia courthouse facilities: *Provided*, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: *Provided further*, That, in addition to the amounts appropriated herein, fees received by the District of Columbia Courts for administering bar examinations and processing District of Columbia bar admissions may be retained and credited to this appropriation, to remain available until expended, for salaries and expenses associated with such activities, notwithstanding section 450 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.50): *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $9,000,000 of the funds provided under this heading among the items and entities funded under this heading: *Provided further*, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $46,005,000, to remain available until expended: *Provided*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $248,524,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, and of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002: *Provided*, That, of the funds appropriated under this heading, $181,065,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons, of which $3,818,000 shall remain available until September 30, 2022 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: *Provided further*, That, of the funds appropriated under this heading, $67,459,000 shall be available to the Pretrial Services Agency, of which $998,000 shall remain available until September 30, 2022 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That amounts under this heading may be used for programmatic incentives for defendants to successfully complete their terms of supervision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $44,011,000, of which $344,000 shall remain available until September 30, 2022 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies: *Provided further*, That the District of Columbia Public Defender Service may establish for employees of the District of Columbia Public Defender Service a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, except that the maximum amount of the payment made under the program to any individual may not exceed the amount referred to in section 3523(b)(3)(B) of title 5, United States Code.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $2,150,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2021, to the Commission on Judicial Disabilities and Tenure, $325,000, and for the Judicial Nomination Commission, $275,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $52,500,000, to remain available until expended, for payments authorized under the Scholarships for Opportunity and Results Act (division C of Public Law 112–10): *Provided*, That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships available to students eligible under section 3013(3) of such Act (Public Law 112–10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: *Provided further*, That within funds provided for opportunity scholarships up to $1,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) of the Act and up to $500,000 shall be for the activities specified in section 3009 of the Act.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $413,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $4,000,000.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $8,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia (''General Fund'') for programs and activities set forth in the Fiscal Year 2020 Local Budget Act of 2019 (D.C. Act 23–78) and at rates set forth under such Act, as amended as of the date of enactment of this Act: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (section 1–204.50a, D.C. Official Code), sections 816 and 817 of the Financial Services and General Government Appropriations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C. Official Code), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2020 under this heading shall not exceed the estimates included in the Fiscal Year 2020 Local Budget Act of 2019, as amended as of the date of enactment of this Act or the sum of the total revenues of the District of Columbia for such fiscal year: *Provided further*, That the amount appropriated may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2020, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the ''District of Columbia Appropriations Act, 2020''.

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,250,000, to remain available until September 30, 2021, of which not to exceed $1,000 is for official reception and representation expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $132,500,000, of which $1,300,000 shall remain available until expended to carry out the program, including administrative costs, required by section 1405 of the Virginia Graeme Baker Pool and Spa Safety Act (Public Law 110–140; 15 U.S.C. 8004).

ADMINISTRATIVE PROVISION—CONSUMER PRODUCT SAFETY COMMISSION

SEC. 501. During fiscal year 2020, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational Off-Highway Vehicles published by the Consumer Product Safety Commission in the Federal Register on November 19, 2014 (79 Fed. Reg. 68964) until after—

(1) the National Academy of Sciences, in consultation with the National Highway Traffic Safety Administration and the Department of Defense, completes a study to determine—

(A) the technical validity of the lateral stability and vehicle handling requirements proposed by such standard for purposes of reducing the risk of Recreational Off-Highway Vehicle (referred to in this section as ''ROV'') rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements;

(B) the number of ROV rollovers that would be prevented if the proposed requirements were adopted;

(C) whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a ROV's rollover resistance on a progressive scale; and

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and

(2) a report containing the results of the study completed under paragraph (1) is delivered to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $15,171,000, of which $1,500,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002; and of which $2,400,000 shall remain available until September 30, 2021, for relocation expenses.

ELECTION SECURITY GRANTS

Notwithstanding section 104(c)(2)(B) of the Help America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)), $425,000,000 is provided to the Election Assistance Commission for necessary expenses to make payments to States for activities to improve the administration of elections for Federal office, including to enhance election technology and make election security improvements, as authorized by sections 101, 103, and 104 of such Act: *Provided*, That for purposes of applying such sections, the Commonwealth of the Northern Mariana Islands shall be deemed to be a State and, for purposes of sections 101(d)(2) and 103(a) shall be treated in the same manner as the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands: *Provided further*, That each reference to the ''Administrator of General Services'' or the ''Administrator'' in sections 101 and 103 shall be deemed to refer to the ''Election Assistance Commission'': *Provided further*, That each reference to ''$5,000,000'' in section 103 shall be deemed to refer to ''$3,000,000'' and each reference to ''$1,000,000'' in section 103 shall be deemed to refer to ''$600,000'': *Provided further*, That not later than 45 days after the date of enactment of this Act, the Election Assistance Commission shall make the payments to States under this heading: *Provided further*, That not later than two years after receiving a payment under this heading, a State shall make available funds for such activities in an amount equal to 20 percent of the total amount of the payment made to the State under this heading.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $339,000,000, to remain available until expended: *Provided*, That $339,000,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation estimated at $0: *Provided further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $132,539,000 for fiscal year 2020: *Provided further*, That, of the amount appropriated under this heading, not less than $11,105,700 shall be for the salaries and expenses of the Office of Inspector General.

ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS COMMISSION

SEC. 510. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking ''December 31, 2019'' each place it appears and inserting ''December 31, 2020''.

SEC. 511. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004, recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $42,982,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $71,497,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500) and rental of conference rooms in the District of Columbia and elsewhere, $24,890,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL PERMITTING IMPROVEMENT STEERING COUNCIL

ENVIRONMENTAL REVIEW IMPROVEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Environmental Review Improvement Fund established pursuant to 42 U.S.C. 4370m–8(d), $8,000,000, to remain available until expended: *Provided*, That funds appropriated in prior appropriations Acts under the heading ''General Services Administration—General Activities—Environmental Review Improvement Fund'' shall be transferred to and merged with this account.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $331,000,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $141,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $18,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2020, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at not more than $172,000,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation, and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings, including grounds, approaches, and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $8,856,530,000, of which—

(1) $152,400,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) for the San Luis I Land Port of Entry, San Luis, Arizona: *Provided*, That the foregoing limit of costs on new construction and acquisition may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in a transmitted prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount;

(2) $833,752,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) $451,695,000 is for Major Repairs and Alterations; and

(B) $382,057,000 is for Basic Repairs and Alterations:

Provided, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects;

(3) $5,497,561,000 for rental of space to remain available until expended; and

(4) $2,372,817,000 for building operations to remain available until expended: *Provided*, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2020, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $64,000,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; and services as authorized by 5 U.S.C. 3109; $49,440,000, of which $26,890,000 is for Real and Personal Property Management and Disposal; and of which $22,550,000 is for the Office of the Administrator, of which not to exceed $7,500 is for official reception and representation expenses.

CIVILIAN BOARD OF CONTRACT APPEALS

For expenses authorized by law, not otherwise provided for, for the activities associated with the Civilian Board of Contract Appeals, $9,301,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $67,000,000: *Provided*, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $3,851,000.

FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Products and Programs, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses in support of interagency projects that enable the Federal Government to enhance its ability to conduct activities electronically, through the development and implementation of innovative uses of information technology; $55,000,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: *Provided further*, That the appropriations, revenues, reimbursements, and collections deposited into the Fund shall be available until expended for necessary expenses of Federal Citizen Services and other activities that enable the Federal Government to enhance its ability to conduct activities electronically in the aggregate amount not to exceed $100,000,000: *Provided further*, That appropriations, revenues, reimbursements, and collections accruing to this Fund during fiscal year 2020 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts: *Provided further*, That, of the total amount appropriated, up to $5,000,000 shall be available for support functions and full-time hires to support activities related to the Administration's requirements under Title II of the Foundations for Evidence-Based Policymaking Act (Public Law 115–435): *Provided further*, That the transfer authorities provided herein shall be in addition to any other transfer authority provided in this Act.

PRE-ELECTION PRESIDENTIAL TRANSITION

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by the Pre-Election Presidential Transition Act of 2010 (Public Law 111–283), not to exceed $9,620,000, to remain available until September 30, 2021: *Provided*, That such amounts may be transferred to ''Acquisition Services Fund'' or ''Federal Buildings Fund'' to reimburse obligations incurred for the purposes provided herein in fiscal years 2019 and 2020: *Provided further*, That amounts made available under this heading shall be in addition to any other amounts available for such purposes.

TECHNOLOGY MODERNIZATION FUND

For the Technology Modernization Fund, $25,000,000, to remain available until expended, for technology-related modernization activities.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 520. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 521. Funds in the Federal Buildings Fund made available for fiscal year 2020 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 522. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2021 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved Courthouse Project Priorities plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 523. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 524. From funds made available under the heading Federal Buildings Fund, Limitations on Availability of Revenue, claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 525. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of

the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and the Senate prior to exercising any lease authority provided in the resolution.

SEC. 526. With respect to each project funded under the heading ''Major Repairs and Alterations'', and with respect to E–Government projects funded under the heading ''Federal Citizen Services Fund'', the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

SEC. 527. In addition to the amounts otherwise made available in this Act for the General Services Administration, $3,000,000, to remain available until expended, shall be for the Administrator of General Services to implement changes to the System for Award Management providing for submission of the authenticated certification described under the heading ''Internal Revenue Service, Operations Support''.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $1,670,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $44,490,000, to remain available until September 30, 2021, and in addition not to exceed $2,345,000, to remain available until September 30, 2021, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall and Stewart L. Udall Trust Fund, pursuant to the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.), $1,800,000, to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act, up to $1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102–259 and section 817(a) of Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That all current and previous amounts transferred to the Office of Inspector General of the Department of the Interior will remain available until expended for audits and investigations of the Morris K. Udall and Stewart L. Udall Foundation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.), as amended, and for annual independent financial audits of the Morris K. Udall and Stewart L. Udall Foundation pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289): *Provided further*, That previous amounts transferred to the Office of Inspector General of the Department of the Interior may be transferred to the Morris K. Udall and Stewart L. Udall Foundation for annual independent financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,200,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, $359,000,000, of which $22,000,000 shall remain available until expended for the repair and alteration of the National Archives facility in College Park, Maryland, and related improvements necessary to enhance the Federal Government's ability to electronically preserve, manage, and store Government records, and of which up to $2,000,000 shall remain available until expended to implement the Civil Rights Cold Case Records Collection Act of 2018 (Public Law 115–426).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,823,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $7,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $6,500,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $1,500,000 shall be available until September 30, 2021, for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, and the Stop Trading on Congressional Knowledge Act of 2012, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $17,500,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $145,130,000: *Provided*, That of the total amount made available under this heading, up to $14,000,000 shall remain available until expended, for information technology infrastructure modernization and Trust Fund Federal Financial System migration or modernization, and shall be in addition to funds otherwise made available for such purposes: *Provided further*, That of the total amount made available under this heading, $1,068,000 may be made available for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition $154,625,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided further*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2020, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $5,000,000, and in addition, not to exceed $25,265,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust

funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel, including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $27,500,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), $16,615,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), $8,200,000, to remain available until September 30, 2021.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,815,000,000, to remain available until expended; of which not less than $15,662,000 shall be for the Office of Inspector General; of which not to exceed $75,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence.

In addition to the foregoing appropriation, for move, replication, and related costs associated with a replacement lease for the Commission's New York Regional Office facilities, not to exceed $10,525,000, to remain available until expended.

For purposes of calculating the fee rate under section 31(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(j)) for fiscal year 2020, all amounts appropriated under this heading shall be deemed to be the regular appropriation to the Commission for fiscal year 2020: *Provided*, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $1,815,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account and not to exceed $10,525,000 of such offsetting collections shall be available until expended for move, replication, and related costs under this heading associated with a replacement lease for the Commission's New York Regional Office facilities: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2020 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2020 appropriation from the general fund estimated at not more than $0: *Provided further*, That if any amount of the appropriation for move, replication, and related costs associated with a replacement lease for the Commission's New York Regional Office facilities is subsequently de-obligated by the Commission, such amount that was derived from the general fund shall be returned to the general fund, and such amounts that were derived from fees or assessments collected for such purpose shall be paid to each national securities exchange and national securities association, respectively, in proportion to any fees or assessments paid by such national securities exchange or national securities association under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) in fiscal year 2020.

ADMINISTRATIVE PROVISION—SECURITIES AND EXCHANGE COMMISSION

SEC. 530. Within one year of the enactment of this Act, the Securities and Exchange Commission shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate, a report concerning the Municipal Securities Rulemaking Board. The report shall detail:

(1) the Commission's legal authorities with respect to:

(A) the composition of the board and the selection of board members; and

(B) the compensation of board members and executive staff;

(2) whether board member and executive staff compensation is commensurate with that of State and local public finance officials, including State treasurers and municipal finance directors; and

(3) whether the current board member selection process ensures adequate representation of municipal securities stakeholders and accountability to local governments and municipal bondholders.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $27,100,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to exceed $3,500 for official reception and representation expenses, $270,157,000, of which not less than $12,000,000 shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further*, That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2020: *Provided further*, That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2021: *Provided further*, That $3,000,000 shall be for the Federal and State Technology Partnership Program under section 34 of the Small Business Act (15 U.S.C. 657d).

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development, $261,000,000, to remain available until September 30, 2021: *Provided*, That $135,000,000 shall be available to fund grants for performance in fiscal year 2020 or fiscal year 2021 as authorized by section 21 of the Small Business Act: *Provided further*, That $34,500,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: *Provided further*, That $19,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 22(l) of the Small Business Act (15 U.S.C. 649(l)).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $21,900,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94–305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), $9,120,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $5,000,000, to remain available until expended, and for the cost of guaranteed loans as authorized by section 7(a) of the Small Business Act (Public Law 83–163), $99,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2020 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2020 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $30,000,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: *Provided further*, That during fiscal year 2020 commitments for loans authorized under subparagraph (C) of section 502(7) of the Small Business Investment Act of 1958 (15 U.S.C. 696(7)) shall not exceed $7,500,000,000: *Provided further*, That during

fiscal year 2020 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $4,000,000,000: *Provided further*, That during fiscal year 2020, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $155,150,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, $177,136,000, to be available until expended, of which $1,600,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which $167,136,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which $8,400,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses: *Provided*, That, of the funds provided under this heading, $150,888,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)): *Provided further*, That the amount for major disasters under this heading is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177).

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 540. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 541. Not to exceed 3 percent of any appropriation made available in this Act for the Small Business Administration under the headings ''Salaries and Expenses'' and ''Business Loans Program Account'' may be transferred to the Administration's information technology system modernization and working capital fund (IT WCF), as authorized by section 1077(b)(1) of title X of division A of the National Defense Authorization Act for Fiscal Year 2018, for the purposes specified in section 1077(b)(3) of such Act, upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That amounts transferred to the IT WCF under this section shall remain available for obligation through September 30, 2023.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $56,711,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices: *Provided further*, That the Postal Service may not destroy, and shall continue to offer for sale, any copies of the Multinational Species Conservation Funds Semipostal Stamp, as authorized under the Multinational Species Conservation Funds Semipostal Stamp Act of 2010 (Public Law 111–241).

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $250,000,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, and not to exceed $3,000 for official reception and representation expenses: $53,000,000, of which $1,000,000 shall remain available until expended: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSION OF FUNDS)

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with chapter 83 of title 41, United States Code.

SEC. 607. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating chapter 83 of title 41, United States Code.

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 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 the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization, restructuring, relocation, or closing of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That at a minimum the report shall include: (1) a table for each appropriation, detailing both full-time employee equivalents and budget authority, with separate columns 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; (2) 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, in the accompanying report, or in the budget appendix for the respective appropriation, whichever is more detailed, and which shall apply to all items for which a dollar amount is specified and to all programs for which new budget authority is provided, as well as to discretionary grants and discretionary grant allocations; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 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 Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. (a) None of the funds made available in this Act may be used by the Executive Office of the President to request—

(1) any official background investigation report on any individual from the Federal Bureau of Investigation; or

(2) a determination with respect to the treatment of an organization as described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code from the Department of the Treasury or the Internal Revenue Service.

(b) Subsection (a) shall not apply—

(1) in the case of an official background investigation report, if such individual has given express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) if such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 612. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office of Personnel Management pursuant to court approval.

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 614. The provision of section 613 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 617. Notwithstanding section 708 of this Act, funds made available to the Commodity Futures Trading Commission and the Securities and Exchange Commission by this or any other Act may be used for the interagency funding and sponsorship of a joint advisory committee to advise on emerging regulatory issues.

SEC. 618. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property for office, meeting, storage, or other space must consult with the General Services Administration before issuing a solicitation for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term ''Executive agency covered by this Act'' means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 619. (a) There are appropriated for the following activities the amounts required under current law:

(1) Compensation of the President (3 U.S.C. 102).

(2) Payments to—

(A) the Judicial Officers' Retirement Fund (28 U.S.C. 377(o));

(B) the Judicial Survivors' Annuities Fund (28 U.S.C. 376(c)); and

(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions—

(A) with respect to the health benefits of retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849); and

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

(4) Payment to finance the unfunded liability of new and increased annuity benefits under the Civil Service Retirement and Disability Fund (5 U.S.C. 8348).

(5) Payment of annuities authorized to be paid from the Civil Service Retirement and Disability Fund by statutory provisions other than subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

SEC. 620. (a) In addition to amounts made available in prior fiscal years, the Public Company Accounting Oversight Board (Board) shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in fiscal year 2020 in an aggregate amount not exceeding the amount of funds collected by the Board between January 1, 2019, and September 30, 2019, including accrued interest, and between October 1, 2019, and September 30, 2020, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2020 shall remain available until expended.

(b) Beginning in fiscal year 2021 and for each fiscal year thereafter, the Board shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in such fiscal year in an aggregate amount not exceeding the amounts of funds collected by the Board between October 1 and September 30 of such fiscal year, including accrued interest, as a result of the assessment of monetary penalties. Funds made available for obligation in any fiscal year shall be in addition to amounts made available in prior fiscal years and shall remain available until expended.

SEC. 621. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled ''Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts'' unless the Interagency Working Group on Food Marketed to Children complies with Executive Order No. 13563.

SEC. 622. (a) The head of each executive branch agency funded by this Act shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology.

(b) Amounts appropriated for any executive branch agency funded by this Act that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

SEC. 623. None of the funds made available in this Act may be used in contravention of chapter 29, 31, or 33 of title 44, United States Code.

SEC. 624. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

SEC. 625. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change the rules or regulations of the Commission for universal service high-cost support for competitive eligible telecommunications carriers in a way that is inconsistent with paragraph (e)(5) or (e)(6) of section 54.307 of title 47, Code of Federal Regulations, as in effect on July 15, 2015: *Provided*, That this section shall not prohibit the Commission from considering, developing, or adopting other support mechanisms as an alternative to Mobility Fund Phase II.

SEC. 626. No funds provided in this Act shall be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978, or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access. A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. Each Inspector General shall ensure compliance

with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978. Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 627. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 628. None of the funds appropriated or other-wise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program and unless such awards or incentive fees are consistent with 16.401(e)(2) of the Federal Acquisition Regulation.

SEC. 629. (a) None of the funds made available under this Act may be used to pay for travel and conference activities that result in a total cost to an Executive branch department, agency, board or commission funded by this Act of more than $500,000 at any single conference unless the agency or entity determines that such attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

(b) None of the funds made available under this Act may be used to pay for the travel to or attendance of more than 50 employees, who are stationed in the United States, at any single conference occurring outside the United States unless the agency or entity determines that such attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

SEC. 630. None of the funds made available by this Act may be used for first-class or business-class travel by the employees of executive branch agencies funded by this Act in contravention of sections 301–10.122 through 301–10.125 of title 41, Code of Federal Regulations.

SEC. 631. In addition to any amounts appropriated or otherwise made available for expenses related to enhancements to www.oversight.gov, $1,000,000, to remain available until expended, shall be provided for an additional amount for such purpose to the Inspectors General Council Fund established pursuant to Section 11(c)(3)(B) of the Inspector General Act of 1978 (5 U.S.C. App.): *Provided*, That these amounts shall be in addition to any amounts or any authority available to the Council of the Inspectors General on Integrity and Efficiency under section 11 of the Inspector General Act of 1978 (5 U.S.C. App.).

SEC. 632. Of the unobligated balances from prior year appropriations available under the heading ''Small Business Administration—Business Loans Program Account'' heading, $16,369,000 are hereby permanently rescinded: *Provided*, That no amounts may be rescinded under this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 633. None of the funds made available by this Act may be obligated on contracts in excess of $5,000 for public relations, as that term is defined in Office and Management and Budget Circular A–87 (revised May 10, 2004), unless advance notice of such an obligation is transmitted to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 634. None of the funds made available by this Act shall be used by the Securities and Exchange Commission to finalize, issue, or implement any rule, regulation, or order regarding the disclosure of political contributions, contributions to tax exempt organizations, or dues paid to trade associations.

SEC. 635. None of the funds appropriated by this Act may be used to enforce section 540 of Public Law 110–329 (122 Stat. 3688) or section 538 of Public Law 112–74 (125 Stat. 976; 6 U.S.C. 190 note).

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2020 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at $19,947 except station wagons for which the maximum shall be $19,997: *Provided*, That these limits may be exceeded by not to exceed $7,250 for police-type vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: *Provided further*, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on alternative fuel, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: *Provided*, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: *Provided further*, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: *Provided further*, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13834 (May 17, 2018), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from an element of the intelligence community (as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 716. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 717. None of the funds made available in this or any other Act may be used to provide any non-public information such as mailing, telephone, or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term ''agency''—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the United States Postal Service, and the Postal Regulatory Commission.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 720. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse ''General Services Administration, Government-wide Policy'' with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, including improving coordination and reducing duplication, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): *Provided further*, That the total funds transferred or reimbursed shall not exceed $15,000,000 to improve coordination, reduce duplication, and for other activities related to Federal Government Priority Goals established by 31 U.S.C. 1120, and not to exceed $17,000,000 for Government-Wide innovations, initiatives, and activities: *Provided further*, That the funds transferred to or for reimbursement of ''General Services Administration, Government-wide Policy'' during fiscal year 2020 shall remain available for obligation through September 30, 2021: *Provided further*, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by

the Director of the Office of Management and Budget.

SEC. 722. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science, Space, and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall comply with any relevant requirements in part 200 of title 2, Code of Federal Regulations: *Provided*, That this section shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 732. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act), and regulations implementing that section.

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 734. During fiscal year 2020, for each employee who—

(1) retires under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code; or

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 735. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract to disclose any of the following information as a condition of submitting the offer:

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any person with the intent or the reasonable expectation that the person will use the funds to make a payment described in paragraph (1).

(b) In this section, each of the terms ''contribution'', ''expenditure'', ''independent expenditure'', ''electioneering communication'', ''candidate'', ''election'', and ''Federal office'' has the meaning given such term in the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.).

SEC. 736. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 737. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2020, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(A) during the period from the date of expiration of the limitation imposed by the comparable section for the previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2020, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(B) during the period consisting of the remainder of fiscal year 2020, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2020 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2020 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2019, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2019, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2019.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

(7) Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a), the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2020 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under sections 5303 and 5304 of title 5, United States Code: *Provided*, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as ''Rest of United States'' pursuant to section 5304 of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2019.

SEC. 738. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2020 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days after the end of a quarter, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2020 for which the cost to the United States Government was more than $20,000.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M–12–12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 739. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 740. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled ''Competitive Area'' published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 741. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 742. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The limitation in subsection (a) shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

SEC. 743. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).

SEC. 744. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any

unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 745. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 746. (a) During fiscal year 2020, on the date on which a request is made for a transfer of funds in accordance with section 1017 of Public Law 111–203, the Bureau of Consumer Financial Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate of such request.

(b) Any notification required by this section shall be made available on the Bureau's public Web site.

SEC. 747. If, for fiscal year 2020, new budget authority provided in appropriations Acts exceeds the discretionary spending limit for any category set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 due to estimating differences with the Congressional Budget Office, an adjustment to the discretionary spending limit in such category for fiscal year 2020 shall be made by the Director of the Office of Management and Budget in the amount of the excess but the total of all such adjustments shall not exceed 0.2 percent of the sum of the adjusted discretionary spending limits for all categories for that fiscal year.

SEC. 748. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2020 under section 5303 of title 5, United States Code, shall be an increase of 2.6 percent, and the overall average percentage of the adjustments taking effect in such fiscal year under sections 5304 and 5304a of such title 5 shall be an increase of 0.5 percent (with comparability payments to be determined and allocated among pay localities by the President). All adjustments under this subsection shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2020.

(b) Notwithstanding section 737, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2020 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentages in subsection (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303, 5304, and 5304a of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303, 5304, and 5304a of such title 5 and prevailing rate employees described in section 5343(a)(5) of such title 5 shall be considered to be located in the pay locality designated as ''Rest of U.S.'' pursuant to section 5304 of such title 5 for purposes of this subsection.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2020.

SEC. 749. (a) Notwithstanding the official rate adjusted under section 104 of title 3, United States Code, the rate payable to the Vice President during calendar year 2020 shall be the rate payable to the Vice President on December 31, 2019, by operation of section 749 of division D of Public Law 116–6.

(b) Notwithstanding the official rate adjusted under section 5318 of title 5, United States Code, or any other provision of law, the payable rate during calendar year 2020 for an employee serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, shall be the rate payable for the applicable Executive Schedule level on December 31, 2019, by operation of section 749 of division D of Public Law 116–6. Such an employee may not receive a pay rate increase during calendar year 2020, except as provided in subsection (i).

(c) Notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96–465) or any other provision of law, a chief of mission or ambassador at large is subject to subsection (b) in the same manner as other employees who are paid at an Executive Schedule rate.

(d)(1) This subsection applies to—

(A) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above the official rate for level IV of the Executive Schedule; or

(B) a limited term appointee or limited emergency appointee in the Senior Executive Service serving under a political appointment and paid a rate of basic pay at or above the official rate for level IV of the Executive Schedule.

(2) Notwithstanding sections 5382 and 5383 of title 5, United States Code, an employee described in paragraph (1) may not receive a pay rate increase during calendar year 2020, except as provided in subsection (i).

(e) Notwithstanding any other provision of law, any employee paid a rate of basic pay (including any locality- based payments under section 5304 of title 5, United States Code, or similar authority) at or above the official rate for level IV of the Executive Schedule who serves under a political appointment may not receive a pay rate increase during calendar year 2020, except as provided in subsection (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, to employees appointed under section 3161 of title 5, United States Code, or to employees in another pay system whose position would be classified at GS–15 or below if chapter 51 of title 5, United States Code, applied to them.

(f) Nothing in subsections (b) through (e) shall prevent employees who do not serve under a political appointment from receiving pay increases as otherwise provided under applicable law.

(g) This section does not apply to an individual who makes an election to retain Senior Executive Service basic pay under section 3392(c) of title 5, United States Code, for such time as that election is in effect.

(h) This section does not apply to an individual who makes an election to retain Senior Foreign Service pay entitlements under section 302(b) of the Foreign Service Act of 1980 (Public Law 96–465) for such time as that election is in effect.

(i) Notwithstanding subsections (b) through (e), an employee in a covered position may receive a pay rate increase upon an authorized movement to a different covered position only if that new position has higher-level duties and a pre-established level or range of pay higher than the level or range for the position held immediately before the movement. Any such increase must be based on the rates of pay and applicable limitations on payable rates of pay in effect on December 31, 2019, by operation of section 749 of division D of Public Law 116–6.

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable limitations on payable rates of pay in effect on December 31, 2019, by operation of section 749 of division D of Public Law 116–6.

(k) If an employee affected by this section is subject to a biweekly pay period that begins in calendar year 2020 but ends in calendar year 2021, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

(l) For the purpose of this section, the term ''covered position'' means a position occupied by an employee whose pay is restricted under this section.

(m) This section takes effect on the first day of the first applicable pay period beginning on or after January 1, 2020.

SEC. 750. Except as expressly provided otherwise, any reference to ''this Act'' contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 802. None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 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 expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 7, 2020.

SEC. 804. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day;

(4) at the discretion of the Chief Medical Examiner, an officer or employee of the Office of the Chief Medical Examiner who resides in the District of Columbia and is on call 24 hours a day;

(5) at the discretion of the Director of the Homeland Security and Emergency Management Agency, an officer or employee of the Homeland Security and Emergency Management Agency who resides in the District of Columbia and is on call 24 hours a day;

(6) the Mayor of the District of Columbia; and

(7) the Chairman of the Council of the District of Columbia.

SEC. 806. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 807. None of the Federal funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution.

SEC. 808. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a ''conscience clause'' which provides exceptions for religious beliefs and moral convictions.

SEC. 809. (a) None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) No funds available for obligation or expenditure by the District of Columbia government under any authority may be used to enact any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative for recreational purposes.

SEC. 810. No funds available for obligation or expenditure by the District of Columbia government under any authority shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 811. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2020 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency for which the Chief Financial Officer for the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 812. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42).

SEC. 813. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the four prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

(c) The District of Columbia government may not transfer or reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

SEC. 814. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 815. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2020 from appropriations of Federal funds 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 Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines outlined in section 803 of this Act.

SEC. 816. (a)(1) During fiscal year 2021, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Act referred to in paragraph (2) (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

(2) The Act referred to in this paragraph is the Act of the Council of the District of Columbia pursuant to which a proposed budget is approved for fiscal year 2021 which (subject to the requirements of the District of Columbia Home Rule Act) will constitute the local portion of the annual budget for the District of Columbia government for fiscal year 2021 for purposes of section 446 of the District of Columbia Home Rule Act (sec. 1–204.46, D.C. Official Code).

(b) Appropriations made by subsection (a) shall cease to be available—

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2021 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2021.

(c) An appropriation made by subsection (a) is provided under the authority and conditions as provided under this Act and shall be available to the extent and in the manner that would be provided by this Act.

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2021 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2021 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

(f) Nothing in this section shall be construed to affect obligations of the government of the District of Columbia mandated by other law.

SEC. 817. Except as expressly provided otherwise, any reference to ''this Act'' contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

This division may be cited as the ''Financial Services and General Government Appropriations Act, 2020''.

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2020

TITLE I

DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, AND OVERSIGHT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

OPERATIONS AND SUPPORT

For necessary expenses of the Office of the Secretary and for executive management for operations and support, $168,808,000; of which $10,000,000 shall be for an Ombudsman for Immigration Detention as established by section 106, of which $5,000,000 shall remain available until September 30, 2021; and of which $500,000 shall be withheld from obligation until the Secretary appoints such Ombudsman for Immigration Detention and complies with the directive related to the Public Complaint and Feedback System Working Group in the explanatory statement accompanying this Act: *Provided*, That not to exceed $30,000 shall be for official reception and representation expenses.

FEDERAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of the Secretary and Executive Management for Federal Assistance through grants, contracts, cooperative agreements, and other activities, $10,000,000, which shall be transferred to the Federal Emergency Management Agency for targeted violence and terrorism prevention grants.

MANAGEMENT DIRECTORATE

OPERATIONS AND SUPPORT

For necessary expenses of the Management Directorate for operations and support, $1,182,142,000: *Provided*, That not to exceed $2,000 shall be for official reception and representation expenses: *Provided further*, That of the funds made available under this heading, $2,000,000 shall be withheld from obligation until the first report required by section 403 has been made available on a publicly accessible website.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Management Directorate for procurement, construction, and improvements, $381,298,000, of which $157,531,000 shall remain available until September 30, 2022; and of which $223,767,000 shall remain available until September 30, 2024, to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the Department headquarters consolidation project.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service.

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION

OPERATIONS AND SUPPORT

For necessary expenses of the Office of Intelligence and Analysis and the Office of Operations Coordination for operations and support, $284,141,000, of which $68,579,000 shall remain available until September 30, 2021: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses and not to exceed $2,000,000 is available for facility needs associated with secure space at fusion centers, including improvements to buildings.

OFFICE OF INSPECTOR GENERAL

OPERATIONS AND SUPPORT

For necessary expenses of the Office of Inspector General for operations and support, $190,186,000: *Provided*, That not to exceed $300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) The Secretary of Homeland Security shall submit a report not later than October 15, 2020, to the Inspector General of the Department of Homeland Security listing all grants and contracts awarded by any means other than full and open competition during fiscal years 2019 or 2020.

(b) The Inspector General shall review the report required by subsection (a) to assess departmental compliance with applicable laws and regulations and report the results of that review to the Committees on Appropriations of the Senate and the House of Representatives not later than February 15, 2021.

SEC. 102. Not later than 30 days after the last day of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report that includes total obligations of the Department for that month and for the fiscal year at the appropriation and program, project, and activity levels, by the source year of the appropriation.

SEC. 103. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes, which shall be specified in terms of cost, schedule, and performance.

SEC. 104. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9705(g)(4)(B) of title 31, United States Code, from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives are notified of the proposed transfers.

SEC. 105. All official costs associated with the use of Government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Office of the Secretary.

ESTABLISHMENT OF AN IMMIGRATION DETENTION OMBUDSMAN

SEC. 106. (a) IN GENERAL.—Subtitle A of title IV of the Homeland Security Act of 2002 is amended by adding the following new section:

"SEC. 405. OMBUDSMAN FOR IMMIGRATION DETENTION.

"(a) IN GENERAL.—Within the Department, there shall be a position of Immigration Detention Ombudsman (in this section referred to as the 'Ombudsman'). The Ombudsman shall be independent of Department agencies and officers and shall report directly to the Secretary. The Ombudsman shall be a senior official with a background in civil rights enforcement, civil detention care and custody, and immigration law.

"(b) FUNCTIONS.—The functions of the Ombudsman shall be to—

"(1) Establish and administer an independent, neutral, and confidential process to receive, investigate, resolve, and provide redress, including referral for investigation to the Office of the Inspector General, referral to U.S. Citizenship and Immigration Services for immigration relief, or any other action determined appropriate, for cases in which Department officers or other personnel, or contracted, subcontracted, or cooperating entity personnel, are found to have engaged in misconduct or violated the rights of individuals in immigration detention;

"(2) Establish an accessible and standardized process regarding complaints against any officer or employee of U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement, or any contracted, subcontracted, or cooperating entity personnel, for violations of law, standards of professional conduct, contract terms, or policy related to immigration detention;

"(3) Conduct unannounced inspections of detention facilities holding individuals in federal immigration custody, including those owned or operated by units of State or local government and privately-owned or operated facilities;

"(4) Review, examine, and make recommendations to address concerns or violations of contract terms identified in reviews, audits, investigations, or detainee interviews regarding immigration detention facilities and services;

"(5) Provide assistance to individuals affected by potential misconduct, excessive force, or violations of law or detention standards by Department of Homeland Security officers or other personnel, or contracted, subcontracted, or cooperating entity personnel; and

"(6) Ensure that the functions performed by the Ombudsman are complementary to existing functions within the Department of Homeland Security.

"(c) ACCESS TO DETENTION FACILITIES.—The Ombudsman or designated personnel of the Ombudsman, shall be provided unfettered access to any location within each such detention facility and shall be permitted confidential access to any detainee at the detainee's request and any departmental records concerning such detainee.

"(d) COORDINATION WITH DEPARTMENT COMPONENTS.—

"(1) IN GENERAL.—The Director of U.S. Immigration and Customs Enforcement and the Commissioner of U.S. Customs and Border Protection shall each establish procedures to provide formal responses to recommendations submitted to such officials by the Ombudsman within 60 days of receiving such recommendations.

"(2) ACCESS TO INFORMATION.—The Secretary shall establish procedures to provide the Ombudsman access to all departmental records necessary to execute the responsibilities of the Ombudsman under subsection (b) or (c) not later than 60 days after a request from the Ombudsman for such information.

"(e) ANNUAL REPORT.—The Ombudsman shall prepare a report to Congress on an annual basis on its activities, findings, and recommendations.".

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by adding the following new item after "Sec. 404. Surface Transportation Security Advisory Committee.":

"Sec. 405. Ombudsman for Immigration Detention.".

SEC. 107. Section 107 of the Department of Homeland Security Appropriations Act, 2018 (division F of Public Law 115–141), related to visa overstay data, shall apply in fiscal year 2020, except that the reference to "this Act" shall be treated as referring to this Act, and the reference to "2017" shall be treated as referring to "2019".

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

OPERATIONS AND SUPPORT

For necessary expenses of U.S. Customs and Border Protection for operations and support, including the transportation of unaccompanied minor aliens; the provision of air and marine support to Federal, State, local, and international agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; $12,735,399,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $500,000,000 shall be available until September 30, 2021; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; and of which $104,377,000 is for additional Office of Field Operations staffing: *Provided*, That not to exceed $34,425 shall be for official reception and representation expenses: *Provided further*, That not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations: *Provided further*, That not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That not to exceed $5,000,000 may be transferred to the Bureau of Indian Affairs for the maintenance and repair of roads on Native American reservations used by the U.S. Border Patrol: *Provided further*, That of the funds made available under this heading for the Executive Leadership and Oversight program, project, and activity, $5,000,000 shall be withheld from obligation until the reports directed by the explanatory statement accompanying this Act concerning Custody and Transfer Metrics, the Migrant Protection Protocol program, and medical guidance have been made available on a publicly accessible website.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, including procurement of marine vessels, aircraft, and unmanned aerial systems, $1,904,468,000, of which $467,104,000 shall remain available until September 30, 2022, and of which $1,437,364,000 shall remain available until September 30, 2024.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

OPERATIONS AND SUPPORT

For necessary expenses of U.S. Immigration and Customs Enforcement for operations and support, including the purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; overseas vetted units; and maintenance, minor construction, and minor leasehold improvements at owned and leased facilities; $8,032,801,000; of which not less than $6,000,000 shall remain available until expended for efforts to enforce laws against forced child labor; of which $53,696,000 shall remain available until September 30, 2021; of which not less than $1,500,000 is for paid apprenticeships for participants in the Human Exploitation Rescue Operative Child-Rescue Corps; of which not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center; and of which not less than $4,429,033,000 shall be for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: *Provided*, That not to exceed $11,475 shall be for official reception and representation expenses: *Provided further*, That not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081): *Provided further*, That not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided further*, That of the funds made available under this heading, $10,000,000 shall be withheld from obligation until the first report required by section 218 has been made available on a publicly accessible website.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Immigration and Customs Enforcement for procurement, construction, and improvements, $47,270,000, to remain available until September 30, 2022; of which not less than $36,970,000 shall be available for facilities repair and maintenance projects.

TRANSPORTATION SECURITY ADMINISTRATION

OPERATIONS AND SUPPORT

For necessary expenses of the Transportation Security Administration for operations and support, $7,680,565,000, to remain available until September 30, 2021: *Provided*, That not to exceed $7,650 shall be for official reception and representation expenses: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2020 so as to result in a final fiscal year appropriation from the general fund estimated at not more than $4,850,565,000.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Transportation Security Administration for procurement, construction, and improvements, $110,100,000, to remain available until September 30, 2022.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Transportation Security Administration for research and development, $22,902,000, to remain available until September 30, 2021.

COAST GUARD

OPERATIONS AND SUPPORT

For necessary expenses of the Coast Guard for operations and support including the Coast Guard Reserve; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of not more than $700,000) and repairs and service-life replacements, not to exceed a total of $31,000,000; purchase, lease, or improvements of boats necessary for overseas deployments and activities; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $8,181,253,000, of which $530,000,000 shall be for defense-related activities, of which $190,000,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which $11,000,000 shall remain available until September 30, 2022; and of which $19,982,000 shall remain available until September 30, 2024, for environmental compliance and restoration: *Provided*, That not to exceed $23,000 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Coast Guard for procurement, construction, and improvements, including aids to navigation, shore facilities (including facilities at Department of Defense installations used by the Coast Guard), and vessels and aircraft, including equipment related thereto, $1,772,506,000, to remain available until September 30, 2024; of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which $32,350,000, shall be available to carry out the purposes of section 2946 of title 14, United States Code, of which $26,376,833 shall be derived from the Coast Guard Housing Fund, established pursuant to such section.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Coast Guard for research and development; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; $4,949,000, to remain available until September 30, 2022, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, payment of continuation pay under section 356 of title 37, United States Code, concurrent receipts, combat-related special compensation, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,802,309,000, to remain available until expended.

UNITED STATES SECRET SERVICE

OPERATIONS AND SUPPORT

For necessary expenses of the United States Secret Service for operations and support, including purchase of not to exceed 652

vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; rental of buildings in the District of Columbia; fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; conduct of and participation in firearms matches; presentation of awards; conduct of behavioral research in support of protective intelligence and operations; payment in advance for commercial accommodations as may be necessary to perform protective functions; and payment, without regard to section 5702 of title 5, United States Code, of subsistence expenses of employees who are on protective missions, whether at or away from their duty stations; $2,336,401,000; of which $39,763,000 shall remain available until September 30, 2021, and of which $6,000,000 shall be for a grant for activities related to investigations of missing and exploited children; and of which up to $15,000,000 may be for calendar year 2019 premium pay in excess of the annual equivalent of the limitation on the rate of pay contained in section 5547(a) of title 5, United States Code, pursuant to section 2 of the Overtime Pay for Protective Services Act of 2016 (5 U.S.C. 5547 note), as amended by Public Law 115–383: *Provided*, That not to exceed $19,125 shall be for official reception and representation expenses: *Provided further*, That not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in criminal investigations within the jurisdiction of the United States Secret Service.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the United States Secret Service for procurement, construction, and improvements, $66,989,000, to remain available until September 30, 2022.

RESEARCH AND DEVELOPMENT

For necessary expenses of the United States Secret Service for research and development, $12,455,000, to remain available until September 30, 2021.

ADMINISTRATIVE PROVISIONS

SEC. 201. Section 201 of the Department of Homeland Security Appropriations Act, 2018 (division F of Public Law 115–141), related to overtime compensation limitations, shall apply with respect to funds made available in this Act in the same manner as such section applied to funds made available in that Act, except that ''fiscal year 2020'' shall be substituted for ''fiscal year 2018''.

SEC. 202. Funding made available under the headings ''U.S. Customs and Border Protection—Operations and Support'' and ''U.S. Customs and Border Protection—Procurement, Construction, and Improvements'' shall be available for customs expenses when necessary to maintain operations and prevent adverse personnel actions in Puerto Rico in addition to funding provided by section 740 of title 48, United States Code.

SEC. 203. As authorized by section 601(b) of the United States-Colombia Trade Promotion Agreement Implementation Act (Public Law 112–42), fees collected from passengers arriving from Canada, Mexico, or an adjacent island pursuant to section 13031(a)(5) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(5)) shall be available until expended.

SEC. 204. For an additional amount for ''U.S. Customs and Border Protection—Operations and Support'', $31,000,000, to remain available until expended, to be reduced by amounts collected and credited to this appropriation in fiscal year 2020 from amounts authorized to be collected by section 286(i) of the Immigration and Nationality Act (8 U.S.C. 1356(i)), section 10412 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8311), and section 817 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–25), or other such authorizing language: *Provided*, That to the extent that amounts realized from such collections exceed $31,000,000, those amounts in excess of $31,000,000 shall be credited to this appropriation, to remain available until expended.

SEC. 205. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 206. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to section 501(b) of title 46, United States Code, for the transportation of crude oil distributed from and to the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to section 501(b) of title 46, United States Code, with respect to such transportation, and the disposition of such requests.

SEC. 207. (a) Beginning on the date of enactment of this Act, the Secretary of Homeland Security shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) In this section, the term ''border crossing fee'' means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

SEC. 208. Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit an expenditure plan for any amounts made available for ''U.S. Customs and Border Protection—Procurement, Construction, and Improvements'' in this Act and prior Acts to the Committees on Appropriations of the Senate and the House of Representatives: *Provided*, That no such amounts may be obligated prior to the submission of such plan.

SEC. 209. (a) Of the total amount made available under ''U.S. Customs and Border Protection—Procurement, Construction, and Improvements'', $1,904,468,000 shall be available only as follows:

(1) $1,375,000,000 for the construction of barrier system along the southwest border;

(2) $221,912,000 for the acquisition and deployment of border security technologies and trade and travel assets and infrastructure;

(3) $62,364,000 for facility construction and improvements;

(4) $199,519,000 for integrated operations assets and infrastructure; and

(5) $45,673,000 for mission support and infrastructure.

(b) The amount designated in subsection (a)(1) shall only be available for barrier systems that—

(1) use—

(A) operationally effective designs deployed as of the date of enactment of the Consolidated Appropriations Act, 2017 (Public Law 115–31), such as currently deployed steel bollard designs, that prioritize agent safety; or

(B) operationally effective adaptations of such designs that help mitigate community or environmental impacts of barrier system construction, including adaptations based on consultation with jurisdictions within which barrier system will be constructed; and

(2) are constructed in the highest priority locations as identified in the Border Security Improvement Plan.

(c) The Chief of the U.S. Border Patrol shall—

(1) provide a plan to the Committees on Appropriations of the Senate and the House of Representatives for the use of the amounts provided in subsection (a)(1) within 30 days of the date of enactment of this Act; and

(2) notify such Committees of any amendment to the highest priority locations identified for the use of the amount provided in subsection (a)(1) within 5 days of such amendment.

(d) Consultation with a jurisdiction under subsection (b)(2) shall not exceed 90 calendar days after such jurisdiction has been notified that U.S. Customs and Border Protection is entering into such consultation, unless an extension of time is agreed to by such agency and such jurisdiction.

(e) Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General of the United States an updated risk-based plan for improving security along the borders of the United States that includes the elements required under subsection (a) of section 231 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141), which shall be evaluated in accordance with subsection (b) of such section.

SEC. 210. Federal funds may not be made available for the construction of fencing—

(1) within the Santa Ana Wildlife Refuge;

(2) within the Bentsen-Rio Grande Valley State Park;

(3) within La Lomita Historical park;

(4) within the National Butterfly Center;

(5) within or east of the Vista del Mar Ranch tract of the Lower Rio Grande Valley National Wildlife Refuge; or

(6) within historic cemeteries.

SEC. 211. Funds made available in this Act may be used to alter operations within the National Targeting Center of U.S. Customs and Border Protection: *Provided*, That none of the funds provided by this Act, provided by previous appropriations Acts 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 components funded by this Act, may be used

to reduce anticipated or planned vetting operations at existing locations unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 212. (a) Of the amounts made available by this Act for ''U.S. Customs and Border Protection—Operations and Support''—

(1) $173,000,000 is for humanitarian care;

(2) $30,000,000 is to address health, life, and safety issues at existing Border Patrol facilities, including construction, and for improved video recording capabilities; *Provided*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Of the amounts made available by this Act for ''U.S. Customs and Border Protection—Procurement, Construction, and Improvements'', $30,000,000 is for the development of an agency-wide electronic health records system; *Provided*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) The amounts in subsection (b) may not be obligated until the Department of Homeland Security Chief Medical Officer provides written certification of compliance with the requirements described in the explanatory statement accompanying this Act concerning electronic health records to the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 213. Without regard to the limitation as to time and condition of section 503(d) of this Act, the Secretary may reprogram within and transfer funds to ''U.S. Immigration and Customs Enforcement—Operations and Support'' as necessary to ensure the detention of aliens prioritized for removal.

SEC. 214. None of the funds provided under the heading ''U.S. Immigration and Customs Enforcement—Operations and Support'' may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been materially violated.

SEC. 215. (a) None of the funds provided under the heading ''U.S. Immigration and Customs Enforcement—Operations and Support'' may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than ''adequate'' or the equivalent median score in any subsequent performance evaluation system.

(b) Beginning not later than January 1, 2021, the performance evaluations referenced in subsection (a) shall be conducted by the U.S. Immigration and Customs Enforcement Office of Professional Responsibility.

SEC. 216. (a) None of the funds provided by this Act or any other Act, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the components funded by this Act, may be used by the Secretary of Homeland Security to place in detention, remove, refer for a decision whether to initiate removal proceedings, or initiate removal proceedings against a sponsor, potential sponsor, or member of a household of a sponsor or potential sponsor of an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) based on information shared by the Secretary of Health and Human Services.

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

(1) a felony conviction or pending felony charge that relates to—

(A) an aggravated felony (as defined in section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)));

(B) child abuse;

(C) sexual violence or abuse; or

(D) child pornography;

(2) an association with any business that employs a minor who—

(A) is unrelated to the sponsor, potential sponsor, or member of a household of a sponsor or potential sponsor; and

(B) is—

(i) not paid a legal wage; or

(ii) unable to attend school due to the employment; or

(3) an association with the organization or implementation of prostitution.

SEC. 217. Not later than 45 days after the date of enactment of this Act, the Director of U.S. Immigration and Customs Enforcement shall submit to the Committees on Appropriations of the Senate and the House of Representatives, and make available on a publicly accessible website, a report describing agreements pursuant to section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) which shall include —

(1) detailed information relating to the community outreach activities of each participating jurisdiction pursuant to such agreement, including the membership and activities of any community-based steering committee established by such jurisdiction;

(2) the number of individuals placed into removal proceedings pursuant to each such agreement;

(3) data on the performance of the officers or employees of a State or political subdivision thereof under each such agreement, including the nationality and level of criminality of the individuals described in paragraph (2); and

(4) information relating to any future plans to increase the number of such agreements or expand the scope of such agreements through the introduction of new operations pursuant to such section.

SEC. 218. Not later than 7 days after the date of enactment of this Act and updated semimonthly thereafter, the Director of U.S. Immigration and Customs Enforcement shall make available a report, on a publicly accessible website in a downloadable, searchable, and sortable format, with not less than the previous twelve months of semimonthly data as of the last date of each such reporting period; on—

(1) aliens detained by such agency, including data disaggregated by single adults and members of family units on—

(A) the average fiscal year-to-date daily populations of aliens detained;

(B) the daily count of aliens detained;

(C) the fiscal year-to-date total for bookins;

(D) the average lengths of stay, including average post-determination length of stay in the case of detainees described in subparagraph (F);

(E) the number transferred to the custody of U.S. Immigration and Customs Enforcement by U.S. Customs and Border Protection after being—

(i) deemed inadmissible at a port of entry or after being apprehended within 14 days of entering the United States; or

(ii) arrested by U.S. Immigration and Customs Enforcement;

(F) the number determined to have a credible or reasonable fear of—

(i) persecution, as defined in section 235(b)(1)(B)(v) of the Immigration and Nationality Act; or

(ii) torture, as defined in section 208.30 of title 8, Code of Federal Regulations (as in effect on January 1, 2018); and

(G) the number who have been issued a Notice to Appear pursuant to section 239 of the Immigration and Nationality Act, disaggregated by single adults and members of family units;

(2) the total number of enrollees in the Alternatives to Detention program and the average length of participation, disaggregated by—

(A) single adults and family heads of household;

(B) participants in the family case management program;

(C) level of supervision; and

(D) location of supervision, by field office;

(3) for each facility where aliens are detained by U.S. Immigration and Customs Enforcement—

(A) the address;

(B) the field offices that assign detainees to the facility;

(C) the detailed facility type, as defined in the integrated decision support system;

(D) the gender of aliens detained;

(E) the average daily population of detainees within each detainee classification level, as defined in the integrated decision support system;

(F) the average daily population of individuals within each threat level, as defined in the integrated decision support system;

(G) the average daily population within each criminality category, as defined in the integrated decision support system, disaggregated by gender;

(H) the average length of stay;

(I) the average daily population of individuals whose detention is classified as mandatory;

(J) the performance standards to which the facility is held;

(K) the date of the two most recent inspections, the entity that performed each inspection, and a detailed summary of the results of such inspections; and

(L) the guaranteed minimum detention capacity, if applicable; and

(4) the total number of releases from custody, by condition of release, and total number of removals, disaggregated by adult facilities and family facilities.

SEC. 219. Members of the United States House of Representatives and the United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

SEC. 220. Any award by the Transportation Security Administration to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness.

SEC. 221. Notwithstanding section 44923 of title 49, United States Code, for fiscal year 2020, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title.

SEC. 222. None of the funds made available by this or any other Act may be used by the

Administrator of the Transportation Security Administration to implement, administer, or enforce, in abrogation of the responsibility described in section 44903(n)(1) of title 49, United States Code, any requirement that airport operators provide airport-financed staffing to monitor exit points from the sterile area of any airport at which the Transportation Security Administration provided such monitoring as of December 1, 2013.

SEC. 223. Not later than 30 days after the submission of the President's budget proposal, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations and Commerce, Science, and Transportation of the Senate and the Committees on Appropriations and Homeland Security in the House of Representatives a single report that fulfills the following requirements:

(1) a Capital Investment Plan (CIP) that includes a plan for continuous and sustained capital investment in new, and the replacement of aged, transportation security equipment;

(2) the 5-year technology investment plan as required by section 1611 of title XVI of the Homeland Security Act of 2002, as amended by section 3 of the Transportation Security Acquisition Reform Act (Public Law 113–245); and

(3) the Advanced Integrated Passenger Screening Technologies report as required by the Senate Report accompanying the Department of Homeland Security Appropriations Act, 2019 (Senate Report 115–283).

SEC. 224. None of the funds made available by this Act under the heading ''Coast Guard—Operations and Support'' shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to the appropriation made available by this Act under the heading ''Coast Guard—Operations and Support'': *Provided*, That to the extent such fees are insufficient to pay expenses of recreational vessel documentation under such section 12114, and there is a backlog of recreational vessel applications, personnel performing non-recreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform documentation under section 12114.

SEC. 225. Without regard to the limitation as to time and condition of section 503(d) of this Act, after June 30, up to $10,000,000 may be reprogrammed to or from the Military Pay and Allowances funding category within ''Coast Guard—Operations and Support'' in accordance with subsection (a) of section 503 of this Act.

SEC. 226. Notwithstanding any other provision of law, the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives a future-years capital investment plan as described in the second proviso under the heading ''Coast Guard—Acquisition, Construction, and Improvements'' in the Department of Homeland Security Appropriations Act, 2015 (Public Law 114–4), which shall be subject to the requirements in the third and fourth provisos under such heading.

SEC. 227. Funds made available for Overseas Contingency Operations/Global War on Terrorism under the heading ''Coast Guard—Operations and Support'' may be allocated by program, project, and activity, notwithstanding section 503 of this Act.

SEC. 228. None of the funds in this Act shall be used to reduce the Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 229. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 230. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any civil engineering unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 231. (a) Any discretionary amounts appropriated in this Act in the current fiscal year and any fiscal year thereafter may be obligated for death gratuity payments, as authorized in subchapter II of chapter 75 of title 10, United States Code.

(b) Subsection (a) shall only apply if an appropriation for ''Coast Guard—Operations and Support'' is unavailable for obligation for such payments.

(c) Such obligations shall subsequently be recorded against appropriations that become available for ''Coast Guard—Operations and Support''.

SEC. 232. Beginning in fiscal year 2021 and for each fiscal year thereafter, amounts credited to the Coast Guard Housing Fund pursuant to paragraphs (3) through (5) of subsection (b) of section 2946 of title 14, United States Code, shall be classified as discretionary offsetting receipts.

SEC. 233. The United States Secret Service is authorized to obligate funds in anticipation of reimbursements from executive agencies, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under the heading ''United States Secret Service—Operations and Support'' at the end of the fiscal year.

SEC. 234. None of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided*, That the Director of the United States Secret Service may enter into agreements to provide such protection on a fully reimbursable basis.

SEC. 235. For purposes of section 503(a)(3) of this Act, up to $15,000,000 may be reprogrammed within ''United States Secret Service—Operations and Support''.

SEC. 236. Funding made available in this Act for ''United States Secret Service—Operations and Support'' is available for travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if the Director of the United States Secret Service or a designee notifies the Committees on Appropriations of the Senate and the House of Representatives 10 or more days in advance, or as early as practicable, prior to such expenditures.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

OPERATIONS AND SUPPORT

For necessary expenses of the Cybersecurity and Infrastructure Security Agency for operations and support, $1,566,229,000, of which $31,793,000 shall remain available until September 30, 2021: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Cybersecurity and Infrastructure Security Agency for procurement, construction, and improvements, $434,962,000, to remain available until September 30, 2022.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Cybersecurity and Infrastructure Security Agency for research and development, $14,431,000, to remain available until September 30, 2021.

FEDERAL EMERGENCY MANAGEMENT AGENCY

OPERATIONS AND SUPPORT

For necessary expenses of the Federal Emergency Management Agency for operations and support, $1,102,199,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Federal Emergency Management Agency for procurement, construction, and improvements, $133,363,000, of which $74,167,000 shall remain available until September 30, 2022, and of which $59,196,000 shall remain available until September 30, 2024.

FEDERAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities of the Federal Emergency Management Agency for Federal assistance through grants, contracts, cooperative agreements, and other activities, $3,178,467,000, which shall be allocated as follows:

(1) $560,000,000 for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which $90,000,000 shall be for Operation Stonegarden, $15,000,000 shall be for Tribal Homeland Security Grants under section 2005 of the Homeland Security Act of 2002 (6 U.S.C. 606), and $40,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2020, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) $665,000,000 for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which $50,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) $100,000,000 for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance under sections 1406, 1513, and 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135, 1163, and 1182), of which $10,000,000 shall be for Amtrak security and $2,000,000 shall be for Over-the-Road Bus Security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) $100,000,000 for Port Security Grants in accordance with section 70107 of title 46, United States Code.

(5) $710,000,000, to remain available until September 30, 2021, of which $355,000,000 shall

be for Assistance to Firefighter Grants and $355,000,000 shall be for Staffing for Adequate Fire and Emergency Response Grants under sections 33 and 34 respectively of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a).

(6) $355,000,000 for emergency management performance grants under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701), section 762 of title 6, United States Code, and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.).

(7) $263,000,000 for necessary expenses for Flood Hazard Mapping and Risk Analysis, in addition to and to supplement any other sums appropriated under the National Flood Insurance Fund, and such additional sums as may be provided by States or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(f)(2)), to remain available until expended.

(8) $10,000,000 for Regional Catastrophic Preparedness Grants.

(9) $10,000,000 for Rehabilitation of High Hazard Potential Dams under section 8A of the National Dam Safety Program Act (33 U.S.C. 467f–2).

(10) $125,000,000 for the emergency food and shelter program under title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331), to remain available until expended: *Provided*, That not to exceed 3.5 percent shall be for total administrative costs.

(11) $280,467,000 to sustain current operations for training, exercises, technical assistance, and other programs.

DISASTER RELIEF FUND

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $17,863,259,000, to remain available until expended: *Provided*, That of the amount provided under this heading, $17,352,112,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89; 128 Stat. 1020), $206,782,000, to remain available until September 30, 2021, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which $14,005,000 shall be available for mission support associated with flood management; and of which $192,777,000 shall be available for flood plain management and flood mapping: *Provided*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as offsetting collections to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2020, no funds shall be available from the National Flood Insurance Fund under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) in excess of—

(1) $192,439,000 for operating expenses and salaries and expenses associated with flood insurance operations;

(2) $1,151,000,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $175,000,000, which shall remain available until expended, for flood mitigation actions and for flood mitigation assistance under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), notwithstanding sections 1366(e) and 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

Provided further, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e)), shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding section 102(f)(8), section 1366(e) of the National Flood Insurance Act of 1968, and paragraphs (1) through (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e), 4104d(b)(1)–(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation: *Provided further*, That up to $5,000,000 is available to carry out section 24 of the Homeowner Flood Insurance Affordability Act of 2014 (42 U.S.C. 4033).

ADMINISTRATIVE PROVISIONS

SEC. 301. Notwithstanding section 2008(a)(12) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12)) or any other provision of law, not more than 5 percent of the amount of a grant made available in paragraphs (1) through (4) under ''Federal Emergency Management Agency—Federal Assistance'', may be used by the grantee for expenses directly related to administration of the grant.

SEC. 302. Applications for grants under the heading ''Federal Emergency Management Agency—Federal Assistance'', for paragraphs (1) through (4), shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application.

SEC. 303. Under the heading ''Federal Emergency Management Agency—Federal Assistance'', for grants under paragraphs (1) through (4), (8), and (9), the Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award.

SEC. 304. Under the heading ''Federal Emergency Management Agency—Federal Assistance'', for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility.

SEC. 305. The reporting requirements in paragraphs (1) and (2) under the heading ''Federal Emergency Management Agency—Disaster Relief Fund'' in the Department of Homeland Security Appropriations Act, 2015 (Public Law 114–4) shall be applied in fiscal year 2020 with respect to budget year 2021 and current fiscal year 2020, respectively—

(1) in paragraph (1) by substituting ''fiscal year 2021'' for ''fiscal year 2016''; and

(2) in paragraph (2) by inserting ''business'' after ''fifth''.

SEC. 306. (a) In making grants under the heading ''Federal Emergency Management Agency—Federal Assistance'', for Staffing for Adequate Fire and Emergency Response grants, the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

(b) For grants made under the heading ''Federal Emergency Management Agency—Firefighter Assistance Grants'' in division F of Public Law 114–113, the Secretary may extend the period of performance described in subsection (a)(1)(B) of such section 34 for up to one additional year.

(c) For purposes of subsection (b)—

(1) subsections (a)(1)(E)(iii) and (c)(4)(C) of such section 34 shall also apply to such additional year of such period of performance; and

(2) the authority provided shall only apply to any such grant award that remains open on the date of enactment of this Act.

SEC. 307. The aggregate charges assessed during fiscal year 2020, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security to be necessary for its Radiological Emergency Preparedness Program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That such fees shall be deposited in a Radiological Emergency Preparedness Program account as offsetting collections and will become available for authorized purposes on October 1, 2020, and remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

OPERATIONS AND SUPPORT

For necessary expenses of U.S. Citizenship and Immigration Services for operations and support of the E-Verify Program, $122,395,000.

FEDERAL ASSISTANCE

For necessary expenses of U.S. Citizenship and Immigration Services for Federal assistance for the Citizenship and Integration Grant Program, $10,000,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTERS

OPERATIONS AND SUPPORT

For necessary expenses of the Federal Law Enforcement Training Centers for operations and support, including the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, $292,997,000, of which $54,283,000 shall remain available until September 30, 2021: *Provided*, That not to exceed $7,180 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Federal Law Enforcement Training Centers for procurement, construction, and improvements, $58,173,000, to remain available until September 30, 2024.

SCIENCE AND TECHNOLOGY DIRECTORATE

OPERATIONS AND SUPPORT

For necessary expenses of the Science and Technology Directorate for operations and support, including the purchase or lease of not to exceed 5 vehicles, $314,864,000, of which $171,232,000 shall remain available until September 30, 2021: *Provided*, That not to exceed $10,000 shall be for official reception and representation expenses.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Science and Technology Directorate for research and development, $422,411,000, to remain available until September 30, 2022.

COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

OPERATIONS AND SUPPORT

For necessary expenses of the Countering Weapons of Mass Destruction Office for operations and support, $179,467,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Countering Weapons of Mass Destruction Office for procurement, construction, and improvements, $118,988,000, to remain available until September 30, 2022.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Countering Weapons of Mass Destruction Office for research and development, $69,181,000, to remain available until September 30, 2022.

FEDERAL ASSISTANCE

For necessary expenses of the Countering Weapons of Mass Destruction Office for Federal assistance through grants, contracts, cooperative agreements, and other activities, $64,663,000, to remain available until September 30, 2022.

ADMINISTRATIVE PROVISIONS

SEC. 401. Notwithstanding any other provision of law, funds otherwise made available to U.S. Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided*, That the Director of U.S. Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

SEC. 402. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided by employees (including employees serving on a temporary or term basis) of U.S. Citizenship and Immigration Services of the Department of Homeland Security who are known as Immigration Information Officers, Immigration Service Analysts, Contact Representatives, Investigative Assistants, or Immigration Services Officers.

SEC. 403. (a) Not later than 30 days after the date of enactment of this Act and updated semimonthly thereafter, the Director of U.S. Citizenship and Immigration Services shall make available, on a publicly accessible website in a downloadable, searchable, and sortable format, a report containing not less than the previous twelve months of semimonthly data on—

(1) the number of aliens determined to have a credible or reasonable fear of—

(A) persecution, as defined in section 235(b)(1)(B)(v) of the Immigration and Nationality Act; or

(B) torture, as defined in section 208.30 of title 8, Code of Federal Regulations (as in effect on January 1, 2018);

(2) the total number of cases received by U.S. Citizenship and Immigration Services to adjudicate credible or reasonable fear claims, as described in paragraph (1), and the total number of cases closed.

(b) Such report shall also disaggregate the data described in subsection (a) with respect to the following subsets—

(1) claims submitted by aliens detained at a U.S. Immigration and Customs Enforcement family residential center;

(2) claims submitted by aliens organized by each subdivision of legal or administrative authority under which claims are reviewed; and

(3) the job series of the personnel reviewing the claims.

SEC. 404. The Director of the Federal Law Enforcement Training Centers is authorized to distribute funds to Federal law enforcement agencies for expenses incurred participating in training accreditation.

SEC. 405. The Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

SEC. 406. The Director of the Federal Law Enforcement Training Centers may accept transfers to the account established by section 407(a) of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141) from Government agencies requesting the construction of special use facilities, as authorized by the Economy Act (31 U.S.C. 1535(b)): *Provided*, That the Federal Law Enforcement Training Centers maintain administrative control and ownership upon completion of such facilities.

SEC. 407. The functions of the Federal Law Enforcement Training Centers instructor staff shall be classified as inherently governmental for purposes of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 501. 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. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the components in or transferred to the Department of Homeland Security 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 components funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or eliminates a program, project, or activity, or increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(2) contracts out any function or activity presently performed by Federal employees or any new function or activity proposed to be performed by Federal employees in the President's budget proposal for fiscal year 2020 for the Department of Homeland Security;

(3) augments funding for existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(4) reduces funding for any program, project, or activity, or numbers of personnel, by 10 percent or more; or

(5) results from any general savings from a reduction in personnel that would result in a change in funding levels for programs, projects, or activities as approved by the Congress.

(b) Subsection (a) shall not apply if the Committees on Appropriations of the Senate and the House of Representatives are notified at least 15 days in advance of such reprogramming.

(c) Up to 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations if the Committees on Appropriations of the Senate and the House of Representatives are notified at least 30 days in advance of such transfer, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfer.

(d) Notwithstanding subsections (a), (b), and (c), no funds shall be reprogrammed within or transferred between appropriations based upon an initial notification provided after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in subsections (a), (b), (c), and (d) shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts that remain available for obligation in the current year.

(f) Notwithstanding subsection (c), the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to $20,000,000 from appropriations available to the Department of Homeland Security: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives at least 5 days in advance of such transfer.

SEC. 504. Section 504 of the Department of Homeland Security Appropriations Act, 2017 (division F of Public Law 115–31), related to the operations of a working capital fund, shall apply with respect to funds made available in this Act in the same manner as such section applied to funds made available in that Act: *Provided*, That funds from such working capital fund may be obligated and expended in anticipation of reimbursements from components of the Department of Homeland Security.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2020, as recorded in the financial records at the time of a reprogramming notification, but not later than June 30, 2021, from appropriations for ''Operations and Support'' for fiscal year 2020 in this Act shall remain available through September 30, 2021, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a notification shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2020 until the enactment of an Act authorizing intelligence activities for fiscal year 2020.

SEC. 507. (a) The Secretary of Homeland Security, or the designee of the Secretary, shall notify the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of—

(1) making or awarding a grant allocation, grant, contract, other transaction agreement, or task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of $1,000,000;

(2) awarding a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Department of Homeland Security funds;

(3) making a sole-source grant award; or

(4) announcing publicly the intention to make or award items under paragraph (1), (2), or (3), including a contract covered by the Federal Acquisition Regulation.

(b) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(c) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; the type of contract; and the account from which the funds are being drawn.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without advance notification to the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Centers is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Centers' facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act: *Provided*, That for purposes of the preceding sentence, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 513. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452) unless explicitly authorized by the Congress.

SEC. 514. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 515. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 516. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

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

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

SEC. 517. None of the funds made available in 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. 518. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 519. 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 performance that does not meet the basic requirements of a contract.

SEC. 520. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 521. (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. 522. None of the funds made available in this Act 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. 523. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security, or a designee, determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *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: *Provided further*, That the total cost to the Department of Homeland Security of any such conference shall not exceed $500,000.

SEC. 524. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 525. None of the funds made available to the Department of Homeland Security by this or any other Act may be obligated for any structural pay reform that affects more than 100 full-time positions or costs more than $5,000,000 in a single year before the end of the 30-day period beginning on the date on which the Secretary of Homeland Security submits to Congress a notification that includes—

(1) the number of full-time positions affected by such change;

(2) funding required for such change for the current year and through the Future Years Homeland Security Program;

(3) justification for such change; and

(4) an analysis of compensation alternatives to such change that were considered by the Department.

SEC. 526. (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 Committees on Appropriations of the Senate and the House of Representatives in this 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 homeland or 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 Committees on Appropriations of the Senate and the House of Representatives for not less than 45 days except as otherwise specified in law.

SEC. 527. (a) Funding provided in this Act for ''Operations and Support'' may be used for minor procurement, construction, and improvements.

(b) For purposes of subsection (a), ''minor'' refers to end items with a unit cost of $250,000 or less for personal property, and $2,000,000 or less for real property.

SEC. 528. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 529. The authority provided by section 532 of the Department of Homeland Security Appropriations Act, 2018 (Public Law 115–141) regarding primary and secondary schooling of dependents shall continue in effect during fiscal year 2020.

SEC. 530. (a) For an additional amount for ''Federal Emergency Management Agency—Federal Assistance'', $41,000,000, to remain available until September 30, 2021, exclusively for providing reimbursement of extraordinary law enforcement personnel costs for protection activities directly and demonstrably associated with any residence of the President that is designated or identified to be secured by the United States Secret Service.

(b) Subsections (b) through (f) of section 534 of the Department of Homeland Security Appropriations Act, 2018 (Public Law 115–141), shall be applied with respect to amounts made available by subsection (a) of this section by substituting ''October 1, 2020'' for ''October 1, 2018'' and ''October 1, 2019'' for ''October 1, 2017''.

SEC. 531. (a) Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall be applied—

(1) In subsection (a), by substituting ''September 30, 2020,'' for ''September 30, 2017,''; and

(2) In subsection (c)(1), by substituting ''September 30, 2020,'' for ''September 30, 2017''.

(b) The Secretary of Homeland Security, under the authority of section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391(a)), may carry out prototype projects under section 2371b of title 10, United States Code, and the Secretary shall perform the functions of the Secretary of Defense as prescribed.

(c) The Secretary of Homeland Security under section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391(d)) may use the definition of nontraditional government contractor as defined in section 2371b(e) of title 10, United States Code.

SEC. 532. (a) None of the funds appropriated or otherwise made available to the Department of Homeland Security by this Act may be used to prevent any of the following persons from entering, for the purpose of conducting oversight, any facility operated by or for the Department of Homeland Security used to detain or otherwise house aliens, or to make any temporary modification at any such facility that in any way alters what is observed by a visiting member of Congress or such designated employee, compared to what would be observed in the absence of such modification:

(1) A Member of Congress.

(2) An employee of the United States House of Representatives or the United States Senate designated by such a Member for the purposes of this section.

(b) Nothing in this section may be construed to require a Member of Congress to provide prior notice of the intent to enter a facility described in subsection (a) for the purpose of conducting oversight.

(c) With respect to individuals described in subsection (a)(2), the Department of Homeland Security may require that a request be made at least 24 hours in advance of an intent to enter a facility described in subsection (a).

SEC. 533. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used to place restraints on a woman in the custody of the Department of Homeland Security (including during transport, in a detention facility, or at an outside medical facility) who is pregnant or in post-delivery recuperation.

(b) Subsection (a) shall not apply with respect to a pregnant woman if—

(1) an appropriate official of the Department of Homeland Security makes an individualized determination that the woman—

(A) is a serious flight risk, and such risk cannot be prevented by other means; or

(B) poses an immediate and serious threat to harm herself or others that cannot be prevented by other means; or

(2) a medical professional responsible for the care of the pregnant woman determines that the use of therapeutic restraints is appropriate for the medical safety of the woman.

(c) If a pregnant woman is restrained pursuant to subsection (b), only the safest and least restrictive restraints, as determined by the appropriate medical professional treating the woman, may be used. In no case may restraints be used on a woman who is in active labor or delivery, and in no case may a pregnant woman be restrained in a face-down position with four-point restraints, on her back, or in a restraint belt that constricts the area of the pregnancy. A pregnant woman who is immobilized by restraints shall be positioned, to the maximum extent feasible, on her left side.

SEC. 534. None of the funds made available by this Act to the Department of Homeland Security may be used to destroy any document, recording, or other record pertaining to any potential sexual assault or abuse perpetrated against any individual held in the custody of the Department of Homeland Security.

SEC. 535. Section 519 of division F of Public Law 114–113, regarding a prohibition on funding for any position designated as a Principal Federal Official, shall apply with respect to funds made available in this Act in the same manner as such section applied to funds made available in that Act.

SEC. 536. Within 60 days of any budget submission for the Department of Homeland Security for fiscal year 2021 that assumes revenues or proposes a reduction from the previous year based on user fees proposals that have not been enacted into law prior to the submission of the budget, the Secretary of Homeland Security shall provide the Committees on Appropriations of the Senate and the House of Representatives specific reductions in proposed discretionary budget authority commensurate with the revenues assumed in such proposals in the event that they are not enacted prior to October 1, 2020.

(RESCISSIONS)

SEC. 537. (a) Of the unobligated balances of funds made available under the heading ''U.S. Customs and Border Protection—Operations and Support'' in Title III of the Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act, 2019 (Public Law 116–26), $233,000,000 are hereby rescinded.

(b) The amounts rescinded pursuant to subsection (a) that were previously designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to that section of that Act.

SEC. 538. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177):

(1) $91,000,000 from Public Law 116–6 under the heading ''Customs and Border Protection—Operations and Support''.

(2) $38,000,000 from Public Law 116–6 under the heading '''Customs and Border Protection—Procurement, Construction and Improvements''.

(3) $20,000,000 from Public Law 115–141 under the heading ''Customs and Border Protection—Procurement, Construction, and Improvements''.

(4) $5,000,000 from Public Law 115–141 under the heading ''Coast Guard—Research, Development, Test, and Evaluation''.

(5) $42,379,000 from Public Law 116–6 under the heading ''Transportation Security Administration—Operations and Support''.

(6) $5,764,000 from Public Law 116–6 under the heading ''Transportation Security Administration—Procurement, Construction and Improvements''.

SEC. 539. The following unobligated balances made available to the Department of Homeland Security pursuant to Section 505 of the Department of Homeland Security Appropriations Act, 2019 (Public Law 116–6) are rescinded:

(1) $153,000 from ''Office of the Secretary and Executive Management—Operations and Support''

(2) $304,000 from ''Management Directorate—Operations and Support'';

(3) $130,000 from ''Intelligence, Analysis, and Operations Coordination—Operations and Support'';

(4) $3,600 from ''Office of Inspector General—Operations and Support'';

(5) $269,000 from ''U.S. Customs and Border Protection—Operations and Support'';

(6) $8,999,000 from ''U.S. Immigration and Customs Enforcement—Operations and Support'';

(7) $69,000 from ''Coast Guard—Operations and Support'';

(8) $695,000 from ''United States Secret Service—Operations and Support'';

(9) $3,915,000 from ''Cybersecurity and Infrastructure Security Agency—Operations and Support'';

(10) $1,815,000 from ''U.S. Citizenship and Immigration Services—Operations and Support'';

(11) $313,000 from ''Federal Law Enforcement Training Centers—Operations and Support'';

(12) $273,000 from ''Science and Technology Directorate—Operations and Support'';

(13) $1,596,000 from ''Countering Weapons of Mass Destruction Office—Operations and Support''.

SEC. 540. Of the unobligated balances made available to ''Federal Emergency Management Agency—Disaster Relief Fund'', $300,000,000 shall be rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That no amounts may be rescinded from the amounts that were designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

This division may be cited as the ''Department of Homeland Security Appropriations Act, 2020''.

The SPEAKER pro tempore. Pursuant to House Resolution 765, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentlewoman from New York (Mrs. LOWEY) and the gentlewoman from Texas (Ms. GRANGER) each will control 30 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. LOWEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the House amendment to the Senate amendment to H.R. 1158.

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

There was no objection.

Mrs. LOWEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the national security appropriations minibus combines four bills: Defense, Commerce-Justice-Science, Financial Services and General Government, and Homeland Security.

Madam Speaker, I would like to highlight a few key successes that our cardinals have secured: $7.6 billion, $1.4 billion more than President Trump proposed, to ensure a fair and accurate 2020 Census; $425 million for election

security grants to States, a key priority for Democrats for a program that was not funded last year; robust funding for initiatives to improve the quality of life of our women and men in uniform; and a 3.1 percent pay raise for Federal civilian employees.

□ 1115

Unfortunately, the President and Senate Republicans insisted on funding a wasteful border wall while simultaneously blocking Democratic policies that would make our immigration system more humane. However, I am pleased that we have established an immigration detention ombudsman tasked with protecting the rights of individuals in DHS custody.

Madam Speaker, this is not the bill I would have written on my own, but I am proud that we have been able to do so much good in this political environment. I urge support, and I reserve the balance of my time.

Ms. GRANGER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 1158, a bill that will provide funding for the Departments of Defense; Commerce, Justice, Science; Financial Services; and Homeland Security.

While I wish that we had been able to pass all of the bills by the beginning of the fiscal year, I am glad we are going to be able to finish the appropriations process without having to pass another continuing resolution. I am also immensely proud of the job that my fellow Republicans on the Appropriations Committee did to bring the bill to the floor.

The packages we will consider today will fully fund the government and ensure that President Trump has the resources he needs to continue the great work he is doing on behalf of the American people. This bill will make us safer by ensuring we have the funding and tools to protect ourselves at home and abroad.

The bill will safeguard our financial system from bad actors, ensure all Americans have access to a healthy and robust economy, and it will support our criminal justice system.

In particular, this bill provides $1.375 billion of new funding for the border wall, places no restrictions on the President's ability to use funds for immigration and border enforcement, and protects the number of ICE beds.

The Defense portion of this package provides funding to continue to rebuild the military after years of neglect during the Obama administration; gives our troops a 3.1 percent pay raise, the largest in a decade; and funds the U.S. Space Force, a Trump administration initiative, to ensure the United States maintains its superiority in space.

The bill provides increased funding for school safety programs and also retains longstanding Second Amendment protections that some of my colleagues on the other side of the aisle wanted to eliminate.

Plain and simple, this package is good for America, and I am proud to support it. I urge my colleagues to join me in voting in favor of this bill, and I reserve the balance of my time.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Maryland (Mr. HOYER), the majority leader.

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Madam Speaker, I rise and thank Chairwoman LOWEY and Ranking Member GRANGER for the hard work that they have done, and all of their staff.

The staffs, I know, have been working around the clock on both sides of the aisle. I want to congratulate the staff director for the extraordinary work and leadership she has shown to get us to this objective.

I rise in strong support of this legislation, of both of these packages, which will fund all 12 bills before the end of the calendar year, unfortunately, not by the end of the fiscal year.

I would have been very happy to get all of this done by the end of the fiscal year, and we did our work in a timely fashion; but, unfortunately, the Senate did not pass any of its bills prior to the end of the fiscal year, and, therefore, it was impossible to get that done.

I want to thank Senator LEAHY and Senator SHELBY, as well, for the work that they have done.

I want to thank all of those who worked together, focused. There was some talk, I know, about going into next year, but this is the right thing to do. This is what the American people expect us to be doing.

This will provide our country with the certainty needed to carry out its work serving the American people and to continue making long-term investments in our national security, public health, public safety, and economic growth.

Indeed, the Appropriations Committee members and staff worked hard to produce appropriations bills that the House passed in June, when we passed bills to fund 96 percent of the government by June 26 of this year. Sadly, the Republican Senate, as I have said, and the Trump White House failed to do their jobs for months, necessitating two short-term delays that brought unnecessary uncertainty.

As a Member who has served on the Appropriations Committee for more than 36 years—although many of those years I have been on leave—I know how much work is involved in reaching agreement on funding bills.

Nobody, not one of the, I guess, 433 of us who are here, got everything that they wanted or believes this is a perfect bill, but it is a work product worthy of the Appropriations Committee, the House of Representatives, and this country. It makes compromises, which are absolutely essential. It takes a lot of late hours, caffeine, and placing trust in colleagues across the aisle to achieve that objective.

What Appropriations Committee members and staff have negotiated with the Senate and White House, as I said, is not perfect. The chair does not think it is perfect. The ranking member doesn't think it is perfect. I am sure there is nobody on either of the committees who thinks it is perfect, but it achieves key priorities and will avert a damaging government shutdown and give certainty to agencies as they move forward in the next 9 months of the fiscal year as to what resources they are going to have available to get their jobs done.

I know there is a lot of weeping and gnashing of teeth about how awful the CR is for the Defense Department. I agree with that, but there ought to be a lot of weeping and gnashing of teeth about the adverse effect on nondefense agencies, because the effect is the same: uncertainty and an inability to operate in any kind of regular order fashion.

This bill does not give President Trump additional border security funding over last year, but it does give him what he had last year. That is a compromise. People on my side are not happy about that; people on Ms. GRANGER's side, I am sure, are not happy about that. But it is a compromise, and it does continue critical investments in fighting poverty and expanding opportunities in communities across the country.

Specifically, this bill increases funding for Head Start, National Institutes of Health, and initiatives to promote clean energy and a healthier environment—important victories for those items and the working Americans we are fighting to protect every day.

This bill includes funds to secure our elections against foreign interference and provides funding to study the effects of gun violence in our communities.

Ms. GRANGER mentions it raises the military pay, but it also raises the civilians on parity, a policy that we pursued for many, many years. It is good for our staff. It is good for the Federal employees, and it makes us competitive in the ability to retain people whom we need.

It raises the cap for staff pay. Now, maybe we ought to hide that, but, very frankly, our staffs are underpaid. The hours, the talent, the intellect, the commitment, the patriotism they bring to their jobs, we don't compensate them properly.

We are not competitive, certainly, with the private sector, but we are not competitive with the executive department, and we lost good people. So I applaud the committee for that action. This comes just a week after we were able to secure a victory by extending paid parental leave for Federal civilian employees across all agencies in the annual defense authorization bill.

Critically, these appropriations bills have buy-in from the administration, having been negotiated by Secretary Mnuchin on behalf of the President.

There is no legitimate reason that these bills would be vetoed, and my expectation is that they will not be vetoed, so we will pass them through the House. Hopefully, the Senate will pass them in the next 72 hours and send them to the President and he will sign these bills.

All of us ought to be proud of the fact that we got that done by the end of the calendar year.

Again, let me stress, my objective will be, next year, to get that done by the end of the fiscal year. I can't remember when we last did that, but I will tell all of my colleagues that that will be my intent to set that as an objective as it was to subject December 20 as the deadline for getting these bills done.

I strongly urge the President to sign these bills. Federal employees in my district and in every congressional district in the country deserve better than to be told to go home without their paychecks.

Madam Speaker, 800,000 people who work for us—we are the board of directors—we told 400,000 of them: You are not critical. Go home. Stay there. You can't come to work legally even if you wanted to.

And to 400,000, we said: No, you are critical. Come to work, but, by the way, we are not going to pay you.

Now, they believed and we did, in fact, pay them retroactively, but that ought not to be the way you operate any small, medium, or large business, much less one of the largest enterprises on the face of the Earth—I guess, the largest enterprise.

So I hope all of my colleagues, Democrats and Republicans, will join me in voting for these appropriations bills, these 12 bills, quite frankly, the only bills that have to pass. There are a lot of other bills that ought to pass from a policy perspective, but the government doesn't shut down if they don't pass, whether it is a tax bill, an environmental bill, whatever bill.

Let's send a resounding message of support to make it clear that this is the bipartisan path forward to avoid a shutdown and do our jobs for the American people.

Again, I congratulate the chair; I congratulate the ranking member; and I am so pleased that they are together. I join them in asking every Member to vote for these bills. It is our job. It is our responsibility. It is our duty.

Ms. GRANGER. Madam Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Madam Speaker, I thank the ranking member, and I also rise today in support of H.R. 1158, as the majority leader did, the Consolidated Appropriations Act of 2020.

While this bill is not perfect, as it was also mentioned—and, quite honestly, I have concerns that there is an ongoing trend toward increased spending—I will say that division B of this legislation, the Commerce, Justice, Science, and Related Agencies Appropriations Act, includes assistance that is critical to law enforcement, the Census, and NASA, among other things.

I would like to thank Chairman SERRANO, and I thank Chairwoman LOWEY, Ranking Member GRANGER, as well as our Senate counterparts for their leadership, their diligence, and their willingness to come together to form this meeting of the minds to bring this FY 2020 bill to the floor and to fruition.

I also want to thank Mr. SERRANO's staff—Mr. Bob Bonner, Jeff Ashford, Trisha Castaneda, TJ Lowdermilk, Shannon McCully, Matt Smith, and B.G. Wright—for their hard work and the many long days that were, no doubt, dedicated to helping produce this legislation. I appreciate their cooperative spirit in which they worked with my staff to address so many of the issues that are in this bill.

And, of course, I also want to thank my staff for their outstanding work.

□ 1130

I want to thank our CJS subcommittee staff, Stephanie Gadbois and Kristin Clarkson, for their hard work, their long hours, and their dedication over the last year, and especially the hard work of the last few weeks in finalizing this bill.

Let me just briefly recap. The bill has $22.6 billion for NASA. The funding will help support the President's Artemis initiative, which includes completion and further development of the Space Launch System to ensure that it is the United States and not our adversaries that will control future access to space.

In addition to NASA, the bill includes $7.3 billion to support the 2020 Decennial Census which will be necessary to get an accurate count of all Americans, including those in hard-to-count communities. It also includes critical funding for the Federal law enforcement components of the Department of Justice, including the FBI, the United States Marshals Service, and the Bureau of Alcohol, Tobacco, Firearms and Explosives. I am pleased to say that these funds will also support Attorney General Barr's efforts to fight the scourge of violent crimes and acts of mass violence.

In support of the valuable efforts of our local law enforcement partners back home, this bill also includes $547 million for the Byrne Justice Assistance grants, along with increased resources to eliminate the sexual assault kit backlog, also fund drug court programs, and support other vital initiatives that fight the opioid epidemic.

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

Ms. GRANGER. Madam Speaker, I yield the gentleman from Alabama an additional 1 minute.

Mr. ADERHOLT. Madam Speaker, this bill provides funding increases for the agencies that ensure compliance with our trade laws, along with programs that foster American innovation and competitiveness, not only in our communities and in each of our States but around the world.

Finally, I am pleased that this bill also contains longstanding Second Amendment protections that were targeted for elimination earlier this year.

So, in closing, I would like to thank, again, Chairman SERRANO for his great spirit to work with and how he has led the Commerce, Justice, Science, and Related Agencies Subcommittee, and I wish him the best.

Mrs. LOWEY. Madam Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. VISCLOSKY), who is the distinguished chairman of the Defense Subcommittee.

Mr. VISCLOSKY. Madam Speaker, I thank the chairwoman for yielding.

I would like to begin by expressing my appreciation to Ranking Member CALVERT. Mr. CALVERT continues to be a tremendous partner in this process, and he is a joy to work with.

I would also like to express my gratitude to the chairwoman, Mrs. LOWEY, as well as the ranking member, Ms. GRANGER, and the other members of the committee. I would like to thank each of our incomparable staff. This legislation would not be possible without their intellectual acumen, outstanding effort, and significant personal sacrifices.

Division A of the bill provides appropriations for the Department of Defense and is the result of a negotiated compromise. Despite our best efforts, I was very disappointed to recede on certain provisions of the House-passed bill, particularly those that restricted the ability of the administration to reprogram Defense funding for the border wall and several others that would have returned some balance to the oversight relationship between the executive and legislative branches. The department's actions in the past year have fundamentally damaged its relationship with this committee. With this agreement, we increase our emphasis on oversight as we move forward.

Nevertheless, there is a tremendous amount of good provided in this bill. The bill provides more than ample funding for the Department of Defense to make major investments in readiness. But our primary focus has been on the well-being and morale of those in uniform, their families, DOD civilians, and the Defense communities.

The bill provides the funding necessary to support a 3.1 percent military pay raise for our women and men in uniform. This is the largest increase in base pay since 2010.

The bill provides an additional $110 million for upgrades to DOD childcare facilities, which I see as just the first step in addressing the significant shortfall of quality childcare within the military services.

The bill provides $315 million above the request to address public school infrastructure requirements on DOD facilities.

The bill provides $1.42 billion for environmental restoration activities, $180.5 million above enacted levels for this year. Additionally, the bill provides $1.8 billion in natural disaster funding for repairs and replacement of equipment at military bases damaged by natural disasters in eight States, including Virginia, Florida, California, and Georgia.

In closing, I would like to end by reminding the Department of Defense that report language is directive, not permissive. Actions in direct contravention of congressional direction in the report are absolutely unacceptable and must stop.

Again, I thank my colleagues and staff.

Madam Speaker, I urge support for the bill.

Ms. GRANGER. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Madam Speaker, I thank the gentlewoman for yielding.

Madam Speaker, the ranking member of the Appropriations Committee has done a tremendous job navigating all these bills through a very difficult negotiation in such a short timeframe. Her steady leadership, experience, and focus completing this difficult task was critical to ensuring an end product that will garner Republican support and that the President will sign. I also want to thank Chairwoman LOWEY for keeping the process on track during the very difficult political times that we are in.

I would also like to extend my sincere thanks to my chairman, Mr. VISCLOSKY, from the great State of Indiana. Mr. VISCLOSKY has been a tremendous partner to me and our side of the aisle throughout this whole process maintaining the bipartisan nature of the Defense Subcommittee. He has been very gracious and accommodating, and I thank him sincerely. I look forward to continuing to work in a collaborative manner during the coming year.

The bill includes $693 billion for the Department of Defense, including $624 billion in base funds, $70.7 million for Overseas Contingency Operations, and $1.8 billion in disaster assistance. In total, this bill is nearly $19 billion more than the fiscal year 2019 level.

After thoughtful negotiations between the House and the Senate, we have a good, balanced bill that we look forward to passing in both Chambers and getting to the President for his signature.

Our number one priority is to provide for the Nation's defense. The world remains a dangerous place. We have got troops in combat against ISIS, al-Qaida, and associated forces. Authoritarian competitors—especially China and Russia—are seeking regional dominance and trying to upend the post-World War II international order. North Korea continues to modernize its nuclear weapons capability and means of delivery. A hostile Iran remains a threat to Israel and other U.S. partners, as well as our forces in the Middle East. Instability to our south has produced conditions that bring people, which tragically includes unaccompanied children, into our Nation illegally.

For all these reasons, we must get this bill done.

As we all know, operating under continuing resolutions actually costs more money and results in delayed capabilities. The department needs stable, predictable, and timely funding to ensure it is prepared to meet the threats we face now and in the feature.

The funding in this bill recognizes threats of U.S. interests throughout the world while continuing modernization efforts to maintain the peace and deter our near-peer adversaries.

It also supports the men and women in the military by addressing quality-of-life issues that Chairman VISCLOSKY has championed by including additional funds to address childcare and medical care. Of course, we fund the 3.1 percent pay raise and provide additional funding for medical research. The bill increases funding for operations and maintenance to sustain and improve readiness levels. Funding is provided for robust procurement of next generation equipment to ensure our men and women in uniform always have the tactical advantage. We also increase funding for research and development to ensure we can meet and preferably deter near-peer threats.

Madam Speaker, I encourage everyone to vote for this bill. It is a strong bill and ensures that our military has the resources it needs.

I want to thank the staff on both sides for all their hard work.

Mrs. LOWEY. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. QUIGLEY), who is the distinguished chairman of the Financial Services and General Government Subcommittee.

Mr. QUIGLEY. Madam Speaker, I rise today to speak about the Financial Services and General Government Subcommittee portion of the appropriations package before us.

Before I begin, I would like to thank Chairwoman LOWEY, Ranking Member GRANGER, and Subcommittee Ranking Member TOM GRAVES for their hard work and commitment throughout this process. I would also like to thank staff on both sides for all their hard work behind the scenes, particularly my own staff and the staff of Financial Services and General Government who don't put their names in these things, but we know and thank Lisa and others. Our amazing subcommittee staff, in particular, put in long hours to make this bill come together.

The FSGG bill provides $23.8 billion in total discretionary resources for a broad array of agencies and programs ranging from the Department of the Treasury to the Consumer Product Safety Commission. It is a bill that I am not only proud of, but one that we can collectively all be proud of.

My top priority as chairman this year has been to help States and local governments secure and protect the integrity of American elections. That is why I am proud to have successfully included $425 million in funding for the Election Assistance Commission to issue a new round of election security grants to States. This is the first investment for this purpose since 2018.

Let us be clear, this is not a partisan matter. We know the Russians interfered in our 2016 elections, and they are going to be back. It is critical we provide these funds so election officials can replace outdated voting equipment and implement protections to ensure our election system can withstand future attempts of foreign interference.

I am also proud that the bill makes targeted investments to ensure that capital and other assistance gets to small businesses and low-income communities. The bill boosts funding for the Community Development Financial Institutions Fund by $12 million, which helps support affordable housing, small businesses, and infrastructure in underserved and rural communities, in addition to supplying credit to disadvantaged communities. The bill also increases entrepreneurial development programs at the SBA by $13 million.

We boost funding for the Securities and Exchange Commission, provide an increase for the Federal Trade Commission, and include a long overdue investment in the Consumer Product Safety Commission.

Another important focus this year is bolstering assistance to taxpayers, including increases for the taxpayer advocate and tax counseling and assistance programs. For our hardworking Federal workers, I am thrilled that our bill includes a 3.1 percent pay increase.

In closing, Madam Speaker, this Financial Services appropriations bill is a result of bipartisan collaboration among members and hard work from our staff, and I urge my colleagues to join me in support of this bill.

Ms. GRANGER. Madam Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. Madam Speaker, Ranking Member, and Chairwoman LOWEY, I rise today to lend my strong support to all of the appropriations bills that will be before us today, but specifically as the ranking member on the Homeland Security Subcommittee of the Appropriations Committee, I am here to speak about the Department of Homeland Security Appropriations Act, specifically.

As we have heard today from speakers on both sides of the aisle, this is not an ideal bill, but I think it is a very good and strong bill. It is a good bill crafted in a difficult environment—probably one of the most difficult environments I have seen in my almost 10-year tenure. I tell you, Madam Speaker, it is worthy of our support, as are all the bills here today.

I specifically, though, as the ranking member, the highest Republican on

this subcommittee, want to thank Chairwoman ROYBAL-ALLARD. She is the head Democrat and we have worked well together. We don't view the world and we don't view this bill in total agreement, but we got it done, and that is very important, again, in these trying times.

This Homeland Security bill before us provides nearly $1.4 billion for continued construction of border barriers in high-priority areas identified by Customs and Border Protection and provides funding for the same level of detention beds as we had in fiscal year 2019. It also maintains the same transfer and reprogramming authorities.

The Department of Homeland Security is a vast agency and, looking at the bill beyond the investments in border and immigration enforcement, there are so many activities, programs, and initiatives that we all agree on across the aisle, across the Capitol, and really across the great United States of America. As I have said before, 90 percent of the funding in this bill we all can agree on.

We have solid investments in our great United States Coast Guard, and let's remember, Madam Speaker, this is the one branch of the military that did not get paid during the government shutdown last year, but the men and women of the Coast Guard bravely continued their missions. For the Coast Guard—the military branch with so many domestic missions on top of its contributions to the Nation's defense—this bill provides desperately needed new air and marine assets as well as reinvesting in personnel.

□ 1145

We have plus-ups for the Secret Service to continue leading law enforcement on national special security events and protection for all the Presidential candidates.

We have plus-ups for the Cybersecurity and Infrastructure Security Agency to help keep our government's IT system secure, as well as providing for technical assistance to States, Tribes, and localities.

We have more than $17 billion for FEMA disaster relief to ensure that we are ready for whatever storms hit our homes plus increases of over $90 million for grants to State and local communities to prepare for and mitigate disasters.

Further, as our loved ones travel over this holiday season, the bill provides an increase of over $210 million for the operations and equipment of TSA in fiscal year 2020.

Madam Speaker, finally, I thank the staff who have worked so hard together. I thank, especially, the staff on both sides, majority and minority, Darek, Kris, Bob, Karyn, Mike, Elizabeth, Rachel, Victoria, Dena, and Kristin, plus Daniel from my own staff, for all of their hard work to put together this good bill.

Mrs. LOWEY. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from Ohio (Ms. KAPTUR), the chairwoman of the Subcommittee on Energy and Water Development, and Related Agencies.

Ms. KAPTUR. Madam Speaker, I applaud Chairwoman LOWEY and the ranking member, Ms. GRANGER, for bringing us to this point today.

I thank the Committee on Appropriations subcommittees being discussed here now for advancing a conference agreement that provides critical funding for Defense, Homeland Security, Commerce-Justice-Science, and Financial Services.

H.R. 1158 and the Defense package address the priorities of readiness, modernization, and reform, to deter our main adversaries of Russia and China. Chairman VISCLOSKY has crafted a careful compromise that ensures our Nation regains the advantage in hypersonic weapons and many other areas.

The Homeland Security portion of the bill also provides important investments. It places safeguards on the Department of Homeland Security to ensure its work is legal, safe, and in the national interest. The safety of our homeland is increasingly threatened by bad actors, both here at home and abroad, and this bill protects the 2020 election, a top national security priority.

The bill also provides funding for key issues at NASA, including for aeronautics; for the regional economic development program; and for harmful algal bloom research at the National Oceanic and Atmospheric Administration.

Lastly, the bill provides investments in our Nation's credit unions and community development financial institutions, and it makes critical investments in election security grants to harden vulnerable election infrastructure.

Funding the government and keeping the lights on used to be a norm. Hopefully, we help restore that today. When the House passes this bill, we will be restoring the American people's faith in our ability to get the job done for our country.

Madam Speaker, again, I thank Chairwoman LOWEY for her extraordinary intelligence, leadership, and good demeanor that made this moment possible.

Ms. GRANGER. Madam Speaker, I yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Madam Speaker, I rise in support of this package to fund government operations in fiscal year 2020. I extend my congratulations to this dynamic duo, the first time we have ever had females occupy the chair and ranking member of this committee and, for that matter, I guess, any other committee in the House.

This dynamic duo has produced a very good document, a very good exercise of the power of the purse of the Congress granted by the Constitution. I salute these two and wish them well as the day progresses.

As a former chair of the full committee, I know of the extreme patience that is required in this job that they are occupying and the difficulty of getting 435 Members in this body, as well as the other body, the White House, and the world, together under any stretch of the imagination, but they have done that. It is difficult to do, and we salute them for it. I especially, having been there, thank them for the great patience that they have shown in putting this bill together.

This first package before us reflects our commitment to our Nation's security and our military leadership across the world. The Department of Defense receives additional resources to support our warfighters with the best available technology. We also provide these brave men and women with a hard-earned and well-deserved pay raise.

Within the committee, I have been particularly focused on keeping the DOD's electronic health records on track, meshing DOD's medical records with that of the VA. This bill takes bold steps in the right direction to ensure our servicemembers continue to receive the best medical care when they transition out of Active Duty and into the hands of the VA.

Second, President Trump is rightly focused on addressing the crisis at our southern border. This legislation will support his efforts to end the seemingly unending flow of drugs that found their way into every American community and, practically, every American home, as well as the violence of the brutal cartels that profit immensely from this trade. Nearly $1.4 billion is included for the border wall, along with additional resources for the Department of Homeland Security to hire more personnel and deploy advanced technology in this region.

We were also able to eliminate dangerous riders that would have limited the President's ability to enforce our immigration laws while still ensuring a strong humanitarian response that reflects our values as Americans.

This package also continues our momentum in the fight against opioid abuse and addiction. With targeted resources for the Department of Justice and other Federal agencies, the diverse programs funded in this bill reflect the holistic strategy that Congress has embraced against this problem: enforcement, treatment, education, and prevention, all working in concert, in a holistic fashion. Drug courts, veterans treatment courts, and prescription drug monitoring programs receive robust support in this first package.

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

Ms. GRANGER. Madam Speaker, I yield such time as he may consume to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Madam Speaker, I thank the gentlewoman.

Included as well are antiheroin and antimeth task forces that bring law enforcement agents from multiple jurisdictions together to end this scourge.

Finally, the bill allocates $30 million within the Economic Development Administration for assistance to coal mining communities that continue to struggle with the downturn in that industry. And it maintains all pro-life and Second Amendment protections that exist under current law.

Madam Speaker, this bill is worthy of our strong support, and I urge the adoption of this masterful package.

Mrs. LOWEY. Madam Speaker, I yield 3 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 Speaker, I thank the gentlewoman for yielding.

Madam Speaker, I rise in support of this minibus package that by no means is perfect and that represents, for sure, a tough compromise. But it makes strong investments to protect our Nation and upholds our values as Americans.

The Commerce-Justice-Science division of this bill protects children by increasing the Missing and Exploited Children's Program funding, but I was deeply disappointed that the House language, which would have directed $40 million specifically for the Internet Crimes Against Children program at DOJ, was dropped from the final agreement at the insistence of Senate Republicans. This is inexcusable.

The New York Times just published an expose detailing the explosion of child sexual abuse imagery on the internet. It is incumbent on Congress to provide adequate support for the Internet Crimes Against Children task forces, which were authorized by bipartisan legislation I passed, the PROTECT Our Children Act, in 2008.

The Internet Crimes Against Children task forces have successfully rescued thousands of children, and their success is directly attached to the amount of funding we provide to them to do investigations.

Notably, the CJS division also restores funding for the Census Bureau as it gears up for the 2020 Census, providing $7.6 billion to the Bureau to ensure that everyone in the United States is counted and represented.

CJS also includes $19 million specifically for research to combat harmful algal blooms, which have devastated my State's coastal ecosystems and economy.

I am also pleased that the Financial Services division includes $1.3 million for local pool safety grant programs. Drowning is the leading cause of unintentional injury and death for children ages 1 to 4 in this country, which is why I sponsored and passed the Virginia Graeme Baker Pool and Spa Safety Act to create and fund these grants in 2007.

Additionally, this bill helps us protect and secure our democracy with $425 million for election security system grants to States, a vital provision that will help ensure our election security.

The Defense division of this package invests in our national security and our Armed Forces, providing $622.7 billion in base funding, which is an increase of $16.2 billion above the enacted and $88.7 billion above the President's own budget request.

The Defense bill also provides $110 million for peer-reviewed DOD cancer research funding, a longtime priority under the leadership of Chairwoman NITA LOWEY. I am proud and thankful that the language I sponsored to specifically include metastatic cancer in the final agreement is still in the bill. In total, the Defense division provides almost $500 million for cancer research.

However, I do want to note that I was disappointed about how the Homeland Security division turned out in this agreement. Chairwoman ROYBAL-ALLARD put together an excellent House bill that included restrictions on the ability to transfer and reprogram funding for ICE and CBP. The Trump administration repeatedly violates congressional intent by shifting funding to ICE beds and to implement the dangerous and cruel Migrant Protection Protocols. Sadly, the bicameral agreement strips the House guardrails, though I am glad to see the House bill's immigration ombudsman position is maintained.

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

Mrs. LOWEY. Madam Speaker, I yield an additional 1 minute to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Madam Speaker, the legislation also includes my language to require on-demand admission to Members of Congress into DHS facilities so that we can conduct oversight without the administration whitewashing the reality inside before we arrive. That accountability is essential.

The American people are counting on us to enact full-year spending bills that invest responsibly and provide much-needed budget certainty.

The bill also prohibits HHS from turning over immigration information about potential sponsors of immigrants to our country. That is also vital to make sure that our immigrants are protected and that they have sponsors who are eligible and don't live in fear of having their immigration status turned over to DHS.

This bill does all of this and more. It is not perfect, but no compromise ever is. I am proud, as a member of the Appropriations Committee, to join my colleagues in support of it.

Ms. GRANGER. Madam Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. MOOLENAAR).

Mr. MOOLENAAR. Madam Speaker, I thank Chair LOWEY and Ranking Member GRANGER for this opportunity to speak today on this appropriations legislation.

The bill before us right now provides crucial funding for our Nation's military, giving our soldiers their biggest pay raise in a decade and providing resources they need to win on the battlefield.

It is a strong complement to the next bill coming up today, where we will fund the Army Corps of Engineers and pass through Congress historic progress at the Soo Locks, funding the construction of a new lock that will be vital to shipping on the Great Lakes and for American manufacturing.

American manufacturing is responsible for millions of jobs, and this legislation also supports hardworking men and women across our Nation with the Manufacturing Extension Partnership.

□ 1200

Constituents across my district have told me how this program does crucial work to support the production of Michigan-made goods.

Another issue I know my constituents are concerned about is the opioid crisis and the threat of fentanyl to our communities. This legislation funds efforts at our Nation's borders, where officials have already stopped thousands of pounds of fentanyl and heroin from entering our country. The opioid epidemic requires a robust effort from all levels of government, as well as law enforcement and medical professionals.

The next bill also helps in this fight, with record funding for the NIH, which will support research into nonaddictive treatments for pain, as well as the fight against cancer and Alzheimer's.

Finally, this bill funds Great Lakes monitoring at NOAA in the Commerce Department, which, along with the Great Lakes Restoration Initiative, does outstanding work to protect our Great Lakes. The GLRI works with State and local government, conservation groups and research universities, including Central Michigan University in my district. This year, the GLRI is receiving $320 million in the legislation that is coming up next, and I know it will help protect the Great Lakes for future generations.

I am grateful for the support for many of these priorities from our colleagues on the House Appropriations Committee, including leadership on both sides and, particularly, for my friend from Ohio, MARCY KAPTUR, who visited the Soo Locks with me and officials from the Army Corps this summer.

Mrs. LOWEY. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. CUELLAR), a member of the Appropriations Committee.

Mr. CUELLAR. Madam Speaker, I want to thank my chairwoman, Mrs. NITA LOWEY, for all the work that she has been doing, along with the staff—fantastic work—and, of course, my colleague from Texas, also, Ms. GRANGER, for her and her staff working together as a team.

Madam Speaker, I am speaking on this bill. As you know, anytime you develop a consensus, there are things that we might disagree on, but I just have to say that there are so many good things that I agree with: the work that they did for trade, commerce, education, healthcare, transportation, infrastructure, border security, the military, and our veterans.

Just to highlight a couple of things:

$673 million to hire more immigration judges and support staff;

$7.5 billion increase for the Census Bureau;

$8 million for the fever ticks, which is so important for south Texas;

$50 million-plus for the Department of Defense Impact Aid and $20 million for the Department of Defense Impact Aid for Children with Disabilities for our military bases in Texas and across the Nation;

$32 million for carbon emissions capture research, technologies, and storage. We are number one in Texas in energy, but we want to make sure that we do it in a safe environmental way;

$135 million for Small Business Development Centers to make sure that we emphasize our small businesses; and

Title I Grants to our local schools, which got $16.3 billion.

The Pell grant, we increased that to make sure that students have the money to go to college, and I want to say thank you for that increase.

On trade, there is money to hire 1,200 CBP officers and ag specialists; and, I guess, once we pass NAFTA 2.0 later on this week, we need to have those inspectors at the bridges, so I want to thank the committee for adding that money.

We also added $13 million to hire what we call Border Patrol coordinating officers, and those are entry-level positions so we don't take Border Patrol or CBP officers away from their work; and we can have these new officers do the humanitarian care.

Now, unfortunately, there is a little bit of money for the wall, which I don't agree with. But I do want to say thank you for the language that I have asked for, that is, to make sure that we don't construct any fencing in certain areas of my district: the Santa Ana National Wildlife Refuge; the Bentsen-Rio Grande Valley State Park; La Lomita Historical Park; the National Butterfly Center; the Vista Del Mar Ranch, which is SpaceX in Brownsville; and now we added the historical cemeteries. No fence will be built in those areas.

I also want to thank them for adding my language on making sure that they sit down with the local jurisdictions, if they have to work on the design or the alignment, so as to mitigate community and environmental impact. I want to thank the committee for adding that language itself.

So, again, this is a good bill where both sides got together. I want to thank Ms. GRANGER and Mrs. NITA LOWEY and the committee.

Ms. GRANGER. Madam Speaker, I reserve the balance of my time.

Mrs. LOWEY. Madam Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL), a member of the Appropriations Committee.

Ms. FRANKEL. Madam Speaker, I thank our illustrious chair for her great work.

Madam Speaker, later today, the Energy and Water bill will include significant funding for a critical bipartisan environmental issue in my home State of Florida.

Known as the River of Grass, the Everglades is a 100-mile-long natural region of tropical wetlands that is the main source of water for millions of Floridians and visitors. It contains one of Florida's and America's most popular national parks. It is home to hundreds of animal species.

The State of Florida and the Federal Government are engaged in a long-term undertaking to restore its natural flow and improve water quality. This bill, Madam Speaker, includes $200 million for Everglades restoration, the largest allocation ever by the Federal Government for this project. It will help protect south Florida's magnificent ecosystem, keep our water safe, and drive our economy.

Ms. GRANGER. Madam Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. Madam Speaker, again, I want to thank Chairwoman LOWEY and Ranking Member GRANGER, also Ranking Member SIMPSON.

Today, I rise, again, in support of another one of our great appropriations bills, the Energy and Water and Related Agencies bill.

As the Speaker knows, I spoke earlier in very fervent support of the Homeland Security bill. The Energy and Water bill is robust. It is well-funded.

I just actually spoke with a member of the press outside, and the gentleman asked me, over the past few years, why the Energy and Water bill had been increased so much. The answer is clear: It is because Republicans and Democrats in the House and the Senate and the administrations, including this administration as well, understand that the Nation needs what the Department of Energy is doing.

Now, obviously, I have a bit of a bias. I represent, I think, one of the greatest Department of Energy reservations at Oak Ridge. We have a national lab. We have the Y–12 plant. We are building the uranium processing facility. I thank the chairwoman for the robust funding for that great construction project.

Also, legacy cleanup all across the United States of America—not only in Oak Ridge, but in Savannah River; in Hanford, Washington; in Los Alamos, New Mexico. Republicans and Democrats and communities are working together cleaning up legacy waste.

There was a time in America when we were not as careful—during the Cold War and prior to and during World War II—when we manufactured these weapons and there was legacy waste out there. It is the obligation, I think, of the Federal Government to clean it up. It is high time that we do it, and we are doing it with our funding priorities.

So whether it is our great national labs—there are 17 of them all across the United States: the NNSA, the Office of Science—it hearkens me, again, at a time when we see a divided nation, a divided Capitol, that we can come together in very strong, fervent, and robust agreement to support this funding bill for the Department of Energy and its related agencies. That means our locks will be funded with the Army Corps of Engineers and all of our key DOE functions will continue to be supported at the highest level.

This keeps America at the forefront. We lead the world in supercomputing. We lead the world in materials research. We lead the world in advanced manufacturing.

So I thank my colleagues for their robust support of this bill, and I urge its support with the other bills in this plan.

Mrs. LOWEY. Madam Speaker, I reserve the balance of my time.

Ms. GRANGER. Madam Speaker, I yield myself the balance of my time.

In closing, I would like to take a few minutes to thank several individuals who were instrumental in bringing this package to the floor today.

First, I would like to thank my friend and our full committee chair, NITA LOWEY. Though we don't always agree, she is respectful of other opinions and always works in good faith and is a pleasure to work with.

I would also like to thank our Republican members of the Appropriations Committee for their hard work to secure as many of our priorities as possible in this final package.

There were many other Members who engaged in this process, and their input was vital in producing a bill that reflects input from our Conference and the constituents they represent.

It was also a pleasure to work with my Senate Appropriations Committee colleagues, Chairman RICHARD SHELBY and Vice Chairman PAT LEAHY. They are both incredibly tough negotiators.

Finally, and certainly not least, I would like to thank the staff on both sides of the aisle in the House and the Senate who have worked virtually around the clock for the last month to bring this bill across the finish line. We have true professionals working for our committees, and I think I speak for all Members when I say just how thankful we are for their efforts.

I urge my colleagues to join me in voting in favor of this bill, and I yield back the balance of my time.

Mrs. LOWEY. Madam Speaker, I urge support of the bill, and I yield back the balance of my time.

Ms. ROYBAL-ALLARD. Madam Speaker, I want to begin by thanking the Ranking Member of the Homeland Security Appropriations

Subcommittee, Mr. FLEISCHMANN, for his professionalism and partnership in putting this bill together. I don't believe either one of us is satisfied with all aspects of the bill, but I am confident that he and our staffs put their best foot forward in trying to find compromise and resolution.

When excluding major disaster funding and funding for overseas contingency operations by the Coast Guard, Division D of H.R. 1158 appropriates $50.5 billion for the Department of Homeland Security. That total is $1.2 billion below the budget request and $1.1 billion above the FY2019 enacted level, including an increase of $325 million for cybersecurity and infrastructure security.

This bill significantly enhances oversight of our immigration and detention enforcement activities, including increases of:

$10 million for a new Office of Immigration Detention Ombudsman to conduct unannounced inspections of detention facilities and investigate and resolve complaints about misconduct by DHS personnel;

$20 million for the Inspector General for oversight of detention and enforcement activities; and

$14 million for ICE' s Office of Professional Responsibility to increase the frequency and rigor of detention inspections.

The bill increases funding for the Office of Targeted Violence and Terrorism Prevention, including $10 million for a grant program to help communities develop strategies and programs to prevent targeted violence.

For CBP, while the bill is $43.7 million below the FY2019 enacted level, it continues to invest in smart border security technologies, the hiring of customs officers to facilitate trade and travel at the border, and humanitarian assistance for migrants in CBP custody.

For ICE, the bill increases resources for Alternatives to Detention to ensure immigrants can remain in our communities while awaiting their fair day in immigration court, but does not increase detention beds above the FY2019 level.

There are no increases to hire new Border Patrol Agents, or Immigration enforcement personnel, and no funding above FY2019 for border barriers.

The bill provides resources for:

TSA to manage increased passenger volume and to procure advanced detection technologies to make our airports safer and more efficient; the Coast Guard to meet increased mission requirements, including a down payment on a new Polar Security Cutter to advance our national interests in the Arctic; the Secret Service to manage candidate protection for next year's presidential election; and increased resources for FEMA grant programs, including a total of $90 million for nonprofit security grants.

The bill also includes multiple oversight and reporting directives related to immigration enforcement and detention, and it authorizes members of Congress to make unannounced oversight visits to detention facilities.

The other bills included in this minibus also include priorities I support, including $7.6 billion for a fair and accurate census; a 3.1% pay raise for our servicemembers and civil servants; $425 million for election security grants; and grant funding to address the sexual assault kit and DNA evidence backlogs.

Unfortunately, the bill does not reclaim Congress's constitutional power of the purse. House and Senate Republicans refused to include House bill provisions that would have prevented the President from once again diverting other funds to augment appropriated levels of border barrier and detention bed funding.

To be clear, this bill is better for the Department and for congressional oversight than if we had turned to the only other alternative, a year-long Continuing Resolution.

Nevertheless, it is an abdication of congressional authority for this bill to continue allowing the President to routinely ignore and circumvent congressional funding decisions.

Despite the many good things in this legislation, I cannot legitimize ceding that authority once again to the President by voting for the bill.

Ms. MOORE. Madam Speaker, I rise in opposition to the House Amendment to the Senate Amendment to H.R. 1158, a funding package that wraps together the FY 2020 Department of Defense and the FY 2020 Department of Homeland Security funding bills. While I support the other funding bills included in this package, I am concerned and opposed to the policies and priorities outlined in the Defense and Homeland Security bill and will vote No.

I support our men and women in uniform and ensuring they have the equipment and resources they need to do their jobs. The 3.1% military pay raise should be applauded.

The best way to support our men and women is to ensure those funds are being well spent rather than on things that do nothing to enhance or security, that we do not need, and which we cannot afford, but also for Congress to reassert our authority to prevent dangerous national security and foreign policy decisions, that will have consequences for generations.

Among my concerns with the Defense bill is continued and higher spending for the Defense Department with little or no oversight, especially when it comes to wasteful spending on overbudget programs. In this bill, we fund one of the largest military budgets in history, with little oversight to ensure we are getting the best bang for the buck. As we have seen with this capricious President, oversight is essential and necessary.

I am also troubled by the decision to drop the provision that would call for the repeal of the 2001 Authorization for the Use of Military Force and for Congress to debate its replacement. Congress' war power is not self-executing and we need to aggressively protect it.

We will never stop open ended war if we never reconsider the open-ended authorizations that are feeding them. Yet, I am concerned when you consider this omission combined with the decision to drop key provisions from the FY 2020 NDAA (that I voted to add to that bill in the House) such as the provision ending the 2002 AUMF for Iraq—which is outdated and needless. While the FY 2020 NDAA included a provision providing paid leave to federal employees, it dropped strong language barring funding for an unauthorized war with Iran and ending U.S. involvement in the humanitarian catastrophe in Yemen.

This is the bill that funds the policies and spending that was authorized in the NDAA and I will vote NO.

Tomorrow, we'll have a debate about the Constitution and our authority, ability, and responsibility to hold the President accountable. Well, we need a similar debate when it comes to war and peace. The Constitution is clear about Congress' authority and yet every time we punt on reasserting our authority to either approve or disapprove sending our men and women in uniform to war, we weaken our institution and our democracy.

Please know I will continue to work with my colleagues and support legislation to address the important House-passed provisions that were left out of this legislation and the final FY 2020 NDAA.

I also oppose the Department of Homeland Security funding bill. Neither this bill nor the Defense bill include strong restrictions on the President's ability to transfer and move funds for the border wall or to implement and enforce his immoral and unlawful immigration policies. From the terrible family separation policy, to the remain in Mexico policy, to even the decision by immigration authorities to ignore the CDC recommendation that those in detention be provided with flu shots during flu season. According to media reports, last May, a 16–year-old Guatemalan boy died in immigration custody after being diagnosed with the flu. This is just cruel.

I appreciate the work of my colleagues, from Chairwoman LOWEY to Chairwomen ROYBAL-ALLARD to add strong oversight provisions to the bill and to end these harmful and ineffective immigration policies. Unfortunately, many of those efforts were not included.

We can do better which is why I will vote NO.

Mr. SOTO. Madam Speaker, I would like to acknowledge that Division A of H.R. 1158, Consolidated Appropriations Act, 2020's Joint Explanatory Statement to Division A, provided an increase to the Industrial Base Analysis and Sustainment Support program within the Research, Development, Test and Evaluation, Defense-Wide account. Specifically, a general program increase of $10,000,000, a $12,500,000 program increase for manufacturing engineering, a $20,000,000 program increase for machine and advanced manufacturing, and a $5,000,000 program increase for an interdisciplinary center for advanced manufacturing systems. These funds will allow the Department of Defense to leverage existing public-private-partnerships to establish a U.S. based manufacturing development platform for advanced microelectronic system integration, including anti-tamper heterogeneous integration and foundational copper-based silicon interposer technology.

The Industrial Base Analysis and Sustainment program is dedicated to ensuring that the Department of Defense is positioned to more effectively, and efficiently, address industrial base issues, and support the National Security Innovation Base. This includes the ability to proactively mitigate supply chain vulnerabilities within the global defense industrial base, and to cultivate next generation, emerging, defense manufacturing and technology sectors.

Continued U.S. global leadership in microelectronics depends on U.S. owned firms operating at the leading edge of advanced logic technologies and digital memories. The next generation of electronic devices will require significantly greater functional density, in other words, packing functional components together even more tightly than current technology allows. This requires technical leadership in microelectronics system integration,

specifically in the microelectronics manufacturing areas of integrating heterogeneous devices, stacking memory, logic processing, sensors, communications, and packaging with security and advanced interconnect methods.

One of the foundational technologies required for advanced system integration is copper-based silicon interposer technology. This foundational interposer technology can enable almost any microelectronic dependent, or internet of things, system. However, advanced system integration capabilities have moved offshore due to cost, and there currently is no domestic sources that can reliably serve the low volumes of advanced microelectronics that the Department of Defense requires.

That is why there is a need for the Industrial Base Analysis and Sustainment Support Program to leverage existing public-private-partnerships to establish a U.S. based manufacturing development platform for advanced microelectronic system integration, including the foundational copperbased silicon interposer technology. This funding increase will help to accomplish this, and I thank the Chairwoman for the overall funding increases for the Industrial Base Analysis and Sustainment Support Program within the Research, Development, Test and Evaluation, Defense-Wide Account.

I want to express my gratitude and thank Chairwoman LOWEY, Chairman VISCLOSKY, and the full Committee for all their work on the issue.

Mr. SOTO. Madam Speaker, I would like to acknowledge that Division A of H.R. 1158, Consolidated Appropriations Act, 2020's Joint Explanatory Statement to Division A, provided an increase to the Trusted and Assured Microelectronics program within the Research, Development, Test and Evaluation, Defense-Wide account. These funds will allow the Department of Defense to leverage existing public-private-partnerships to enable a U.S. based manufacturing development platform for advanced microelectronic system integration, including anti-tamper heterogeneous integration and foundational copper-based silicon interposer technology.

I want to express my gratitude to Chairwoman LOWEY, Chairman VISCLOSKY, and the full Committee for the inclusion of this funding increase and for recognizing the urgent need to invest in trusted foundries, advanced microelectronics cybersecurity, and manufacturing capabilities that will translate our domestic research into fielded capabilities for the warfighter.

Ensuring quick, reliable, and secure access to leading-edge microelectronics is often a challenge. The changing global semiconductor industry and the increasing sophistication of U.S. adversaries require us to update our domestic microelectronics security framework.

Continued U.S. global leadership in microelectronics depends on U.S. owned firms operating at the leading edge of advanced logic technologies and digital memories. The next generation of electronic devices will require significantly greater functional density, in other words, packing functional components together even more tightly than current technology allows. This requires technical leadership in microelectronics system integration, specifically in the microelectronics manufacturing areas of integrating heterogeneous devices, stacking memory, logic processing, sensors, communications, and packaging with security and advanced interconnect methods.

One of the foundational technologies required for advanced system integration is copper-based silicon interposer technology—also known as heterogeneous integration. This foundational interposer technology can enable almost any microelectronic dependent, or internet of things, system. However, advanced system integration capabilities have moved offshore due to cost, and there currently is no domestic sources that can reliably serve the low volumes of advanced microelectronics that the Department of Defense requires. That's why this funding is so critical. We must invest in these advanced integrated capabilities so we can secure our microelectronic systems that our service members depend on.

Again, I support disruptive science and technology that enables a rapid modernization of our trusted and assured microelectronics systems. I thank my colleagues for their shared support.

Mr. SOTO. Madam Speaker, I would like to acknowledge that Division A of H.R. 1158, Consolidated Appropriations Act, 2020's Joint Explanatory Statement to Division A, provided an increase to the Defense-Wide Manufacturing Science and Technology Program within the Research, Development, Test and Evaluation, Defense-Wide account. Specifically, a general program increase of $20,000,000, a $5,000,000 program increase for manufacturing engineering programs, a $10,000,000 program increase for manufacturing innovation institutes, a $10,000,000 program increase for advanced manufacturing, and a $14,000,000 program increase for manufacturing cybersecurity.

I want to express my gratitude to Chairwoman LOWEY, Chairman VISCLOSKY, and the full Committee for the inclusion of joint explanatory language to the bill noting the importance of obtaining advanced microelectronics manufacturing, in support of the defense industrial base, from trusted domestic suppliers.

Ensuring quick, reliable, and secure access to leading-edge microelectronics is often a challenge. The changing global semiconductor industry and the increasing sophistication of U.S. adversaries require us to update our domestic microelectronics security framework by establishing a comprehensive, public-private partnership-structured microelectronics cybersecurity center.

This center can provide the defense industrial base with access to manufacturing resources to support antitamper, devices, hardware security, and other evolving new concept technologies that support trusted and assured manufacturing, combined with advanced system integration and packaging technologies—known as heterogeneous integration.

The Defense-Wide Manufacturing Science and Technology Program enables the Department of Defense to advance reliable and secure state-of-the-art technologies. The funding increase provided in this legislation, along with the increased funding for advanced manufacturing, will facilitate America's innovative, secure, and domestic foundry operations and greatly contribute to our national defense through the establishment of a microelectronics cybersecurity center structured as a public-private partnership.

Again, I thank the Committee for recognizing the urgent need to invest in trusted foundries, advanced microelectronics cybersecurity, and manufacturing capabilities that will translate our domestic research into fielded capabilities for the warfighter. I would like to thank Chairwoman LOWEY, Chairman VISCLOSKY, and the full Committee for all their work on the issue.

Mr. SOTO. Madam Speaker, I would like to acknowledge that Division A of H.R. 1158, Consolidated Appropriations Act, 2020's Joint Explanatory Statement to Division A, provided an increase to the Soldier Lethality Technology Program within the Research, Development, Test and Evaluation, Army account. Specifically, a general program increase of $5,000,000.

I want to express my gratitude to Chairwoman LOWEY, Chairman VISCLOSKY, and the full Committee for the inclusion of this funding increase. These funds allow the Army Research Lab to conduct work on a number of important disruptive science and technology programs, including millimeter-wave imager sensor technology needed to improve situational awareness to our service men and women.

Ensuring access to low cost imager sensors to provide leap-ahead capability in urban combat and situational awareness will enable troops to move, communicate, protect, and sustain themselves better in any combat environment. Such sensors can be used in a reconnaissance role, with the ability to see inhabitants within building structures and provide significant situational insight within dense urban environments.

Again, I support the modernization of the U.S. Army and to support disruptive science and technology. I thank my colleagues for their shared support.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 765, the previous question is ordered.

The question is on the motion by the gentlewoman from New York (Mrs. LOWEY).

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

Ms. GRANGER. 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.

NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN ACT

Mrs. LOWEY. Madam Speaker, pursuant to House Resolution 765, I call up the bill (H.R. 1865) to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

Senate amendment:

At the end, add the following:

SEC. 9. FINANCIAL ASSURANCES.

The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this Act will not result in any net cost to the United States Government; and

(2) no funds, including applicable surcharges, are disbursed to any recipient designated in section 7 until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

MOTION TO CONCUR

Mrs. LOWEY. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mrs. LOWEY moves that the House concur in the Senate amendment to H.R. 1865 with an amendment consisting of the text of Rules Committee Print 116–44 modified by the amendment printed in House Report 116–353.

The text of the House amendment to the Senate amendment is as follows:

At the end of the Senate amendment, add the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Further Consolidated Appropriations Act, 2020''.

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Explanatory statement.
Sec. 5. Statement of appropriations.
Sec. 6. Availability of funds.
Sec. 7. Adjustments to compensation.
Sec. 8 Office of Management and Budget Reporting Requirements.

DIVISION A—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

Title I—Department of Labor
Title II—Department of Health and Human Services
Title III—Department of Education
Title IV—Related Agencies
Title V—General Provisions

DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

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

DIVISION C—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

Title I—Corps of Engineers—Civil
Title II—Department of the Interior
Title III—Department of Energy
Title IV—Independent Agencies
Title V—General Provisions

DIVISION D—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

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

DIVISION E—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2020

Title I—Legislative Branch
Title II—General Provisions

DIVISION F—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

Title I—Department of Defense
Title II—Department of Veterans Affairs
Title III—Related Agencies
Title IV—Overseas Contingency Operations
Title V—Natural Disaster Relief
Title VI—General Provisions

DIVISION G—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2020

Title I—Department of State and Related Agency
Title II—United States Agency for International Development
Title III—Bilateral Economic Assistance
Title IV—International Security Assistance
Title V—Multilateral Assistance
Title VI—Export and Investment Assistance
Title VII—General Provisions

DIVISION H—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

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

DIVISION I—EXTENSIONS

Title I—Immigration Extensions
Title II—National Flood Insurance Program Extension
Title III—Secure Rural Schools and Community Self-Determination Extension
Title IV—Export-Import Bank Extension
Title V—Terrorism Risk Insurance Program Extension
Title VI—NASA Enhanced Use Leasing Extension
Title VII—INKSNA Extension
Title VIII—Brand USA Extension
Title IX—DC Opportunity Scholarship Extensions
Title X—Budgetary Effects

DIVISION J—FOREIGN POLICY

DIVISION K—NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN

DIVISION L—DHS CYBER HUNT AND INCIDENT RESPONSE TEAMS

DIVISION M—BIPARTISAN AMERICAN MINERS

DIVISION N—HEALTH AND HUMAN SERVICES EXTENDERS

DIVISION O—SETTING EVERY COMMUNITY UP FOR RETIREMENT ENHANCEMENT

DIVISION P—OTHER MATTER

Title I—Platte River Recovery Implementation Program
Title II—Great Lakes
Title III—Morris K. Udall and Stewart L. Udall Foundation
Title IV—White Horse Hill National Game Preserve
Title V—Pittman-Robertson Fund
Title VI—John F. Kennedy Center
Title VII—Preserving America's Battlefields
Title VIII—Veterans Affairs Report on Disability Compensation and the Positive Association With Exposure to an Herbicide Agent
Title IX—Disaster Recovery Workforce
Title X—Television Viewer Protection
Title XI—Eligibility to Receive Signals Under a Distant-Signal Satellite License
Title XII—Groundfish Trawl Fishery
Title XIII—Temporary Relief from Certain ERISA Requirements
Title XIV—Library of Congress Technical Corrections
Title XV—Senate Entities
Title XVI—Legislative Branch Inspectors General Independence
Title XVII—Managing Political Fund Activity
Title XVIII—Kentucky Wildlands National Heritage Area Study
Title XIX—International Bank for Reconstruction and Development
Title XX—European Energy Security and Diversification Act of 2019

DIVISION Q—REVENUE PROVISIONS

SEC. 3. REFERENCES.

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

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about December 17, 2019, and submitted by the Chairwoman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of divisions A through H of this Act as if it were a joint explanatory statement of a committee of conference.

SEC. 5. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020.

SEC. 6. AVAILABILITY OF FUNDS.

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

(b) Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 7. ADJUSTMENTS TO COMPENSATION.

Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2020.

SEC. 8. OFFICE OF MANAGEMENT AND BUDGET REPORTING REQUIREMENTS.

(a) As of the date of enactment of this Act, section 150 of the Continuing Appropriations Act, 2020 (division A of Public Law 116–59), as added by the Further Continuing Appropriations Act, 2020 (division A of Public Law 116–69), shall no longer have any force or effect.

(b) Notwithstanding the ''7 calendar days'' requirement in section 251(a)(7)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(7)(B)), for any appropriations Act for fiscal year 2020 enacted before January 1, 2020, the Office of Management and Budget shall transmit to the Congress its report under that section estimating the discretionary budgetary effects of such Acts not later than January 15, 2020.

DIVISION A—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Innovation and Opportunity Act (referred to

in this Act as ''WIOA'') and the National Apprenticeship Act, $3,611,200,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, $2,819,832,000 as follows:

(A) $854,649,000 for adult employment and training activities, of which $142,649,000 shall be available for the period July 1, 2020 through June 30, 2021, and of which $712,000,000 shall be available for the period October 1, 2020 through June 30, 2021;

(B) $913,130,000 for youth activities, which shall be available for the period April 1, 2020 through June 30, 2021; and

(C) $1,052,053,000 for dislocated worker employment and training activities, of which $192,053,000 shall be available for the period July 1, 2020 through June 30, 2021, and of which $860,000,000 shall be available for the period October 1, 2020 through June 30, 2021: *Provided*, That the funds available for allotment to outlying areas to carry out subtitle B of title I of the WIOA shall not be subject to the requirements of section 127(b)(1)(B)(ii) of such Act; and

(2) for national programs, $791,368,000 as follows:

(A) $270,859,000 for the dislocated workers assistance national reserve, of which $70,859,000 shall be available for the period July 1, 2020 through September 30, 2021, and of which $200,000,000 shall be available for the period October 1, 2020 through September 30, 2021: *Provided*, That funds provided to carry out section 132(a)(2)(A) of the WIOA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: *Provided further*, That funds provided to carry out sections 168(b) and 169(c) of the WIOA may be used for technical assistance and demonstration projects, respectively, that provide assistance to new entrants in the workforce and incumbent workers: *Provided further*, That notwithstanding section 168(b) of the WIOA, of the funds provided under this subparagraph, the Secretary of Labor (referred to in this title as ''Secretary'') may reserve not more than 10 percent of such funds to provide technical assistance and carry out additional activities related to the transition to the WIOA: *Provided further*, That of the funds provided under this subparagraph, $70,000,000 shall be for training and employment assistance under sections 168(b), 169(c) (notwithstanding the 10 percent limitation in such section) and 170 of the WIOA as follows:

(i) $30,000,000 shall be for workers in the Appalachian region, as defined by 40 U.S.C. 14102(a)(1) and workers in the Lower Mississippi, as defined in section 4(2) of the Delta Development Act (Public Law 100–460, 102 Stat. 2246; 7 U.S.C. 2009aa(2));

(ii) $40,000,000 shall be for the purpose of developing, offering, or improving educational or career training programs at community colleges, defined as public institutions of higher education, as described in section 101(a) of the Higher Education Act and at which the associate's degree is primarily the highest degree awarded, with other eligible institutions of higher education, as defined in section 101(a) of the Higher Education Act, eligible to participate through consortia, with community colleges as the lead grantee: *Provided*, That the Secretary shall follow the requirements for the program in House Report 116–62: *Provided further*, That any grant funds used for apprenticeships shall be used to support only apprenticeship programs registered under the National Apprenticeship Act and as referred to in section 3(7)(B) of the Workforce Innovation and Opportunity Act;

(B) $55,000,000 for Native American programs under section 166 of the WIOA, which shall be available for the period July 1, 2020 through June 30, 2021;

(C) $91,896,000 for migrant and seasonal farmworker programs under section 167 of the WIOA, including $85,229,000 for formula grants (of which not less than 70 percent shall be for employment and training services), $6,122,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $545,000 for other discretionary purposes, which shall be available for the period April 1, 2020 through June 30, 2021: *Provided*, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) $94,534,000 for YouthBuild activities as described in section 171 of the WIOA, which shall be available for the period April 1, 2020 through June 30, 2021;

(E) $98,079,000 for ex-offender activities, under the authority of section 169 of the WIOA, which shall be available for the period April 1, 2020 through June 30, 2021: *Provided*, That of this amount, $25,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare young ex-offenders and school dropouts for employment, with a priority for projects serving high-crime, high-poverty areas;

(F) $6,000,000 for the Workforce Data Quality Initiative, under the authority of section 169 of the WIOA, which shall be available for the period July 1, 2020 through June 30, 2021; and

(G) $175,000,000 to expand opportunities through apprenticeships only registered under the National Apprenticeship Act and as referred to in section 3(7)(B) of the WIOA, to be available to the Secretary to carry out activities through grants, cooperative agreements, contracts and other arrangements, with States and other appropriate entities, which shall be available for the period July 1, 2020 through June 30, 2021.

JOB CORPS

(INCLUDING TRANSFER OF FUNDS)

To carry out subtitle C of title I of the WIOA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIOA, $1,743,655,000, plus reimbursements, as follows:

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

(2) $108,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2020 through June 30, 2023, and which may include the acquisition, maintenance, and repair of major items of equipment: *Provided*, That the Secretary may transfer up to 15 percent of such funds to meet the operational needs of such centers or to achieve administrative efficiencies: *Provided further*, That any funds transferred pursuant to the preceding provision shall not be available for obligation after June 30, 2021: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer; and

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

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

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965 (referred to in this Act as ''OAA''), $405,000,000, which shall be available for the period April 1, 2020 through June 30, 2021, and may be recaptured and reobligated in accordance with section 517(c) of the OAA.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

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

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $84,066,000, together with not to exceed $3,290,583,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund (''the Trust Fund''), of which:

(1) $2,540,816,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including not less than $175,000,000 to carry out reemployment services and eligibility assessments under section 306 of such Act, any claimants of regular compensation, as defined in such section, including those who are profiled as most likely to exhaust their benefits, may be eligible for such services and assessments: *Provided*, That of such amount, $117,000,000 is specified for grants under section 306 of the Social Security Act and is provided to meet the terms of section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $58,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(E)(i)(II) of such Act; and $9,000,000 for continued support of the Unemployment Insurance Integrity Center of Excellence), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, and shall be available for obligation by the States

through December 31, 2020, except that funds used for automation shall be available for Federal obligation through December 31, 2020, and for State obligation through September 30, 2022, or, if the automation is being carried out through consortia of States, for State obligation through September 30, 2026, and for expenditure through September 30, 2027, and funds for competitive grants awarded to States for improved operations and to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews and provide reemployment services and referrals to training, as appropriate, shall be available for Federal obligation through December 31, 2020, and for obligation by the States through September 30, 2022, and funds for the Unemployment Insurance Integrity Center of Excellence shall be available for obligation by the State through September 30, 2021, and funds used for unemployment insurance workloads experienced through September 30, 2020 shall be available for Federal obligation through December 31, 2020;

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

(3) $646,639,000 from the Trust Fund, together with $21,413,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall be available for Federal obligation for the period July 1, 2020 through June 30, 2021;

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

(5) $68,810,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which $54,528,000 shall be available for the Federal administration of such activities, and $14,282,000 shall be available for grants to States for the administration of such activities; and

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

Provided, That to the extent that the Average Weekly Insured Unemployment (''AWIU'') for fiscal year 2020 is projected by the Department of Labor to exceed 1,706,000, an additional $28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: *Provided further*, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided further*, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: *Provided further*, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States to the entity operating the State Information Data Exchange System: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance, employment service, or immigration programs, may be obligated in contracts, grants, or agreements with States and non-State entities: *Provided further*, That States awarded competitive grants for improved operations under title III of the Social Security Act, or awarded grants to support the national activities of the Federal-State unemployment insurance system, may award subgrants to other States and non-State entities under such grants, subject to the conditions applicable to the grants: *Provided further*, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the final rule entitled ''Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards'' at part 200 of title 2, Code of Federal Regulations: *Provided further*, That the Secretary, at the request of a State participating in a consortium with other States, may reallot funds allotted to such State under title III of the Social Security Act to other States participating in the consortium or to the entity operating the Unemployment Insurance Information Technology Support Center in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request: *Provided further*, That the Secretary may collect fees for the costs associated with additional data collection, analyses, and reporting services relating to the National Agricultural Workers Survey requested by State and local governments, public and private institutions of higher education, and nonprofit organizations and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, for the National Agricultural Workers Survey infrastructure, methodology, and data to meet the information collection and reporting needs of such entities, which shall be credited to this appropriation and shall remain available until September 30, 2021, for such purposes.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

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

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $108,674,000, together with not to exceed $49,982,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $181,000,000, of which up to $3,000,000 shall be made available through September 30, 2021, for the procurement of expert witnesses for enforcement litigation.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation (''Corporation'') is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2020, for the Corporation: *Provided*, That none of the funds available to the Corporation for fiscal year 2020 shall be available for obligations for administrative expenses in excess of $452,858,000: *Provided further*, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2020, an amount not to exceed an additional $9,200,000 shall be available through September 30, 2024, for obligations for administrative expenses for every 20,000 additional terminated participants: *Provided further*, That obligations in excess of the amounts provided for administrative expenses in this paragraph may be incurred and shall be available through September 30, 2024 for obligation for unforeseen and extraordinary pretermination or termination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That an additional amount shall be available for obligation through September 30, 2024 to the extent the Corporation's costs exceed $250,000 for the provision of credit or identity monitoring to affected individuals upon suffering a security incident or privacy breach, not to exceed an additional $100 per affected individual.

WAGE AND HOUR DIVISION

SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $242,000,000.

OFFICE OF LABOR-MANAGEMENT STANDARDS

SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, $43,187,000.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, $105,976,000.

OFFICE OF WORKERS' COMPENSATION PROGRAMS

SALARIES AND EXPENSES

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

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81;

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

(1) For enhancement and maintenance of automated data processing systems operations and telecommunications systems, $24,540,000;

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

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

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

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

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

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

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

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

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

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

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung Disability Trust Fund (the ''Fund''), to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (6), and (7) of the Internal Revenue Code of 1986; and repayment of, and payment of interest on advances, as authorized by section 9501(d)(4) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2020 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed $38,246,000 for transfer to the Office of Workers' Compensation Programs, ''Salaries and Expenses''; not to exceed $32,844,000 for transfer to Departmental Management, ''Salaries and Expenses''; not to exceed $330,000 for transfer to Departmental Management, ''Office of Inspector General''; and not to exceed $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $581,787,000, including not to exceed $108,575,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the ''Act''), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2020, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (''DART'') occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

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

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

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

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

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That $11,537,000 shall be available for Susan Harwood training grants, of which not less than $4,500,000 is for Susan Harwood Training Capacity Building Developmental grants, as described in Funding Opportunity Number SHTG–FY–16–02 (referenced in the notice of availability of funds published in the Federal Register on May 3, 2016 (81 Fed. Reg. 30568)) for program activities starting not later than September 30, 2020 and lasting for a period of 12 months: *Provided further*, That not less than $3,500,000 shall be for Voluntary Protection Programs.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $379,816,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities and not less than $10,537,000 for State assistance grants: *Provided*, That notwithstanding 31 U.S.C. 3302, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities: *Provided further*, That notwithstanding 31 U.S.C. 3302, the Mine Safety and Health Administration is authorized to collect and retain up to $2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities: *Provided further*, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided further*, That the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations: *Provided further*, That the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization: *Provided further*, That

any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $587,000,000, together with not to exceed $68,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

Within this amount, $27,000,000 to remain available until September 30, 2024, for costs associated with the physical move of the Bureau of Labor Statistics' headquarters, including replication of space, furniture, fixtures, equipment, and related costs, as well as relocation of the data center to a shared facility.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

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

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, $348,056,000, together with not to exceed $308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: *Provided*, That $67,325,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2020: *Provided further*, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: *Provided further*, That not more than $53,825,000 shall be for programs to combat exploitative child labor internationally and not less than $13,500,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: *Provided further*, That $8,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2021: *Provided further*, That funds available for program evaluation may be used to administer grants for the purpose of evaluation: *Provided further*, That grants made for the purpose of evaluation shall be awarded through fair and open competition: *Provided further*, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer: *Provided further*, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce: *Provided further*, That of the amounts made available to the Women's Bureau, not less than $1,294,000 shall be used for grants authorized by the Women in Apprenticeship and Nontraditional Occupations Act.

VETERANS EMPLOYMENT AND TRAINING

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

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

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

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

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

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

In addition, from the General Fund of the Treasury, $55,000,000 is for carrying out programs to assist homeless veterans and veterans at risk of homelessness who are transitioning from certain institutions under sections 2021, 2021A, and 2023 of title 38, United States Code: *Provided*, That notwithstanding subsections (c)(3) and (d) of section 2023, the Secretary may award grants through September 30, 2020, to provide services under such section: *Provided further*, That services provided under sections 2021 or under 2021A may include, in addition to services to homeless veterans described in section 2002(a)(1), services to veterans who were homeless at some point within the 60 days prior to program entry or veterans who are at risk of homelessness within the next 60 days, and that services provided under section 2023 may include, in addition to services to the individuals described in subsection (e) of such section, services to veterans recently released from incarceration who are at risk of homelessness: *Provided further*, That notwithstanding paragraph (3) under this heading, funds appropriated in this paragraph may be used for data systems and contract support to allow for the tracking of participant and performance information: *Provided further*, That notwithstanding sections 2021(e)(2) and 2021A(f)(2) of title 38, United States Code, such funds shall be available for expenditure pursuant to 31 U.S.C. 1553.

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

IT MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, $25,269,000, which shall be available through September 30, 2021.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $85,187,000, together with not to exceed $5,660,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

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

(TRANSFER OF FUNDS)

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

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

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

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

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

(TRANSFER OF FUNDS)

SEC. 106. (a) Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to ''Program Administration'' when it is determined that those services will be more efficiently performed by Federal employees: *Provided*, That this section shall not apply to section 171 of the WIOA.

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

(TRANSFER OF FUNDS)

SEC. 107. (a) The Secretary may reserve not more than 0.75 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to ''Departmental Management'' for use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, 2021: *Provided*, That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: ''Training and Employment Services'', ''Job Corps'', ''Community Service Employment for Older Americans'', ''State Unemployment Insurance and Employment Service Operations'', ''Employee Benefits Security Administration'', ''Office of Workers' Compensation Programs'', ''Wage and Hour Division'', ''Office of Federal Contract Compliance Programs'', ''Office of Labor Management Standards'', ''Occupational Safety and Health Administration'', ''Mine Safety and Health Administration'', ''Office of Disability Employment Policy'', funding made available to the ''Bureau of International Labor Affairs'' and ''Women's Bureau'' within the ''Departmental Management, Salaries and Expenses'' account, and ''Veterans Employment and Training''.

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

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

''(A) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;

''(B) who receives from such employer on average weekly compensation of not less than $591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, for the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and

''(C) whose duties include any of the following:

''(i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;

''(ii) inspecting property damage or reviewing factual information to prepare damage estimates;

''(iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims;

''(iv) negotiating settlements; or

''(v) making recommendations regarding litigation.

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

''(3) For purposes of this subsection—

''(A) the term 'major disaster' means any disaster or catastrophe declared or designated by any State or Federal agency or department;

''(B) the term 'employee employed to adjust or evaluate claims resulting from or relating to such major disaster' means an individual who timely secured or secures a license required by applicable law to engage in and perform the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and

''(C) the term 'affiliate' means a company that, by reason of ownership or control of 25 percent or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company.''.

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

SEC. 109. (a) FLEXIBILITY WITH RESPECT TO THE CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE SEAFOOD INDUSTRY.—

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

(2) REQUIREMENTS FOR CROSSINGS AFTER 90TH DAY.—An employer in the seafood industry may not bring H–2B nonimmigrants into the United States after the date that is 90 days after the start date for which the employer is seeking the services of the nonimmigrants unless the employer—

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

(i) listing job orders in local newspapers on 2 separate Sundays; and

(ii) posting the job opportunity on the appropriate Department of Labor Electronic Job Registry and at the employer's place of employment; and

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

(i) applies for the job; and

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

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

(b) H–2B NONIMMIGRANTS DEFINED.—In this section, the term ''H–2B nonimmigrants'' means aliens admitted to the United States pursuant to section 101(a)(15)(H)(ii)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

SEC. 110. The determination of prevailing wage for the purposes of the H–2B program shall be the greater of—(1) the actual wage level paid by the employer to other employees with similar experience and qualifications for such position in the same location; or (2) the prevailing wage level for the occupational classification of the position in the geographic area in which the H–2B nonimmigrant will be employed, based on the best information available at the time of filing the petition. In the determination of prevailing wage for the purposes of the H–2B program, the Secretary shall accept private wage surveys even in instances where Occupational Employment Statistics survey data are available unless the Secretary determines that the methodology and data in the provided survey are not statistically supported.

SEC. 111. None of the funds in this Act shall be used to enforce the definition of corresponding employment found in 20 CFR 655.5 or the three-fourths guarantee rule definition found in 20 CFR 655.20, or any references thereto. Further, for the purpose of regulating admission of temporary workers under the H–2B program, the definition of temporary need shall be that provided in 8 CFR 214.2(h)(6)(ii)(B).

SEC. 112. Notwithstanding any other provision of law, the Secretary may furnish through grants, cooperative agreements, contracts, and other arrangements, up to $2,000,000 of excess personal property, at a value determined by the Secretary, to apprenticeship programs for the purpose of training apprentices in those programs.

SEC. 113. (a) The Act entitled ''An Act to create a Department of Labor'', approved March 4, 1913 (37 Stat. 736, chapter 141) shall be applied as if the following text is part of such Act:

''SEC. 12. SECURITY DETAIL.

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

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

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

''(3) provide continuous protection to the Secretary (including during periods not described in paragraph (1)) and to the members

of the immediate family of the Secretary if there is a unique and articulable threat of physical harm, in accordance with guidelines established by the Secretary; and

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

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

''(1) carry firearms;

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

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

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

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

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

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

''(2) guidelines prescribed by the Secretary of Labor.''.

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

SEC. 114. The Secretary is authorized to dispose of or divest, by any means the Secretary determines appropriate, including an agreement or partnership to construct a new Job Corps center, all or a portion of the real property on which the Treasure Island Job Corps Center is situated. Any sale or other disposition will not be subject to any requirement of any Federal law or regulation relating to the disposition of Federal real property, including but not limited to subchapter III of chapter 5 of title 40 of the United States Code and subchapter V of chapter 119 of title 42 of the United States Code. The net proceeds of such a sale shall be transferred to the Secretary, which shall be available until expended to carry out the Job Corps Program on Treasure Island.

(RESCISSION)

SEC. 115. Of the unobligated funds available under section 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)), $150,000,000 are hereby rescinded.

SEC. 116. Funds made available in prior Acts under the heading ''Department of Labor—Employment and Training Administration—State Unemployment Insurance and Employment Service Operations'' for fiscal years 2015 through 2019 for automation acquisitions that are being carried out through consortia of States shall be available for expenditure for 6 fiscal years after the final fiscal year that such funds are available to incur new obligations.

SEC. 117. None of the funds made available by this Act may be used to—

(1) alter or terminate the Interagency Agreement between the United States Department of Labor and the United States Department of Agriculture; or

(2) close any of the Civilian Conservation Centers, except if such closure is necessary to prevent the endangerment of the health and safety of the students, the capacity of the program is retained, and the requirements of section 159(j) of the Workforce Innovation and Opportunity Act are met.

This title may be cited as the ''Department of Labor Appropriations Act, 2020''.

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the ''PHS Act'') with respect to primary health care and the Native Hawaiian Health Care Act of 1988, $1,626,522,000: *Provided*, That no more than $1,000,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act: *Provided further*, That no more than $120,000,000 shall be available until expended for carrying out subsections (g) through (n) and (q) of section 224 of the PHS Act, and for expenses incurred by the Department of Health and Human Services (referred to in this Act as ''HHS'') pertaining to administrative claims made under such law.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, sections 1128E and 1921 of the Social Security Act, and the Health Care Quality Improvement Act of 1986, $1,194,506,000, of which $138,916,000 shall remain available through September 30, 2021 to carry out sections 750, 755, 756, 760, 781, and 791 of the PHS Act: *Provided*, That sections 751(j)(2) and 762(k) of the PHS Act and the proportional funding amounts in paragraphs (1) through (4) of section 756(f) of the PHS Act shall not apply to funds made available under this heading: *Provided further*, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary of Health and Human Services (referred to in this title as the ''Secretary'') may hereafter waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: *Provided further*, That no funds shall be available for section 340G–1 of the PHS Act: *Provided further*, That fees collected for the disclosure of information under section 427(b) of the Health Care Quality Improvement Act of 1986 and sections 1128E(d)(2) and 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the programs authorized by such sections and shall remain available until expended for the National Practitioner Data Bank: *Provided further*, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such section and subpart: *Provided further*, That $120,000,000 shall remain available until expended for the purposes of providing primary health services, assigning National Health Service Corps (''NHSC'') members to expand the delivery of substance use disorder treatment services, notwithstanding the assignment priorities and limitations under sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of the PHS Act, and making payments under the NHSC Loan Repayment Program under section 338B of such Act: *Provided further*, That, within the amount made available in the previous proviso, $15,000,000 shall remain available until expended for the purposes of making payments under the NHSC Loan Repayment Program under section 338B of the PHS Act to individuals participating in such program who provide primary health services in Indian Health Service facilities, Tribally-Operated 638 Health Programs, and Urban Indian Health Programs (as those terms are defined by the Secretary), notwithstanding the assignment priorities and limitations under section 333(b) of such Act: *Provided further*, That for purposes of the previous two provisos, section 331(a)(3)(D) of the PHS Act shall be applied as if the term ''primary health services'' includes clinical substance use disorder treatment services, including those provided by masters level, licensed substance use disorder treatment counselors: *Provided further*, That of the funds made available under this heading, $5,000,000 shall be available to make grants to establish or expand optional community-based nurse practitioner fellowship programs that are accredited or in the accreditation process, with a preference for those in Federally Qualified Health Centers, for practicing postgraduate nurse practitioners in primary care or behavioral health.

Of the funds made available under this heading, $50,000,000 shall remain available until expended for grants to public institutions of higher education to expand or support graduate education for physicians provided by such institutions: *Provided*, That, in awarding such grants, the Secretary shall give priority to public institutions of higher education located in States with a projected primary care provider shortage in 2025, as determined by the Secretary: *Provided further*, That grants so awarded are limited to such public institutions of higher education in States in the top quintile of States with a projected primary care provider shortage in 2025, as determined by the Secretary: *Provided further*, That the minimum amount of a grant so awarded to such an institution shall be not less than $1,000,000 per year: *Provided further*, That such a grant may be awarded for a period not to exceed 5 years: *Provided further*, That such a grant awarded with respect to a year to such an institution shall be subject to a matching requirement of non-Federal funds in an amount that is not less than 10 percent of the total amount of Federal funds provided in the grant to such institution with respect to such year.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health and title V of the Social Security Act, $943,784,000: *Provided*, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than $119,116,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and $10,276,000 shall be available for projects described in subparagraphs (A) through (F) of section 501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with respect to the Ryan White HIV/AIDS program, $2,388,781,000, of which $1,970,881,000 shall remain available to the Secretary through September 30, 2022, for parts A and B of title XXVI of the PHS Act, and of which not less than $900,313,000 shall be for State AIDS Drug Assistance Programs under the authority of section 2616 or 311(c) of such Act; and of which $70,000,000, to remain available until expended, shall be available to the Secretary for carrying out a program of grants and contracts under title XXVI or section 311(c) of such Act focused on ending the nationwide HIV/AIDS epidemic, with any grants issued under such section 311(c) administered in conjunction with title XXVI of the PHS Act, including the limitation on administrative expenses.

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act with respect to health care systems, and the Stem Cell Therapeutic and Research Act of 2005, $123,593,000, of which

$122,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act with respect to rural health, section 427(a) of the Federal Coal Mine Health and Safety Act of 1969, and sections 711 and 1820 of the Social Security Act, $318,294,000, of which $53,609,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program: *Provided*, That of the funds made available under this heading for Medicare rural hospital flexibility grants, $19,942,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and up to $1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for grants under section 1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: *Provided further*, That notwithstanding section 338J(k) of the PHS Act, $12,500,000 shall be available for State Offices of Rural Health: *Provided further*, That $10,000,000 shall remain available through September 30, 2022, to support the Rural Residency Development Program: *Provided further*, That $110,000,000 shall be for the Rural Communities Opioids Response Program.

FAMILY PLANNING

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, $286,479,000: *Provided*, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office.

PROGRAM MANAGEMENT

For program support in the Health Resources and Services Administration, $155,300,000: *Provided*, That funds made available under this heading may be used to supplement program support funding provided under the headings ''Primary Health Care'', ''Health Workforce'', ''Maternal and Child Health'', ''Ryan White HIV/AIDS Program'', ''Health Care Systems'', and ''Rural Health''.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund (the ''Trust Fund''), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed $10,200,000 shall be available from the Trust Fund to the Secretary.

CENTERS FOR DISEASE CONTROL AND PREVENTION

IMMUNIZATION AND RESPIRATORY DISEASES

For carrying out titles II, III, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, $433,105,000.

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

For carrying out titles II, III, XVII, and XXIII of the PHS Act with respect to HIV/AIDS, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, $1,273,556,000.

EMERGING AND ZOONOTIC INFECTIOUS DISEASES

For carrying out titles II, III, and XVII, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to emerging and zoonotic infectious diseases, $570,372,000.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, $984,964,000: *Provided*, That funds made available under this heading may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations: *Provided further*, That of the funds made available under this heading, $15,000,000 shall be available to continue and expand community specific extension and outreach programs to combat obesity in counties with the highest levels of obesity: *Provided further*, That the proportional funding requirements under section 1503(a) of the PHS Act shall not apply to funds made available under this heading.

BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH

For carrying out titles II, III, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, disabilities and health, $160,810,000.

PUBLIC HEALTH SCIENTIFIC SERVICES

For carrying out titles II, III, and XVII of the PHS Act with respect to health statistics, surveillance, health informatics, and workforce development, $555,497,000.

ENVIRONMENTAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to environmental health, $196,850,000.

INJURY PREVENTION AND CONTROL

For carrying out titles II, III, and XVII of the PHS Act with respect to injury prevention and control, $677,379,000.

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

For carrying out titles II, III, and XVII of the PHS Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act, section 13 of the Mine Improvement and New Emergency Response Act, and sections 20, 21, and 22 of the Occupational Safety and Health Act, with respect to occupational safety and health, $342,800,000.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

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

GLOBAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to global health, $570,843,000, of which: (1) $128,421,000 shall remain available through September 30, 2021 for international HIV/AIDS; and (2) $173,400,000 shall remain available through September 30, 2022 for global disease detection and emergency response: *Provided*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, and XVII of the PHS Act with respect to public health preparedness and response, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, $850,200,000: *Provided*, That the Director of the Centers for Disease Control and Prevention (referred to in this title as ''CDC'') or the Administrator of the Agency for Toxic Substances and Disease Registry may detail staff without reimbursement for up to 180 days to support an activation of the CDC Emergency Operations Center, so long as the Director or Administrator, as applicable, provides a notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of this authority and a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed: *Provided further*, That funds appropriated under this heading may be used to support a contract for the operation and maintenance of an aircraft in direct support of activities throughout CDC to ensure the agency is prepared to address public health preparedness emergencies.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For acquisition of real property, equipment, construction, installation, demolition, and renovation of facilities, $25,000,000, which shall remain available until September 30, 2024: *Provided*, That funds made available to this account in this or any prior Act that are available for the acquisition of real property or for construction or improvement of facilities shall be available to make improvements on non-federally owned property, provided that any improvements that are not adjacent to federally owned property do not exceed $2,500,000, and that the primary benefit of such improvements accrues to CDC: *Provided further*, That funds previously set-aside by CDC for repair and upgrade of the Lake Lynn Experimental Mine and Laboratory shall be used to acquire a replacement mine safety research facility: *Provided further*, That in addition, the prior year unobligated balance of any amounts assigned to former employees in accounts of CDC made available for Individual Learning Accounts shall be credited to and merged with the amounts made available under this heading to support the replacement of the mine safety research facility.

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For carrying out titles II, III, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activities and program support for activities funded in other appropriations included in this Act for the Centers for Disease Control and Prevention, $198,570,000, of which up to $5,000,000 may be transferred to the reserve of the Working Capital Fund authorized under this heading in division F of Public Law 112–74: *Provided*, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the CDC: *Provided further*, That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel

ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: *Provided further*, That CDC may use up to $10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: *Provided further*, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: *Provided further*, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program and the Respirator Certification Program shall be available through September 30, 2021.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, $6,245,442,000, of which up to $30,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $3,624,258,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental and craniofacial diseases, $477,429,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, $2,114,314,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the PHS Act with respect to neurological disorders and stroke, $2,374,687,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, $5,885,470,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, $2,937,218,000, of which $1,230,821,000 shall be from funds available under section 241 of the PHS Act: *Provided*, That not less than $386,573,000 is provided for the Institutional Development Awards program.

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, $1,556,879,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, $824,090,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, $802,598,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, $3,543,673,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to arthritis and musculoskeletal and skin diseases, $624,889,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the PHS Act with respect to deafness and other communication disorders, $490,692,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, $169,113,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the PHS Act with respect to alcohol abuse and alcoholism, $545,373,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, $1,462,016,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to mental health, $1,968,374,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, $606,349,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, $403,638,000.

NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to complementary and integrative health, $151,740,000.

NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, $335,812,000: *Provided*, That funds may be used to implement a reorganization that is presented to an advisory council in a public meeting and for which the Committees on Appropriations of the House of Representatives and the Senate have been notified 30 days in advance.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), $80,760,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, $456,911,000: *Provided*, That of the amounts available for improvement of information systems, $4,000,000 shall be available until September 30, 2021: *Provided further*, That in fiscal year 2020, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health (referred to in this title as ''NIH'').

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational sciences, $832,888,000: *Provided*, That up to $60,000,000 shall be available to implement section 480 of the PHS Act, relating to the Cures Acceleration Network: *Provided further*, That at least $578,141,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, NIH, $2,239,787,000: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further*, That $180,000,000 shall be for the Environmental Influences on Child Health Outcomes study: *Provided further*, That $626,511,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: *Provided further*, That of the funds provided, $10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: *Provided further*, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to $8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: *Provided further*, That $50,000,000 shall be used to carry out section 404I of the PHS Act (42 U.S.C. 283K), relating to biomedical and behavioral research facilities: *Provided further*, That $5,000,000 shall be transferred to and merged with the appropriation for the ''Office of Inspector General'' for oversight of grant programs and operations of the NIH, including agency efforts to ensure the integrity of its grant application evaluation and selection processes, and shall be in addition to funds otherwise made available for oversight of the NIH: *Provided further*, That the funds provided in the previous proviso may be transferred from one specified activity to another with 15 days prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Inspector General shall consult with the Committees on Appropriations of the House of Representatives and the Senate before submitting to the Committees an audit plan for fiscal years 2020 and 2021 no later than 30 days after the date of enactment of this Act: *Provided further*, That amounts available under this heading are also available to establish, operate, and support the Research Policy Board authorized by section 2034(f) of the 21st Century Cures Act.

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

BUILDINGS AND FACILITIES

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

NIH INNOVATION ACCOUNT, CURES ACT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described in section 1001(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes in the appropriations provided to the NIH in this Act, $492,000,000, to remain available until expended: *Provided*, That such amounts are appropriated pursuant to section 1001(b)(3) of such Act, are to be derived from amounts transferred under section 1001(b)(2)(A) of such Act, and may be transferred by the Director of the National Institutes of Health to other accounts of the National Institutes of Health solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Director that funds

transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the Account: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, and the Protection and Advocacy for Individuals with Mental Illness Act, $1,644,974,000: *Provided*, That of the funds made available under this heading, $68,887,000 shall be for the National Child Traumatic Stress Initiative: *Provided further*, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: *Provided further*, That in addition to amounts provided herein, $21,039,000 shall be available under section 241 of the PHS Act to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: *Provided further*, That up to 10 percent of the amounts made available to carry out the Children's Mental Health Services program may be used to carry out demonstration grants or contracts for early interventions with persons not more than 25 years of age at clinical high risk of developing a first episode of psychosis: *Provided further*, That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated in this Act for fiscal year 2020: *Provided further*, That States shall expend at least 10 percent of the amount each receives for carrying out section 1911 of the PHS Act to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset: *Provided further*, That $200,000,000 shall be available until September 30, 2022 for grants to communities and community organizations who meet criteria for Certified Community Behavioral Health Clinics pursuant to section 223(a) of Public Law 113–93: *Provided further*, That none of the funds provided for section 1911 of the PHS Act shall be subject to section 241 of such Act: *Provided further*, That of the funds made available under this heading, $19,000,000 shall be to carry out section 224 of the Protecting Access to Medicare Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22 note).

SUBSTANCE ABUSE TREATMENT

For carrying out titles III and V of the PHS Act with respect to substance abuse treatment and title XIX of such Act with respect to substance abuse treatment and prevention, and the SUPPORT for Patients and Communities Act, $3,756,556,000: *Provided*, That $1,500,000,000 shall be for State Opioid Response Grants for carrying out activities pertaining to opioids and stimulants undertaken by the State agency responsible for administering the substance abuse prevention and treatment block grant under subpart II of part B of title XIX of the PHS Act (42 U.S.C. 300x–21 et seq.): *Provided further*, That of such amount $50,000,000 shall be made available to Indian Tribes or tribal organizations: *Provided further*, That 15 percent of the remaining amount shall be for the States with the highest mortality rate related to opioid use disorders: *Provided further*, That of the amounts provided for State Opioid Response Grants not more than 2 percent shall be available for Federal administrative expenses, training, technical assistance, and evaluation: *Provided further*, That of the amount not reserved by the previous three provisos, the Secretary shall make allocations to States, territories, and the District of Columbia according to a formula using national survey results that the Secretary determines are the most objective and reliable measure of drug use and drug-related deaths: *Provided further*, That the Secretary shall submit the formula methodology to the Committees on Appropriations of the House of Representatives and the Senate not less than 15 days prior to publishing a Funding Opportunity Announcement: *Provided further*, That prevention and treatment activities funded through such grants may include education, treatment (including the provision of medication), behavioral health services for individuals in treatment programs, referral to treatment services, recovery support, and medical screening associated with such treatment: *Provided further*, That each State, as well as the District of Columbia, shall receive not less than $4,000,000: *Provided further*, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2) $2,000,000 to evaluate substance abuse treatment programs: *Provided further*, That none of the funds provided for section 1921 of the PHS Act or State Opioid Response Grants shall be subject to section 241 of such Act.

SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, $206,469,000.

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

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

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, $338,000,000: *Provided*, That section 947(c) of the PHS Act shall not apply in fiscal year 2020: *Provided further*, That in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2021.

CENTERS FOR MEDICARE & MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

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

For making, after May 31, 2020, payments to States under title XIX or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the last quarter of fiscal year 2020 for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2021, $139,903,075,000, to remain available until expended.

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

PAYMENTS TO THE HEALTH CARE TRUST FUNDS

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

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

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare & Medicaid Services, not to exceed $3,669,744,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 1893(h) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until expended: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropriation: *Provided further*, That the Secretary is directed to collect fees in fiscal year 2020 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of

that Act: *Provided further*, That amounts available under this heading to support quality improvement organizations (as defined in section 1152 of the Social Security Act) shall not exceed the amount specifically provided for such purpose under this heading in division H of the Consolidated Appropriations Act, 2018 (Public Law 115–141).

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

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

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

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

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

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b) and (d) of section 2602 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), $3,740,304,000: *Provided*, That notwithstanding section 2609A(a) of such Act, not more than $2,988,000 may be reserved by the Secretary of Health and Human Services for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures and the Secretary may, in addition to the authorities provided in section 2609A(a)(1), use such funds through contracts with private entities that do not qualify as nonprofit organizations: *Provided further*, That all but $753,000,000 of the amount appropriated under this heading shall be allocated as though the total appropriation for such payments for fiscal year 2020 was less than $1,975,000,000: *Provided further*, That, after applying all applicable provisions of section 2604 of such Act and the previous proviso, each State or territory that would otherwise receive an allocation that is less than 97 percent of the amount that it received under this heading for fiscal year 2019 from amounts appropriated in Public Law 115–245 shall have its allocation increased to that 97 percent level, with the portions of other States' and territories' allocations that would exceed 100 percent of the amounts they respectively received in such fashion for fiscal year 2019 being ratably reduced.

REFUGEE AND ENTRANT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, and for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the Trafficking Victims Protection Act of 2000 (''TVPA''), and the Torture Victims Relief Act of 1998, $1,908,201,000, of which $1,864,446,000 shall remain available through September 30, 2022 for carrying out such sections 414, 501, 462, and 235: *Provided*, That amounts available under this heading to carry out the TVPA shall also be available for research and evaluation with respect to activities under such Act: *Provided further*, That not less than $160,000,000 shall be used for legal services, child advocates, and post-release services: *Provided further*, That the limitation in section 205 of this Act regarding transfers increasing any appropriation shall apply to transfers to appropriations under this heading by substituting ''15 percent'' for ''3 percent''.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990 (''CCDBG Act''), $5,826,000,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: *Provided*, That technical assistance under section 658I(a)(3) of such Act may be provided directly, or through the use of contracts, grants, cooperative agreements, or interagency agreements: *Provided further*, That all funds made available to carry out section 418 of the Social Security Act (42 U.S.C. 618), including funds appropriated for that purpose in such section 418 or any other provision of law, shall be subject to the reservation of funds authority in paragraphs (4) and (5) of section 658O(a) of the CCDBG Act: *Provided further*, That in addition to the amounts required to be reserved by the Secretary under section 658O(a)(2)(A) of such Act, $174,780,000 shall be for Indian tribes and tribal organizations.

SOCIAL SERVICES BLOCK GRANT

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

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Head Start Act, the Every Student Succeeds Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), part B–1 of title IV and sections 429, 473A, 477(i), 1110, 1114A, and 1115 of the Social Security Act, and the Community Services Block Grant Act (''CSBG Act''); and for necessary administrative expenses to carry out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the Social Security Act, the Act of July 5, 1960, the Low-Income Home Energy Assistance Act of 1981, the Child Care and Development Block Grant Act of 1990, the Assets for Independence Act, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980, $12,876,652,000, of which $75,000,000, to remain available through September 30, 2021, shall be for grants to States for adoption and legal guardianship incentive payments, as defined by section 473A of the Social Security Act and may be made for adoptions and legal guardianships completed before September 30, 2020: *Provided*, That $10,613,095,000 shall be for making payments under the Head Start Act, including for Early Head Start-Child Care Partnerships, and, of which, notwithstanding section 640 of such Act:

(1) $193,000,000 shall be available for a cost of living adjustment, and with respect to any continuing appropriations act, funding available for a cost of living adjustment shall not be construed as an authority or condition under this Act;

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

(3) $100,000,000, in addition to funds otherwise available under such section 640 for such purposes, shall be available through March 31, 2021 for new grants to entities defined as eligible under section 645A(d) of such Act for Early Head Start programs as described in section 645A of such Act, conversion of Head Start services to Early Head Start services as described in section 645(a)(5)(A) of such Act, and high quality infant and toddler care through Early Head Start-Child Care Partnerships, and for training and technical assistance for such activities;

(4) $250,000,000 shall be available for quality improvement consistent with section 640(a)(5) of such Act except that any amount of the funds may be used on any of the activities in such section (5);

(5) $4,000,000 shall be available for the purposes of re-establishing the Tribal Colleges and Universities Head Start Partnership Program consistent with section 648(g) of such Act; and

(6) $19,000,000 shall be available to supplement funding otherwise available for research, evaluation, and Federal administrative costs:

Provided further, That the Secretary may reduce the reservation of funds under section 640(a)(2)(C) of such Act in lieu of reducing the reservation of funds under sections 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such Act: *Provided further*, That $275,000,000 shall be available until December 31, 2020 for carrying out sections 9212 and 9213 of the Every Student Succeeds Act: *Provided further*, That up to 3 percent of the funds in the preceding proviso shall be available for technical assistance and evaluation related to grants awarded under such section 9212: *Provided further*, That $770,383,000 shall be for making payments under the CSBG Act: *Provided further*, That $30,383,000 shall be for section 680 of the CSBG Act, of which not less

than $20,383,000 shall be for section 680(a)(2) and not less than $10,000,000 shall be for section 680(a)(3)(B) of such Act: *Provided further*, That, notwithstanding section 675C(a)(3) of such Act, to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under such Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: *Provided further*, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That these procedures shall apply to such grant funds made available after November 29, 1999: *Provided further*, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: *Provided further*, That $175,000,000 shall be for carrying out section 303(a) of the Family Violence Prevention and Services Act, of which $7,000,000 shall be allocated notwithstanding section 303(a)(2) of such Act for carrying out section 309 of such Act: *Provided further*, That the percentages specified in section 112(a)(2) of the Child Abuse Prevention and Treatment Act shall not apply to funds appropriated under this heading: *Provided further*, That $1,864,000 shall be for a human services case management system for federally declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: *Provided further*, That up to $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out, except as otherwise provided, section 436 of the Social Security Act, $345,000,000 and, for carrying out, except as otherwise provided, section 437 of such Act, $92,515,000: *Provided*, That of the funds available to carry out section 437, $59,765,000 shall be allocated consistent with subsections (b) through (d) of such section: *Provided further*, That of the funds available to carry out section 437, to assist in meeting the requirements described in section 471(e)(4)(C), $20,000,000 shall be for grants to each State, territory, and Indian tribe operating title IV–E plans for developing, enhancing, or evaluating kinship navigator programs, as described in section 427(a)(1) of such Act, $10,000,000, in addition to funds otherwise appropriated in section 436 for such purposes, shall be for competitive grants to regional partnerships as described in section 437(f), and $2,750,000, in addition to funds otherwise appropriated in section 476 for such purposes, for the Family First Clearinghouse: *Provided further*, That section 437(b)(1) shall be applied to amounts in the previous proviso by substituting ''5 percent'' for ''3.3 percent'', and notwithstanding section 436(b)(1), such reserved amounts may be used for identifying, establishing, and disseminating practices to meet the criteria specified in section 471(e)(4)(C): *Provided further*, That the reservation in section 437(b)(2) and the limitations in section 437(d) shall not apply to funds specified in the second proviso: *Provided further*, That the minimum grant award for kinship navigator programs in the case of States and territories shall be $200,000, and, in the case of tribes, shall be $25,000.

PAYMENTS FOR FOSTER CARE AND PERMANENCY

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

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

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

ADMINISTRATION FOR COMMUNITY LIVING

AGING AND DISABILITY SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965 (''OAA''), the RAISE Family Caregivers Act, the Supporting Grandparents Raising Grandchildren Act, titles III and XXIX of the PHS Act, sections 1252 and 1253 of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, title XX–B of the Social Security Act, the Developmental Disabilities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, the Assistive Technology Act of 1998, titles II and VII (and section 14 with respect to such titles) of the Rehabilitation Act of 1973, and for Department-wide coordination of policy and program activities that assist individuals with disabilities, $2,171,000,000, together with $52,115,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: *Provided*, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: *Provided further*, That of amounts made available under this heading to carry out sections 311, 331, and 336 of the OAA, up to one percent of such amounts shall be available for developing and implementing evidence-based practices for enhancing senior nutrition, including medically-tailored meals: *Provided further*, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section: *Provided further*, That $2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guarantee; or an insurance program: *Provided further*, That applicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and emphasize consumer choice and control: *Provided further*, That State agencies and community-based disability organizations that are directed by and operated for individuals with disabilities shall be eligible to compete: *Provided further*, That none of the funds made available under this heading may be used by an eligible system (as defined in section 102 of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10802)) to continue to pursue any legal action in a Federal or State court on behalf of an individual or group of individuals with a developmental disability (as defined in section 102(8)(A) of the Developmental Disabilities and Assistance and Bill of Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to a mental impairment (or a combination of mental and physical impairments), that has as the requested remedy the closure of State operated intermediate care facilities for people with intellectual or developmental disabilities, unless reasonable public notice of the action has been provided to such individuals (or, in the case of mental incapacitation, the legal guardians who have been specifically awarded authority by the courts to make healthcare and residential decisions on behalf of such individuals) who are affected by such action, within 90 days of instituting such legal action, which informs such individuals (or such legal guardians) of their legal rights and how to exercise such rights consistent with current Federal Rules of Civil Procedure: *Provided further*, That the limitations in the immediately preceding proviso shall not apply in the case of an individual who is neither competent to consent nor has a legal guardian, nor shall the proviso apply in the case of individuals who are a ward of the State or subject to public guardianship.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $479,629,000, together with $64,828,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: *Provided*, That of this amount, $53,900,000 shall be for minority AIDS prevention and treatment activities: *Provided further*, That of the funds made available under this heading, $101,000,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such contracts and grants, of which not more than 10 percent of the available funds shall be for training and technical assistance, evaluation, outreach, and additional program support activities, and of the remaining amount 75 percent shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, and 25 percent shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy: *Provided further*, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, $6,800,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: *Provided further*, That of the funds made available under this heading, $35,000,000 shall be for making competitive grants which exclusively implement education in sexual risk avoidance (defined as voluntarily refraining from nonmarital sexual activity): *Provided further*,

That funding for such competitive grants for sexual risk avoidance shall use medically accurate information referenced to peer-reviewed publications by educational, scientific, governmental, or health organizations; implement an evidence-based approach integrating research findings with practical implementation that aligns with the needs and desired outcomes for the intended audience; and teach the benefits associated with self-regulation, success sequencing for poverty prevention, healthy relationships, goal setting, and resisting sexual coercion, dating violence, and other youth risk behaviors such as underage drinking or illicit drug use without normalizing teen sexual activity: *Provided further*, That no more than 10 percent of the funding for such competitive grants for sexual risk avoidance shall be available for technical assistance and administrative costs of such programs: *Provided further*, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: *Provided further*, That such services shall be provided consistent with 42 CFR 59.5(a)(4): *Provided further*, That of the funds made available under this heading, $5,000,000 shall be for carrying out prize competitions sponsored by the Office of the Secretary to accelerate innovation in the prevention, diagnosis, and treatment of kidney diseases (as authorized by section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719)).

MEDICARE HEARINGS AND APPEALS

For expenses necessary for Medicare hearings and appeals in the Office of the Secretary, $191,881,000 shall remain available until September 30, 2021, to be transferred in appropriate part from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, $60,367,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $80,000,000: *Provided*, That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

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

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

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

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, $1,037,458,000, of which $561,700,000 shall remain available through September 30, 2021, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act and other administrative expenses of the Biomedical Advanced Research and Development Authority: *Provided*, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: *Provided further*, That products purchased with funds provided under this heading may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F–2 of the PHS Act: *Provided further*, That $5,000,000 of the amounts made available to support emergency operations shall remain available through September 30, 2022.

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

For expenses necessary to carry out section 319F–2(a) of the PHS Act, $705,000,000, to remain available until expended.

For an additional amount for expenses necessary to prepare for or respond to an influenza pandemic, $260,000,000; of which $225,000,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: *Provided*, That notwithstanding section 496(b) of the PHS Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologics, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologics.

GENERAL PROVISIONS

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

SEC. 202. None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II: *Provided*, That none of the funds appropriated in this title shall be used to prevent the NIH from paying up to 100 percent of the salary of an individual at this rate.

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

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

(TRANSFER OF FUNDS)

SEC. 205. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

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

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

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

SEC. 209. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided*, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further*, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

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

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

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

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

(2) The Secretary is authorized to provide such funds by advance or reimbursement to

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

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

(TRANSFER OF FUNDS)

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

(TRANSFER OF FUNDS)

SEC. 214. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the ''Office of AIDS Research'' account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

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

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the PHS Act.

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

(TRANSFER OF FUNDS)

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

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

(1) funds are available and obligated—

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

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

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

(b) A contract entered into under this section—

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

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

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

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

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

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

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

(1) are supported through appropriations enacted in laws other than the ACA and work on programs that existed prior to the passage of the ACA;

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

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

SEC. 220. The Secretary shall publish, as part of the fiscal year 2021 budget of the President submitted under section 1105(a) of title 31, United States Code, information that details the uses of all funds used by the Centers for Medicare & Medicaid Services specifically for Health Insurance Exchanges for each fiscal year since the enactment of the ACA and the proposed uses for such funds for fiscal year 2021. Such information shall include, for each such fiscal year, the amount of funds used for each activity specified under the heading ''Health Insurance Exchange Transparency'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

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

(TRANSFER OF FUNDS)

SEC. 222. (a) Within 45 days of enactment of this Act, the Secretary shall transfer funds appropriated under section 4002 of the ACA to the accounts specified, in the amounts specified, and for the activities specified under the heading ''Prevention and Public Health Fund'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

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

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

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

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

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

SEC. 224. In making Federal financial assistance, the provisions relating to indirect costs in part 75 of title 45, Code of Federal Regulations, including with respect to the approval of deviations from negotiated rates, shall continue to apply to the National Institutes of Health to the same extent and in the same manner as such provisions were applied in the third quarter of fiscal year 2017. None of the funds appropriated in this or prior Acts or otherwise made available to the Department of Health and Human Services or to any department or agency may be used to

develop or implement a modified approach to such provisions, or to intentionally or substantially expand the fiscal effect of the approval of such deviations from negotiated rates beyond the proportional effect of such approvals in such quarter.

(TRANSFER OF FUNDS)

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

SEC. 226. (a) The Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate:

(1) Detailed monthly enrollment figures from the Exchanges established under the Patient Protection and Affordable Care Act of 2010 pertaining to enrollments during the open enrollment period; and

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

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

SEC. 227. In addition to the amounts otherwise available for ''Centers for Medicare & Medicaid Services, Program Management'', the Secretary of Health and Human Services may transfer up to $305,000,000 to such account from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to support program management activity related to the Medicare Program: *Provided*, That except for the foregoing purpose, such funds may not be used to support any provision of Public Law 111–148 or Public Law 111–152 (or any amendment made by either such Public Law) or to supplant any other amounts within such account.

SEC. 228. The Department of Health and Human Services shall provide the Committees on Appropriations of the House of Representatives and Senate a biannual report 30 days after enactment of this Act on staffing described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 229. Funds appropriated in this Act that are available for salaries and expenses of employees of the Department of Health and Human Services shall also be available to pay travel and related expenses of such an employee or of a member of his or her family, when such employee is assigned to duty, in the United States or in a U.S. territory, during a period and in a location that are the subject of a determination of a public health emergency under section 319 of the Public Health Service Act and such travel is necessary to obtain medical care for an illness, injury, or medical condition that cannot be adequately addressed in that location at that time. For purposes of this section, the term ''U.S. territory'' means Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, or the Trust Territory of the Pacific Islands.

SEC. 230. The Department of Health and Human Services may accept donations from the private sector, nongovernmental organizations, and other groups independent of the Federal Government for the care of unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))) in the care of the Office of Refugee Resettlement of the Administration for Children and Families, including medical goods and services, which may include early childhood developmental screenings, school supplies, toys, clothing, and any other items intended to promote the wellbeing of such children.

SEC. 231. (a) None of the funds provided by this or any prior appropriations Act may be used to reverse changes in procedures made by operational directives issued to providers by the Office of Refugee Resettlement on December 18, 2018, March 23, 2019, and June 10, 2019 regarding the Memorandum of Agreement on Information Sharing executed April 13, 2018.

(b) Notwithstanding subsection (a), the Secretary may make changes to such operational directives upon making a determination that such changes are necessary to prevent unaccompanied alien children from being placed in danger, and the Secretary shall provide a written justification to Congress and the Inspector General of the Department of Health and Human Services in advance of implementing such changes.

(c) Within 15 days of the Secretary's communication of the justification, the Inspector General of the Department of Health and Human Services shall provide an assessment, in writing, to the Secretary and to Committees on Appropriations of the House of Representatives and the Senate of whether such changes to operational directives are necessary to prevent unaccompanied children from being placed in danger.

SEC. 232. None of the funds made available in this Act under the heading ''Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance'' may be obligated to a grantee or contractor to house unaccompanied alien children (as such term is defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))) in any facility that is not State-licensed for the care of unaccompanied alien children, except in the case that the Secretary determines that housing unaccompanied alien children in such a facility is necessary on a temporary basis due to an influx of such children or an emergency, provided that—

(1) the terms of the grant or contract for the operations of any such facility that remains in operation for more than six consecutive months shall require compliance with—

(A) the same requirements as licensed placements, as listed in Exhibit 1 of the Flores Settlement Agreement that the Secretary determines are applicable to non-State licensed facilities; and

(B) staffing ratios of one (1) on-duty Youth Care Worker for every eight (8) children or youth during waking hours, one (1) on-duty Youth Care Worker for every sixteen (16) children or youth during sleeping hours, and clinician ratios to children (including mental health providers) as required in grantee cooperative agreements;

(2) the Secretary may grant a 60-day waiver for a contractor's or grantee's non-compliance with paragraph (1) if the Secretary certifies and provides a report to Congress on the contractor's or grantee's good-faith efforts and progress towards compliance;

(3) not more than four consecutive waivers under paragraph (2) may be granted to a contractor or grantee with respect to a specific facility;

(4) ORR shall ensure full adherence to the monitoring requirements set forth in section 5.5 of its Policies and Procedures Guide as of May 15, 2019;

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

(6) not later than 60 days after the date of enactment of this Act, ORR shall brief the Committees on Appropriations of the House of Representatives and the Senate outlining the requirements of ORR for influx facilities including any requirement listed in paragraph (1)(A) that the Secretary has determined are not applicable to non-State licensed facilities.

SEC. 233. In addition to the existing Congressional notification for formal site assessments of potential influx facilities, the Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 15 days before operationalizing an unlicensed facility, and shall (1) specify whether the facility is hard-sided or soft-sided, and (2) provide analysis that indicates that, in the absence of the influx facility, the likely outcome is that unaccompanied alien children will remain in the custody of the Department of Homeland Security for longer than 72 hours or that unaccompanied alien children will be otherwise placed in danger. Within 60 days of bringing such a facility online, and monthly thereafter, the Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate a report detailing the total number of children in care at the facility, the average length of stay and average length of care of children at the facility, and, for any child that has been at the facility for more than 60 days, their length of stay and reason for delay in release.

SEC. 234. None of the funds made available in this Act may be used to prevent a United States Senator or Member of the House of Representatives from entering, for the purpose of conducting oversight, any facility in the United States used for the purpose of maintaining custody of, or otherwise housing, unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))), provided that such Senator or Member has coordinated the oversight visit with the Office of Refugee Resettlement not less than two business days in advance to ensure that such visit would not interfere with the operations (including child welfare and child safety operations) of such facility.

SEC. 235. Not later than 14 days after the date of enactment of this Act, and monthly thereafter, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate, and make publicly available online, a report with respect to children who were separated from their parents or legal guardians by the Department of Homeland Security (DHS) (regardless of whether or not such separation was pursuant to an option selected by the children, parents, or guardians), subsequently classified as unaccompanied alien children, and transferred to the care and custody of ORR during the previous month. Each report shall contain the following information:

(1) the number and ages of children so separated subsequent to apprehension at or between ports of entry, to be reported by sector where separation occurred; and

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

SEC. 236. Funds appropriated in this Act that are available for salaries and expenses of employees of the Centers for Disease Control and Prevention shall also be available for the primary and secondary schooling of eligible dependents of personnel stationed in a U.S. territory as defined in section 229 of this Act at costs not in excess of those paid for or reimbursed by the Department of Defense.

SEC. 237. Of the unobligated balances available in the ''Nonrecurring Expenses Fund''

established in section 223 of division G of Public Law 110–161, $225,000,000, in addition to any funds otherwise made available for such purpose in this or subsequent fiscal years, shall be available for buildings and facilities at the National Institutes of Health.

SEC. 238. Of the unobligated balances available in the ''Nonrecurring Expenses Fund'' established in section 223 of division G of Public Law 110–161, $225,000,000, shall be available for acquisition of real property, equipment, construction, demolition, installation, renovation of facilities, and related infrastructure improvements for the Centers for Disease Control and Prevention's Chamblee Campus.

SEC. 239. Of the funds provided under the heading ''CDC-Wide Activities and Program Support'', $85,000,000, to remain available until expended, shall be available to the Director of the CDC for deposit in the Infectious Diseases Rapid Response Reserve Fund established by section 231 of division B of Public Law 115–245: *Provided*, That such amount may be available for Ebola preparedness and response activities without regard to the limitations in the third proviso in such section 231.

(RESCISSION)

SEC. 240. Of the unobligated balances in the ''Nonrecurring Expenses Fund'' established in section 223 of division G of Public Law 110–161, $350,000,000 are hereby rescinded not later than September 30, 2020.

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 2020''.

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I and subpart 2 of part B of title II of the Elementary and Secondary Education Act of 1965 (referred to in this Act as ''ESEA'') and section 418A of the Higher Education Act of 1965 (referred to in this Act as ''HEA''), $16,996,790,000, of which $6,077,990,000 shall become available on July 1, 2020, and shall remain available through September 30, 2021, and of which $10,841,177,000 shall become available on October 1, 2020, and shall remain available through September 30, 2021, for academic year 2020–2021: *Provided*, That $6,459,401,000 shall be for basic grants under section 1124 of the ESEA: *Provided further*, That up to $5,000,000 of these funds shall be available to the Secretary of Education (referred to in this title as ''Secretary'') on October 1, 2019, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: *Provided further*, That $1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: *Provided further*, That $4,244,050,000 shall be for targeted grants under section 1125 of the ESEA: *Provided further*, That $4,244,050,000 shall be for education finance incentive grants under section 1125A of the ESEA: *Provided further*, That $219,000,000 shall be for carrying out subpart 2 of part B of title II: *Provided further*, That $45,623,000 shall be for carrying out section 418A of the HEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VII of the ESEA, $1,486,112,000, of which $1,340,242,000 shall be for basic support payments under section 7003(b), $48,316,000 shall be for payments for children with disabilities under section 7003(d), $17,406,000 shall be for construction under section 7007(a), $75,313,000 shall be for Federal property payments under section 7002, and $4,835,000, to remain available until expended, shall be for facilities maintenance under section 7008: *Provided*, That for purposes of computing the amount of a payment for an eligible local educational agency under section 7003(a) for school year 2019–2020, children enrolled in a school of such agency that would otherwise be eligible for payment under section 7003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 7003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by part B of title I, part A of title II, subpart 1 of part A of title IV, part B of title IV, part B of title V, and parts B and C of title VI of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $5,404,967,000, of which $3,575,402,000 shall become available on July 1, 2020, and remain available through September 30, 2021, and of which $1,681,441,000 shall become available on October 1, 2020, and shall remain available through September 30, 2021, for academic year 2020–2021: *Provided*, That $378,000,000 shall be for part B of title I: *Provided further*, That $1,249,673,000 shall be for part B of title IV: *Provided further*, That $36,897,000 shall be for part B of title VI, which may be used for construction, renovation, and modernization of any public elementary school, secondary school, or structure related to a public elementary school or secondary school that serves a predominantly Native Hawaiian student body, and that the 5 percent limitation in section 6205(b) of the ESEA on the use of funds for administrative purposes shall apply only to direct administrative costs: *Provided further*, That $35,953,000 shall be for part C of title VI, which shall be awarded on a competitive basis, and may be used for construction, and that the 5 percent limitation in section 6305 of the ESEA on the use of funds for administrative purposes shall apply only to direct administrative costs: *Provided further*, That $52,000,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002 and the Secretary shall make such arrangements as determined to be necessary to ensure that the Bureau of Indian Education has access to services provided under this section: *Provided further*, That $16,699,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: *Provided further*, That the Secretary may reserve up to 5 percent of the amount referred to in the previous proviso to provide technical assistance in the implementation of these grants: *Provided further*, That $185,840,000 shall be for part B of title V: *Provided further*, That $1,210,000,000 shall be available for grants under subpart 1 of part A of title IV.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VI, part A of the ESEA, $180,739,000, of which $67,993,000 shall be for subpart 2 of part A of title VI and $7,365,000 shall be for subpart 3 of part A of title VI: *Provided*, That the 5 percent limitation in sections 6115(d), 6121(e), and 6133(g) of the ESEA on the use of funds for administrative purposes shall apply only to direct administrative costs.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by subparts 1, 3 and 4 of part B of title II, and parts C, D, and E and subparts 1 and 4 of part F of title IV of the ESEA, $1,103,815,000: *Provided*, That $284,815,000 shall be for subparts 1, 3 and 4 of part B of title II and shall be made available without regard to sections 2201, 2231(b) and 2241: *Provided further*, That $629,000,000 shall be for parts C, D, and E and subpart 4 of part F of title IV, and shall be made available without regard to sections 4311, 4409(a), and 4601 of the ESEA: *Provided further*, That section 4303(d)(3)(A)(i) shall not apply to the funds available for part C of title IV: *Provided further*, That of the funds available for part C of title IV, the Secretary shall use $60,000,000 to carry out section 4304, of which not more than $10,000,000 shall be available to carry out section 4304(k), $140,000,000, to remain available through March 31, 2021, to carry out section 4305(b), and not more than $15,000,000 to carry out the activities in section 4305(a)(3): *Provided further*, That notwithstanding section 4601(b), $190,000,000 shall be available through December 31, 2020 for subpart 1 of part F of title IV.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subparts 2 and 3 of part F of title IV of the ESEA, $210,000,000: *Provided*, That $105,000,000 shall be available for section 4631, of which up to $5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence (Project SERV) program: *Provided further*, That $25,000,000 shall be available for section 4625: *Provided further*, That $80,000,000 shall be available through December 31, 2020, for section 4624, of which $6,000,000 shall be for additional two-year extension awards to grantees that received such awards in fiscal year 2018.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $787,400,000, which shall become available on July 1, 2020, and shall remain available through September 30, 2021, except that 6.5 percent of such amount shall be available on October 1, 2019, and shall remain available through September 30, 2021, to carry out activities under section 3111(c)(1)(C).

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act (IDEA) and the Special Olympics Sport and Empowerment Act of 2004, $13,885,228,000, of which $4,352,129,000 shall become available on July 1, 2020, and shall remain available through September 30, 2021, and of which $9,283,383,000 shall become available on October 1, 2020, and shall remain available through September 30, 2021, for academic year 2020–2021: *Provided*, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2019, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2019: *Provided further*, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611, from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States' relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to

States on the basis of the States' relative populations of those children who are living in poverty: *Provided further*, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: *Provided further*, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f): *Provided further*, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years: *Provided further*, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State's allocation under section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed five, until the entire reduction is applied: *Provided further*, That the Secretary may, in any fiscal year in which a State's allocation under section 611 is reduced in accordance with section 612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction: *Provided further*, That the Secretary shall either reduce the allocation of funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a): *Provided further*, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA: *Provided further*, That the Secretary may use funds made available for the State Personnel Development Grants program under part D, subpart 1 of IDEA to evaluate program performance under such subpart: *Provided further*, That States may use funds reserved for other State-level activities under sections 611(e)(2) and 619(f) of the IDEA to make subgrants to local educational agencies, institutions of higher education, other public agencies, and private non-profit organizations to carry out activities authorized by those sections: *Provided further*, That, notwithstanding section 643(e)(2)(A) of the IDEA, if 5 or fewer States apply for grants pursuant to section 643(e) of such Act, the Secretary shall provide a grant to each State in an amount equal to the maximum amount described in section 643(e)(2)(B) of such Act: *Provided further*, That if more than 5 States apply for grants pursuant to section 643(e) of the IDEA, the Secretary shall award funds to those States on the basis of the States' relative populations of infants and toddlers except that no such State shall receive a grant in excess of the amount described in section 643(e)(2)(B) of such Act.

REHABILITATION SERVICES

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973 and the Helen Keller National Center Act, $3,747,739,000, of which $3,610,040,000 shall be for grants for vocational rehabilitation services under title I of the Rehabilitation Act: *Provided*, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallotment of funds to States pursuant to section 110(b) of the Rehabilitation Act for innovative activities aimed at improving the outcomes of individuals with disabilities as defined in section 7(20)(B) of the Rehabilitation Act, including activities aimed at improving the education and post-school outcomes of children receiving Supplemental Security Income (''SSI'') and their families that may result in long-term improvement in the SSI child recipient's economic status and self-sufficiency: *Provided further*, That States may award subgrants for a portion of the funds to other public and private, nonprofit entities: *Provided further*, That any funds made available subsequent to reallotment for innovative activities aimed at improving the outcomes of individuals with disabilities shall remain available until September 30, 2021.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act to Promote the Education of the Blind of March 3, 1879, $32,431,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, $79,500,000: *Provided*, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, $137,361,000: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 (''Perkins Act'') and the Adult Education and Family Literacy Act (''AEFLA''), $1,960,686,000, of which $1,169,686,000 shall become available on July 1, 2020, and shall remain available through September 30, 2021, and of which $791,000,000 shall become available on October 1, 2020, and shall remain available through September 30, 2021: *Provided*, That of the amounts made available for AEFLA, $13,712,000 shall be for national leadership activities under section 242.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 10 of part A, and part C of title IV of the HEA, $24,520,352,000 which shall remain available through September 30, 2021.

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

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, and subpart 1 of part A of title VII of the Public Health Service Act, $1,768,943,000, to remain available through September 30, 2021: *Provided*, That the Secretary shall allocate new student loan borrower accounts to eligible student loan servicers on the basis of their past performance compared to all loan servicers utilizing established common metrics, and on the basis of the capacity of each servicer to process new and existing accounts: *Provided further*, That for student loan contracts awarded prior to October 1, 2017, the Secretary shall allow student loan borrowers who are consolidating Federal student loans to select from any student loan servicer to service their new consolidated student loan: *Provided further*, That in order to promote accountability and high-quality service to borrowers, the Secretary shall not award funding for any contract solicitation for a new Federal student loan servicing environment, including the solicitation for the Federal Student Aid (FSA) Next Generation Processing and Servicing Environment, unless such an environment provides for the participation of multiple student loan servicers that contract directly with the Department of Education to manage a unique portfolio of borrower accounts and the full life-cycle of loans from disbursement to payoff with certain limited exceptions, and allocates student loan borrower accounts to eligible student loan servicers based on performance: *Provided further*, That the Department shall re-allocate accounts from servicers for recurring non-compliance with FSA guidelines, contractual requirements, and applicable laws, including for failure to sufficiently inform borrowers of available repayment options: *Provided further*, That such servicers shall be evaluated based on their ability to meet contract requirements (including an understanding of Federal and State law), future performance on the contracts, and history of compliance with applicable consumer protections laws: *Provided further*, That to the extent FSA permits student loan servicing subcontracting, FSA shall hold prime contractors accountable for meeting the requirements of the contract, and the performance and expectations of subcontractors shall be accounted for in the prime contract and in the overall performance of the prime contractor: *Provided further*, That FSA shall ensure that the Next Generation Processing and Servicing Environment, or any new Federal loan servicing environment, incentivize more support to borrowers at risk of delinquency or default: *Provided further*, That FSA shall ensure that in such environment contractors have the capacity to meet and are held accountable for performance on service levels; are held accountable for and have a history of compliance with applicable consumer protection laws; and have relevant experience and demonstrated effectiveness: *Provided further*, That the Secretary shall provide quarterly briefings to the Committees on Appropriations and Education and Labor of the House of Representatives and the Committees on Appropriations and Health, Education, Labor, and Pensions of the Senate on general progress related to solicitations for Federal student loan servicing contracts: *Provided further*, That FSA shall strengthen transparency through expanded publication of aggregate data on student loan and servicer performance.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Perkins Act, $2,475,792,000, of which $24,500,000 shall remain available through December 31, 2020: *Provided*, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support

visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: *Provided further*, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: *Provided further*, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV of the HEA may be used for evaluation.

HOWARD UNIVERSITY

For partial support of Howard University, $240,018,000, of which not less than $3,405,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

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

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, $20,150,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2021: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $212,100,000: *Provided further*, That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, $16,000,000 shall be made available to provide for the deferment of loans made under part D of title III of the HEA to eligible institutions that are private Historically Black Colleges and Universities, which apply for the deferment of such a loan and demonstrate financial need for such deferment by having a score of 2.6 or less on the Department of Education's financial responsibility test: *Provided*, That the loan has not been paid in full and is not paid in full during the period of deferment: *Provided further*, That during the period of deferment of such a loan, interest on the loan will not accrue or be capitalized, and the period of deferment shall be for at least a period of 3-fiscal years and not more than 6-fiscal years: *Provided further*, That funds available under this paragraph shall be used to fund eligible deferment requests submitted for this purpose in fiscal year 2018: *Provided further*, That the Secretary shall create and execute an outreach plan to work with States and the Capital Financing Advisory Board to improve outreach to States and help additional public Historically Black Colleges and Universities participate in the program.

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

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

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $623,462,000, which shall remain available through September 30, 2021: *Provided*, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems, or to further develop such systems: *Provided further*, That up to $6,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State, and national levels.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $430,000,000: *Provided*, That, notwithstanding any other provision of law, none of the funds provided by this Act or provided by previous Appropriations Acts to the Department of Education available for obligation or expenditure in the current fiscal year may be used for any activity relating to implementing a reorganization that decentralizes, reduces the staffing level, or alters the responsibilities, structure, authority, or functionality of the Budget Service of the Department of Education, relative to the organization and operation of the Budget Service as in effect on January 1, 2018.

OFFICE FOR CIVIL RIGHTS

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

OFFICE OF INSPECTOR GENERAL

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

GENERAL PROVISIONS

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

(TRANSFER OF FUNDS)

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

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

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

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

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

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

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

(RESCISSION)

SEC. 308. Of the unobligated balances available under the heading ''Student Financial Assistance'' for carrying out subpart 1 of part A of title IV of the HEA, $500,000,000 are hereby rescinded.

SEC. 309. Of the amounts appropriated under Section 401(b)(7)(A)(iv)(X) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(X)), $50,000,000 are hereby rescinded.

SEC. 310. The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq) is amended—(1) in the part heading for part B of title IV, by inserting ''NITA M. LOWEY'' before ''21ST''; and (2) in the table of contents of that Act, by striking the part heading for part B of title IV and inserting the following: ''PART B—NITA M. LOWEY 21ST CENTURY COMMUNITY LEARNING CENTERS''.

SEC. 311. (a) IN GENERAL.—For the purpose of carrying out 34 CFR §668.206(a)(1), the Secretary of Education may waive the requirements under 34 CFR §668.213(b)(1) for an institution of higher education that offers an associate degree, is a public institution, and is located in an economically distressed county, defined as a county with a poverty rate of at least 25 percent based on the U.S. Census Bureau's Small Area Income and Poverty Estimate program data for 2017 that was impacted by Hurricane Matthew.

(b) APPLICABILITY.—Subsection (a) shall apply to an institution of higher education that otherwise would be ineligible to participate in a program under part D of title IV of the Higher Education Act of 1965 on or after the date of enactment of this Act due to the application of 34 CFR §668.206(a)(1).

(c) COVERAGE.—This section shall be in effect for the period covered by this Act and for the succeeding fiscal year.

SEC. 312. Of the amounts made available under this title under the heading ''Student Aid Administration'', $2,300,000 shall be used by the Secretary of Education to conduct outreach to borrowers of loans made under part D of title IV of the Higher Education Act of 1965 who may intend to qualify for loan cancellation under section 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that borrowers are meeting the terms and conditions of such loan cancellation: *Provided*,

That the Secretary shall specifically conduct outreach to assist borrowers who would qualify for loan cancellation under section 455(m) of such Act except that the borrower has made some, or all, of the 120 required payments under a repayment plan that is not described under section 455(m)(A) of such Act, to encourage borrowers to enroll in a qualifying repayment plan: *Provided further*, That the Secretary shall also communicate to all Direct Loan borrowers the full requirements of section 455(m) of such Act and improve the filing of employment certification by providing improved outreach and information such as outbound calls, electronic communications, ensuring prominent access to program requirements and benefits on each servicer's website, and creating an option for all borrowers to complete the entire payment certification process electronically and on a centralized website.

SEC. 313. None of the funds made available by this Act may be used in contravention of section 203 of the Department of Education Organization Act (20 U.S.C. 3413).

SEC. 314. For an additional amount for ''Department of Education—Federal Direct Student Loan Program Account'', $50,000,000, to remain available until expended, shall be for the cost, as defined under section 502 of the Congressional Budget Act of 1974, of the Secretary of Education providing loan cancellation in the same manner as under section 455(m) of the Higher Education Act of 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made under part D of title IV of such Act who would qualify for loan cancellation under section 455(m) except some, or all, of the 120 required payments under section 455(m)(1)(A) do not qualify for purposes of the program because they were monthly payments made in accordance with graduated or extended repayment plans as described under subparagraph (B) or (C) of section 455(d)(1) or the corresponding repayment plan for a consolidation loan made under section 455(g) and that were less than the amount calculated under section 455(d)(1)(A), based on a 10-year repayment period: *Provided*, That the monthly payment made 12 months before the borrower applied for loan cancellation as described in the matter preceding this proviso and the most recent monthly payment made by the borrower at the time of such application were each not less than the monthly amount that would be calculated under, and for which the borrower would otherwise qualify for, clause (i) or (iv) of section 455(m)(1)(A) regarding income-based or income-contingent repayment plans, with exception for a borrower who would have otherwise been eligible under this section but demonstrates an unusual fluctuation of income over the past 5 years: *Provided further*, That the total loan volume, including outstanding principal, fees, capitalized interest, or accrued interest, at application that is eligible for such loan cancellation by such borrowers shall not exceed $75,000,000: *Provided further*, That the Secretary shall develop and make available a simple method for borrowers to apply for loan cancellation under this section within 60 days of enactment of this Act: *Provided further*, That the Secretary shall provide loan cancellation under this section to eligible borrowers on a first-come, first-serve basis, based on the date of application and subject to both the limitation on total loan volume at application for such loan cancellation specified in the second proviso and the availability of appropriations under this section: *Provided further*, That no borrower may, for the same service, receive a reduction of loan obligations under both this section and section 428J, 428K, 428L, or 460 of such Act.

This title may be cited as the ''Department of Education Appropriations Act, 2020''.

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled (referred to in this title as ''the Committee'') established under section 8502 of title 41, United States Code, $10,000,000: *Provided*, That in order to authorize any central nonprofit agency designated pursuant to section 8503(c) of title 41, United States Code, to perform requirements of the Committee as prescribed under section 51–3.2 of title 41, Code of Federal Regulations, the Committee shall enter into a written agreement with any such central nonprofit agency: *Provided further*, That such agreement shall contain such auditing, oversight, and reporting provisions as necessary to implement chapter 85 of title 41, United States Code: *Provided further*, That such agreement shall include the elements listed under the heading ''Committee For Purchase From People Who Are Blind or Severely Disabled—Written Agreement Elements'' in the explanatory statement described in section 4 of Public Law 114–113 (in the matter preceding division A of that consolidated Act): *Provided further*, That any such central nonprofit agency may not charge a fee under section 51–3.5 of title 41, Code of Federal Regulations, prior to executing a written agreement with the Committee: *Provided further*, That no less than $1,650,000 shall be available for the Office of Inspector General.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as ''CNCS'') to carry out the Domestic Volunteer Service Act of 1973 (referred to in this title as ''1973 Act'') and the National and Community Service Act of 1990 (referred to in this title as ''1990 Act''), $806,529,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: *Provided*, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) $17,538,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (3) $32,500,000 shall be available to carry out subtitle E of the 1990 Act; and (4) $6,400,000 shall be available for expenses authorized under section 501(a)(4)(F) of the 1990 Act, which, notwithstanding the provisions of section 198P shall be awarded by CNCS on a competitive basis: *Provided further*, That for the purposes of carrying out the 1990 Act, satisfying the requirements in section 122(c)(1)(D) may include a determination of need by the local community.

PAYMENT TO THE NATIONAL SERVICE TRUST

(INCLUDING TRANSFER OF FUNDS)

For payment to the National Service Trust established under subtitle D of title I of the 1990 Act, $208,342,000, to remain available until expended: *Provided*, That CNCS may transfer additional funds from the amount provided within ''Operating Expenses'' allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $83,737,000.

OFFICE OF INSPECTOR GENERAL

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

ADMINISTRATIVE PROVISIONS

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

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

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

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

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

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

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

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

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

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting (''CPB''), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2022, $465,000,000: *Provided*, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further*, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of CPB.

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

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service (''Service'') to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, $47,200,000, including up to $900,000 to remain available through September 30, 2021, for activities authorized by the Labor-Management Cooperation Act of 1978: *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, $17,184,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, $252,000,000.

MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, $8,780,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $12,545,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, $3,350,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, $274,224,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935, and as amended by the Labor-Management Relations Act, 1947, and as defined in section 3(f) of the Act of June 25, 1938, and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

ADMINISTRATIVE PROVISIONS

SEC. 407. None of the funds provided by this Act or previous Acts making appropriations for the National Labor Relations Board may be used to issue any new administrative directive or regulation that would provide employees any means of voting through any electronic means in an election to determine a representative for the purposes of collective bargaining.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, $14,050,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

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

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

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

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

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

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board (''Board'') for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $123,500,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: *Provided*, That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys only through the excepted service: *Provided further*, That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013: *Provided further*, That notwithstanding section 7(b)(9) of the Railroad Retirement Act, this limitation may be used to hire students attending qualifying educational institutions or individuals who have recently completed qualifying educational programs using current excepted hiring authorities established by the Office of Personnel Management: *Provided further*, That $10,000,000, to remain available until expended, shall be used to supplement, not supplant, existing resources devoted to operations and improvements for the Board's Information Technology Investment Initiatives.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

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

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

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

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $41,714,889,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: *Provided further*, That not more than $101,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act, and remain available through September 30, 2022.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2021, $19,900,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to

exceed $20,000 for official reception and representation expenses, not more than $12,739,945,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: *Provided*, That not less than $2,500,000 shall be for the Social Security Advisory Board: *Provided further*, That $45,000,000 shall remain available until expended for information technology modernization, including related hardware and software infrastructure and equipment, and for administrative expenses directly associated with information technology modernization: *Provided further*, That $100,000,000 shall remain available through September 30, 2021, for activities to address the disability hearings backlog within the Office of Hearings Operations: *Provided further*, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2020 not needed for fiscal year 2020 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and nonpayroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further*, That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: *Provided further*, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

Of the total amount made available in the first paragraph under this heading, not more than $1,582,000,000, to remain available through March 31, 2021, is for the costs associated with continuing disability reviews under titles II and XVI of the Social Security Act, including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity, for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, for the cost of co-operative disability investigation units, and for the cost associated with the prosecution of fraud in the programs and operations of the Social Security Administration by Special Assistant United States Attorneys: *Provided*, That, of such amount, $273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $1,309,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act: *Provided further*, That, of the additional new budget authority described in the preceding proviso, up to $10,000,000 may be transferred to the ''Office of Inspector General'', Social Security Administration, for the cost of jointly operated co-operative disability investigation units: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar to the reports that were required by section 103(d)(2) of Public Law 104–121 for fiscal years 1996 through 2002.

In addition, $130,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended: *Provided*, That to the extent that the amounts collected pursuant to such sections in fiscal year 2020 exceed $130,000,000, the amounts shall be available in fiscal year 2021 only to the extent provided in advance in appropriations Acts.

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

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

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

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

TITLE V

GENERAL PROVISIONS

(TRANSFER OF FUNDS)

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

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

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

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

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

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

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

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

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

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

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

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

(c) The term ''health benefits coverage'' means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—

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

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

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

(c) Nothing in the preceding section shall be construed as restricting the ability of any

managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

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

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

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

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

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

(b) For purposes of this section, the term ''human embryo or embryos'' includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

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

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

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

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

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

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 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 appropriation Act.

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

SEC. 514. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

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

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

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

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

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

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

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

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

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

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

SEC. 515. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

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

SEC. 516. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2020 that are different than those specified in this Act, the accompanying detailed table in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) or the fiscal year 2020 budget request.

SEC. 517. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding $500,000, individually or in total for a particular project, activity, or programmatic initiative, in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2020, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 518. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social security account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

SEC. 519. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

SEC. 520. (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. 521. None of the funds made available under this or any other Act, or any prior Appropriations Act, may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, allied organizations, or successors.

SEC. 522. For purposes of carrying out Executive Order 13589, Office of Management and Budget Memorandum M–12–12 dated May 11, 2012, and requirements contained in the annual appropriations bills relating to conference attendance and expenditures:

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

(2) attendance at and support for scientific conferences shall be tabulated separately from and not included in agency totals.

SEC. 523. Federal agencies funded under this Act shall clearly state within the text, audio, or video used for advertising or educational purposes, including emails or Internet postings, that the communication is printed, published, or produced and disseminated at U.S. taxpayer expense. The funds

used by a Federal agency to carry out this requirement shall be derived from amounts made available to the agency for advertising or other communications regarding the programs and activities of the agency.

SEC. 524. (a) Federal agencies may use Federal discretionary funds that are made available in this Act to carry out up to 10 Performance Partnership Pilots. Such Pilots shall be governed by the provisions of section 526 of division H of Public Law 113–76, except that in carrying out such Pilots section 526 shall be applied by substituting ''Fiscal Year 2020'' for ''Fiscal Year 2014'' in the title of subsection (b) and by substituting ''September 30, 2024'' for ''September 30, 2018'' each place it appears: *Provided*, That such pilots shall include communities that have experienced civil unrest.

(b) In addition, Federal agencies may use Federal discretionary funds that are made available in this Act to participate in Performance Partnership Pilots that are being carried out pursuant to the authority provided by 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, section 525 of division H of Public Law 115–31, and section 525 of division H of Public Law 115–141.

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

SEC. 525. Not later than 30 days after the end of each calendar quarter, beginning with the first month of fiscal year 2020, the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a report on the status of balances of appropriations: *Provided*, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the monthly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived.

SEC. 526. The Departments of Labor, Health and Human Services, or Education shall provide to the Committees on Appropriations of the House of Representatives and the Senate a comprehensive list of any new or competitive grant award notifications, including supplements, issued at the discretion of such Departments not less than 3 full business days before any entity selected to receive a grant award is announced by the Department or its offices (other than emergency response grants at any time of the year or for grant awards made during the last 10 business days of the fiscal year, or if applicable, of the program year).

SEC. 527. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug: *Provided*, That such limitation does not apply to the use of funds for elements of a program other than making such purchases if the relevant State or local health department, in consultation with the Centers for Disease Control and Prevention, determines that the State or local jurisdiction, as applicable, is experiencing, or is at risk for, a significant increase in hepatitis infections or an HIV outbreak due to injection drug use, and such program is operating in accordance with State and local law.

SEC. 528. Each department and related agency funded through this Act shall provide answers to questions submitted for the record by members of the Committee within 45 business days after receipt.

(RESCISSION)

SEC. 529. Of any available amounts appropriated under section 2104(a)(23) of the Social Security Act (42 U.S.C. 1397dd) that are unobligated as of September 25, 2020, $3,169,819,000 are hereby rescinded as of such date.

SEC. 530. Of amounts deposited in the Child Enrollment Contingency Fund prior to the beginning of fiscal year 2020 under section 2104(n)(2) of the Social Security Act and the income derived from investment of those funds pursuant to section 2104(n)(2)(C) of that Act, $6,093,181,000 shall not be available for obligation in this fiscal year.

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

DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $46,139,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary; not to exceed $1,496,000 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 $3,869,000 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: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: *Provided further*, That of the funds made available under this heading, funding shall be made available to the Office of the Secretary to carry out the duties of the working group established under section 770 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2019 (Public Law 116–6; 133 Stat. 89): *Provided further*, That during any 30 day notification period referenced in section 716 of this Act, the Secretary of Agriculture, the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission, (as the case may be) shall take no action to begin implementation of the proposal or make any public announcement in any form.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $24,013,000, of which $8,000,000 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, $66,580,000, of which not less than $56,000,000 is for cybersecurity requirements of the department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

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

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

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

OFFICE OF CIVIL RIGHTS

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

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $128,167,000, 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.), $4,503,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

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

OFFICE OF THE GENERAL COUNSEL

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

OFFICE OF ETHICS

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

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

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

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $84,757,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $180,294,000, 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, $1,414,366,000, 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 Public Law 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 House Report 116–107: *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 headhouses or greenhouses which shall each be limited to $1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and except for two buildings to be constructed at a cost not to exceed $3,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: *Provided further*, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $192,700,000 to remain available until expended, of which $166,900,000 shall be allocated for ARS facilities co-located with university partners.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $962,864,000, 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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated 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.

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, $526,557,000, 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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further*, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $38,000,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Integrated Activities'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated 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).

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), $1,042,711,000, 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 of 1970, as amended (15 U.S.C. 1831); of which $62,840,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $192,013,000, to remain available until expended, shall be for specialty crop pests; of which, $13,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $16,523,000, to remain available until expended, shall be for zoonotic disease management; of which $40,966,000, to remain available until expended, shall be for emergency preparedness and response; of which $60,000,000, to remain available until expended, shall be for tree and wood pests; of which $5,725,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended; of which $20,800,000, 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 further*, 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 Public Law 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 House Report 116–107: *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, $186,936,000, of which $6,000,000 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: *Provided further*, That up to $4,454,000 of this appropriation may be used for United States Warehouse Act activities to supplement amounts made available by the United States Warehouse Act.

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 Conservation, $901,000: *Provided*, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Production and Conservation Business Center, $203,877,000: *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 $35,000,000 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 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), $5,545,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 5136), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), relending program (7 U.S.C. 1936c), and Indian highly fractionated land loans (25 U.S.C. 5136) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,750,000,000 for guaranteed farm ownership loans and $1,875,000,000 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; relending program, $18,215,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $60,000,000: *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: $58,440,000 for direct farm operating loans, $20,972,000 for unsubsidized guaranteed farm operating loans, emergency loans, $2,023,000; relending program, $5,000,000; Indian highly fractionated land loans, $2,745,000; and $60,000 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 $2,000,000 shall be available for compliance and integrity activities required under section 516(b)(2)(C) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1516(b)(2)(C)) in addition to other amounts provided: *Provided further*, 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: *Provided further*, That of the amounts made available under this heading, $5,600,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, $175,000,000, 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, $70,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of

December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $10,000,000 is provided: *Provided*, That of the amounts made available under this heading, $5,000,000 shall remain available until expended for watershed rehabilitation projects in states with high-hazard dams and other watershed structures and that have recently incurred flooding events which caused fatalities.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Solid Waste Disposal Act (42 U.S.C. 6961).

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of 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; $247,835,000: *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 in addition to any other funds appropriated for purposes authorized by section 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any amounts collected under such section, as amended by this Act, will immediately be credited to this account and will remain available until expended for such purposes.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $1,000,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $28,000,000 for section 504 housing repair loans; $40,000,000 for section 515 rental housing; $230,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $90,000,000 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, $12,144,000: *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), $18,739,000, 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 upon request by an owner of a project financed by an existing loan under section 514 or 515 of the Act, the Secretary may renew the rental assistance agreement for a period of 20 years or until the term of such loan has expired, subject to annual appropriations: *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 fourth 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, $60,000,000, to remain available until expended: *Provided*, That of the

funds made available under this heading, $32,000,000, 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, $28,000,000 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 preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $31,000,000, 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 $500,000,000 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, $49,000,000, to remain available until expended: *Provided*, That $6,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $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 $5,000,000 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, $66,500,000, 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 $9,000,000 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), $26,600,000, of which $2,800,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $15,000,000, 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, to remain available until expended, shall be 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), $706,000: *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, $659,480,000, 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 $5,000,000 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: *Provided further*, That $68,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $30,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $8,000,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $19,570,000 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 $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305, 306, and 317 of the Rural Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g) shall be made as follows: loans made pursuant to sections 305, 306, and 317, notwithstanding 317(c), of that Act, rural electric, $5,500,000,000; guaranteed underwriting loans pursuant to section 313A 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, $11,179,000.

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, $2,000,000, 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, $35,000,000, 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; $23,615,098,000 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, $14,999,000 shall be available to carry out studies and evaluations and shall remain available until expended: *Provided further*, That of the total amount available, $30,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than $1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: *Provided further*, That of the total amount available, $35,000,000 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 in the first sentence by striking ''For fiscal year 2019'' and inserting ''For fiscal year 2020'': *Provided further*, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking ''For fiscal year 2019'' and inserting ''For fiscal year 2020''.

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.), $67,886,285,000, of which $3,000,000,000, to remain available through September 30, 2022, 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 20 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, $155,891,000: *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 any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CODEX ALIMENTARIUS

For necessary expenses of the Office of Codex Alimentarius, $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, $1,725,000,000, 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), $220,000,000, 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, not more than 10 percent, but not less than $20,000,000, 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, $6,381,000, to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,063,000 shall be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $318,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI
RELATED AGENCIES 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; $5,772,442,000: *Provided*, That of the amount provided under this heading, $1,074,714,000 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; $220,142,000 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; $513,223,000 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; $41,923,000 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; $30,611,000 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; $20,151,000 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) $1,088,881,000 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) $1,972,093,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $419,302,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $237,741,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $581,761,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $66,712,000 shall be for the National Center for Toxicological Research; (7) $661,739,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) $186,399,000 shall be for Rent and Related activities, of which $53,913,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) $239,717,000 shall be for payments to the General Services Administration for rent; and (10) $318,097,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That of the amounts that are made available under this heading for ''other activities'', and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for ''Department of Health and Human Services—Office of Inspector General'' for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That 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 $20,000,000 shall remain available until September 30, 2021, and of which not less than $3,200,000 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 $77,000,000 (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: *Provided further*, That the purposes of section 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C. 2128(b)(2)(A)(i)), the Farm Credit Administration may exempt, an amount in its sole discretion, from the application of the limitation provided in that clause of export loans described in the clause guaranteed or insured in a manner other than described in subclause (II) of the clause.

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 as required by section 716 of this Act: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, or functions of the offices of the Chief Financial Officer or any personnel from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress and in accordance with the requirements of section 716 of this Act: *Provided further*, That the Secretary of Agriculture and the offices of

the Chief Financial Officer shall actively market to existing and new Departments and other government agencies National Finance Center shared services including, but not limited to, payroll, financial management, and human capital shared services and allow the National Finance Center to perform technology upgrades: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture attributable to the amounts in excess of the true costs of the shared services provided by the National Finance Center and budgeted for the National Finance Center, the Secretary shall reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement, delivery, and implementation of financial, administrative, and information technology services, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over $25,000 prior to receipt of written approval by the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to $250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113–235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 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 $1,331,725,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—$485,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000; Administration of Section 32 Commodity Purchases—$35,853,000: *Provided*, That of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 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 Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2021 appropriations Act.

SEC. 716. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

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

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

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

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

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

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

unless the Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

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

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of $500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with five or more personnel; or

(3) carrying out activities or functions that were not described in the budget request;

unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 717. 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. 718. 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. 719. 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. 720. 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. 721. For the purposes of determining eligibility or level of program assistance for Rural Development programs the Secretary shall not include incarcerated prison populations.

SEC. 722. 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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 723. 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), $1,000,000,000 are hereby rescinded.

SEC. 724. 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. 725. 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. 726. 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, including cloud adoption and migration, of primary benefit to the agencies of the Department of Agriculture.

SEC. 727. None of the funds made available by this Act may be used to implement, administer, or enforce the ''variety'' requirements of the final rule entitled ''Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)'' published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term ''variety'' as de fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and ''variety'' as applied in the definition of the term ''staple food'' as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: *Provided*, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113–79).

SEC. 728. 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. 729. 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. 730. 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. 731. 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. 732. There is hereby appropriated $12,000,000, 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. 733. (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. 734. 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. 735. 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. 736. (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. 737. 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. 738. 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. 739. 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. 740. Of the total amounts made available by this Act for direct loans and grants in section 732 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 1990 and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average, or any territory or possession of the United States: *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. 741. (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. 742. In addition to any other funds made available in this Act or any other Act, there is appropriated $9,000,000 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. 743. There is hereby appropriated $5,000,000, 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. 744. 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. 745. 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. 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. 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. 749. For school years 2019–2020 and 2020–2021, 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. 750. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940), subtitle G of the Agricultural Marketing Act of 1946, or section 10114 of the Agriculture Improvement Act of 2018; or

(2) to prohibit the transportation, processing, sale, or use of hemp, or seeds of such plant, that is grown or cultivated in accordance with subsection section 7606 of the Agricultural Act of 2014 or Subtitle G of the Agricultural Marketing Act of 1946, within or outside the State in which the hemp is grown or cultivated.

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 No. 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 $6,000,000, 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. There is hereby appropriated $2,000,000 to carry out section 1621 of Public Law 110–246.

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. There is hereby appropriated $1,000,000 for the Secretary to carry out a pilot program that provides forestry inventory analysis, forest management and economic outcomes modelling for certain currently enrolled Conservation Reserve Program participants. The Secretary shall allow the Commodity Credit Corporation to enter into agreements with and provide grants to qualified non-profit organizations dedicated to conservation, forestry and wildlife habitats, that also have experience in conducting accurate forest inventory analysis through the use of advanced, cost-effective technology. The Secretary shall focus the analysis on lands enrolled for at least eight years and located in areas with a substantial concentration of acres enrolled under conservation practices devoted to multiple bottomland hardwood tree species including CP03, CP03A, CP11, CP22, CP31 and CP40.

SEC. 759. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement nonrenewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 760. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2020, an amount of funds made available in title III under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Housing Assistance Grants, Rural Community Facilities Program Account, Rural Business Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal Program Account, equal to the amount obligated in REAP Zones with respect to funds provided under such headings in the most recent fiscal year any such funds were obligated under such headings for REAP Zones.

SEC. 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 $5,000,000, 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, Guam, and American Samoa.

SEC. 764. There is hereby appropriated $1,000,000, to remain available until expended, for a pilot program for the Secretary to provide grants to qualified non-profit organizations and public housing authorities to provide technical assistance, including financial and legal services, to RHS multi-family housing borrowers to facilitate the acquisition of RHS multi-family housing properties in areas where the Secretary determines a risk of loss of affordable housing, by non-profit housing organizations and public housing authorities as authorized by law that commit to keep such properties in the RHS multi-family housing program for a period of time as determined by the Secretary.

SEC. 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, Agriculture, 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 Public Law 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 Public Law 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 Public Law 115–334.

SEC. 772. There is hereby appropriated $5,000,000 to carry out section 12301 of Public Law 115–334.

SEC. 773. There is hereby appropriated $5,000,000 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 Public Law 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 Public Law 115–334.

SEC. 775. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined by the Secretary, including drought or severe weather, the Secretary may provide potable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

SEC. 776. There is hereby appropriated $6,000,000 for the purposes described in the paragraph entitled ''Nutrition Assistance Program (NAP) Study'' under the Supplemental Nutrition Assistance Program included in House Report 116–107, of which $4,000,000 shall be for the Secretary to update the Feasibility Report, and of which $2,000,000 shall be for Puerto Rico for technology requirements: *Provided*, That the reports detailed in House Report 116-107 shall be due not later than December 31, 2020.

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. There is hereby appropriated $20,000,000, to remain available until expended, to carry out section 12513 of Public Law 115–334: *Provided*, That the Secretary shall take measures to ensure an equal distribution of funds between the three regional innovation initiatives.

SEC. 779. There is hereby appropriated $5,000,000, to remain available until September 30, 2021, to carry out section 2103 of Public Law 115–334.

SEC. 780. There is hereby appropriated $20,000,000, for an additional amount for ''Department of Health and Human Services—Food and Drug Administration—Buildings and Facilities'' to remain available until expended and in addition to amounts otherwise made available for such purposes, for necessary expenses of plans, construction, repair, improvement, extension, alteration, demolition and purchase of fixed equipment or facilities of or used by FDA for seafood safety.

SEC. 781. There is hereby appropriated $5,000,000 to remain available until September 30, 2021, to carry out section 6424 of Public Law 115–334.

SEC. 782. Of the unobligated balances from amounts made available to carry out section 749 of Division A of Public Law 115–31 and section 739 of Division A of Public Law 115–141, $15,073,000 are rescinded.

SEC. 783. In addition to amounts otherwise made available by this or any other Act, there is hereby appropriated $5,000,000, to remain available until expended, to the Secretary for a pilot program to provide grants to a regional consortium to fund technical assistance and construction of regional wastewater systems for historically impoverished communities that have had difficulty in installing traditional wastewater treatment systems due to soil conditions.

SEC. 784. Section 9(i)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(i)(2)) is amended by striking ''for a period'' and all that follows through ''2018'' and inserting ''prior to December 31, 2020''.

SEC. 785. Not later than 60 days after enactment of this Act, the Commissioner of the Food and Drug Administration shall issue a request for information to determine the next steps that will address the recent pulmonary illnesses reported to be associated with the use of e-cigarettes and vaping products. As part of such request for information, the Commissioner shall request public comment on product design and how to prevent consumers from modifying or adding any substances to these products that are not intended by the manufacturer: *Provided*, That the Food and Drug Administration shall provide an update to the Committee on Appropriations on a quarterly basis.

SEC. 786. (a) In the matter preceding the first proviso under the heading ''Supplemental Nutrition Assistance Program'' in the Consolidated Appropriations Act, 2018 (Public Law 115–141), strike ''December 31, 2019'' and insert ''September 30, 2020''.

(b) In the matter preceding the first proviso under the heading ''Supplemental Nutrition Assistance Program'' in the Consolidated Appropriations Act, 2019 (Public Law 116–6), strike ''December 31, 2020'' and insert ''September 30, 2021''.

SEC. 787. (a) There is hereby appropriated $300,000,000, to remain available until expended, for an additional amount for section 779 of Public Law 115–141.

(b) Section 313(b) of the Rural Electrification Act of 1936, as amended (7 U.S.C. 940c(b)), shall be applied for fiscal year 2020 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 $425,000,000 of funds available in this subaccount in fiscal year 2019 for an additional amount for the same purpose and under the same terms and conditions as funds appropriated by section 779 of Public Law 115–141 and shall use $255,000,000 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 section 779 of Public Law 115–141: *Provided*, That any use of such funds shall be treated as a reprogramming of funds under section 716 of this Act.''.

(c) Section 762(b) of division B of Public Law 116–6 shall no longer apply.

SEC. 788. 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 records after enactment of this Act for a subsequent period of three years:

(1) all final Animal Welfare Act inspection reports, including all reports documenting all Animal Welfare Act non-compliances observed by USDA officials and all animal inventories;

(2) all final 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) within six months of receipt by the agency, all final Animal Welfare Act research facility annual reports, including their attachments with appropriate redactions made for confidential business information that USDA could withhold under FOIA Exemption 4.

SEC. 789. 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. 790. Notwithstanding any other provision of law, the acceptable market name of any engineered animal approved prior to the effective date of the National Bioengineered Food Disclosure Standard (February 19, 2019) shall include the words ''genetically engineered'' prior to the existing acceptable market name.

SEC. 791. (a) The remaining unobligated balances of funds made available under the heading ''Department of Agriculture—Agricultural Programs—Processing, Research and Marketing—Office of the Secretary'' in the Bipartisan Budget Act of 2018 (Public Law 115–123) are hereby rescinded: *Provided*, That the amounts rescinded pursuant to this subsection that were previously designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to that section of that Act.

(b) In addition to amounts otherwise made available by this Act for ''Department of Agriculture—Agricultural Programs—Processing, Research and Marketing—Office of the Secretary'', there is appropriated for an additional amount for fiscal year 2020, to remain available until December 30, 2021, an amount equal to the unobligated balances rescinded pursuant to subsection (a), for the same purposes and under the same authorities and conditions as the funds made available under the heading ''Department of Agriculture—Agricultural Programs—Processing, Research and Marketing—Office of the Secretary'' in the Additional Supplemental Appropriations for Disaster Relief Act of 2019 (Public Law 116–20), as amended by this section: *Provided*, That, in addition to the purposes specified in the matter preceding the first proviso under the heading ''Department of Agriculture—Agricultural Programs—Processing, Research and Marketing—Office of the Secretary'' in the Additional Supplemental Appropriations for Disaster Relief Act of 2019 (Public Law 116–20), as amended by this section, such amounts shall also be available for quality losses of crops, drought, and excessive moisture: *Provided further*, That losses due to drought shall only be eligible under this subsection if any area within the county in which the loss occurs was rated by the U.S. Drought Monitor as having a D3 (Extreme Drought) or higher level of drought intensity during the applicable calendar years: *Provided further*, That the Secretary may use the amounts provided under this subsection, under the same authorities and conditions as the funds made available under the heading ''Department of Agriculture—Agricultural Programs—Processing, Research and Marketing—Office of the Secretary'' in the Bipartisan Budget Act of 2018 (Public Law 115–123), to continue to pay for losses due to Tropical Storm Cindy, and peaches and blueberries due to freeze in 2017 and blueberry productivity losses in 2018: *Provided further*, That the Secretary shall use the amounts provided under this subsection, under the same authorities and conditions as the funds made available under the heading ''Department of Agriculture—Agricultural Programs—Processing, Research and Marketing—Office of the Secretary'' in the Bipartisan Budget Act of 2018 (Public Law 115–123), to make payments for vine losses that

were eligible for, but did not receive, payments under that heading in that Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Title I of the Additional Supplemental Appropriations for Disaster Relief Act, 2019 (Public Law 116–20), as amended by section 116 of the Continuing Appropriations Act, 2020 (Public Law 116–59), is further amended in the first proviso under the heading ''Department of Agriculture—Agricultural Programs—Processing, Research and Marketing—Office of the Secretary'' by striking ''may provide'' and inserting '', in addition to the amount announced on November 8, 2019, shall provide not less than $400,000,000 in'' , and by adding the following before the final proviso under that heading: ''*Provided further*, That the Secretary shall pay all sugar beet losses in 2018 and 2019 through cooperative processors (to be paid to producer members as determined by such processors) using the additional coverage level described in section 508(e)(2)(E) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1508(e)(2)(E)) for purposes of determining the Wildfire Hurricane Indemnity Program Plus factor (as defined in section 760.1502 of title 7, Code of Federal Regulations (or successor regulations):'': *Provided*, That amounts repurposed pursuant to this subsection that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) No later than December 31, 2020, the remaining unobligated balances of funds made available under the heading ''Department of Agriculture—Agricultural Programs—Processing, Research and Marketing—Office of the Secretary'' in the Additional Supplemental Appropriations for Disaster Relief Act of 2019 (Public Law 116–20) are hereby permanently rescinded, and an amount of additional new budget authority equivalent to the amount rescinded is hereby appropriated, to remain available until December 30, 2021, in addition to other funds as may be available for such purposes, for the same purposes and under the same authorities and conditions as the funds made available in subsection (b): *Provided*, That the amounts rescinded pursuant to this subsection that were previously designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to that section of that Act: *Provided further*, That the amount of additional new budget authority made available pursuant to this subsection is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 792. For an additional amount for ''Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund'' for purchase of vaccines, therapeutics, and diagnostics for the prevention and treatment of Ebola, $535,000,000, to remain available until September 30, 2024: *Provided*, That products purchased with funds provided under this section may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That sections 319C–1(h)(3) and 319C–2(h) of the PHS Act shall not apply to funds provided under this section: *Provided further*, That funds provided under this section may be used for the purposes specified in this section or authorized under section 319F–4 of the PHS Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

This division may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2020''.

DIVISION C—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $151,000,000, to remain available until expended: *Provided*, That the Secretary shall initiate six new study starts during fiscal year 2020: *Provided further*, That the Secretary shall not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $2,681,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects, except for Chickamauga Lock, Tennessee River, Tennessee, which shall be 35 percent during the fiscal year covered by this Act, shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: *Provided*, That the Secretary shall initiate six new construction starts during fiscal year 2020: *Provided further*, That for new construction projects, project cost sharing agreements shall be executed as soon as practicable but no later than December 31, 2020: *Provided further*, That no allocation for a new start shall be considered final and no work allowance shall be made until the Secretary provides to the Committees on Appropriations of both Houses of Congress an out-year funding scenario demonstrating the affordability of the selected new starts and the impacts on other projects: *Provided further*, That the Secretary may not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $375,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $3,790,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $210,000,000, to remain available until September 30, 2021.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States

resulting from work performed as part of the Nation's early atomic energy program, $200,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $35,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $203,000,000, to remain available until September 30, 2021, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $5,000,000, to remain available until September 30, 2021: *Provided*, That not more than 75 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress the report required under section 101(d) of this Act and a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title, as designated under such heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), to specific programs, projects, or activities.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2020, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

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

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(6) INVESTIGATIONS.—For a base level over $100,000, reprogramming of 25 percent of the base amount up to a limit of $150,000 per project, study or activity is allowed: *Provided*, That for a base level less than $100,000, the reprogramming limit is $25,000: *Provided further*, That up to $25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over $2,000,000, reprogramming of 15 percent of the base amount up to a limit of $3,000,000 per project, study or activity is allowed: *Provided*, That for a base level less than $2,000,000, the reprogramming limit is $300,000: *Provided further*, That up to $3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: *Provided further*, That up to $300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: *Provided*, That the Chief of Engineers shall notify the Committees on Appropriations of both Houses of Congress of these emergency actions as soon thereafter as practicable: *Provided further*, That for a base level over $1,000,000, reprogramming of 15 percent of the base amount up to a limit of $5,000,000 per project, study, or activity is allowed: *Provided further*, That for a base level less than $1,000,000, the reprogramming limit is $150,000: *Provided further*, That $150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The reprogramming guidelines in paragraphs (6), (7), and (8) shall apply to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account, respectively; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than $50,000 be submitted to the Committees on Appropriations of both Houses of Congress.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations of both Houses of Congress to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year which shall include:

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

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

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

SEC. 102. The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), including the determination and designation of new starts.

SEC. 103. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 104. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $5,400,000 of funds provided in this title under the heading ''Operation and Maintenance'' to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 105. None of the funds in this Act shall be used for an open lake placement alternative for dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341): *Provided*, That until an open lake placement alternative for dredged material is approved under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 106. None of the funds made available by this Act or any other Act may be used to reorganize or to transfer the Civil Works functions or authority of the Corps of Engineers or the Secretary of the Army to another department or agency.

SEC. 107. Additional funding provided in this Act shall be allocated only to projects determined to be eligible by the Chief of Engineers.

SEC. 108. None of the funds made available by this Act may be used to carry out any water supply reallocation study under the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $20,000,000, to remain available until expended, of which $1,800,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, $1,500,000 shall be available until September 30, 2021, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2020, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including

the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $1,512,151,000, to remain available until expended, of which $69,932,000 shall be available for transfer to the Upper Colorado River Basin Fund and $5,023,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That $10,000,000 shall be available for transfer into the Blackfeet Water Settlement Implementation Fund established by section 3717 of Public Law 114–322: *Provided further*, That the unobligated balances in ''Water and Related Resources'' for the Blackfeet Water Rights Settlement Act may be transferred to the Blackfeet Water Settlement Implementation Fund account: *Provided further*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That within available funds, $250,000 shall be for grants and financial assistance for educational activities: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: *Provided further*, That of the amounts made available under this heading, $4,000,000 shall be for one payment for deferred construction funding to the Navajo Nation to fulfill the construction obligations described in section 15(b) of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585), as amended by the Colorado Ute Settlement Act Amendments of 2000 (Public Law 106–554), and to complete the commissioning and title transfer of the Navajo Nation Municipal Pipeline: *Provided further*, That in accordance with section 4009(c) of Public Law 114–322, and as recommended by the Secretary in a letter dated February 13, 2019, funding provided for such purpose in fiscal year 2018 shall be made available to the Expanding Recycled Water Delivery Project (VenturaWaterPure), the Pure Water Monterey Groundwater Replenishment Project, the Groundwater Reliability Improvement Program (GRIP) Recycled Water Project, the North Valley Regional Recycled Water Program, the South Sacramento County Agriculture and Habitat Lands Recycled Water Program, and the Central Coast Blue project: *Provided further*, That in accordance with section 4007 of Public Law 114–322, and as recommended by the Secretary in a letter dated February 13, 2019, funding provided for such purpose in fiscal years 2017 and 2018 shall be made available to the Cle Elum Pool Raise, the Boise River Basin Feasibility Study, the Del Puerto Water District, the Los Vaqueros Reservoir Phase 2 Expansion Project, the North-of-the Delta Off stream Storage (Sites Reservoir Project), and the Friant-Kern Canal Capacity Correction Resulting Subsidence: *Provided further*, That in accordance with section 4009(a) of Public Law 114–322, and as recommended by the Secretary in a letter dated February 13, 2019, funding provided for such purpose in fiscal years 2017 and 2018 shall be made available to the Doheny Ocean Desalination Project, the Kay Bailey Hutchison Desalination Plant, the North Pleasant Valley Desalter Facility, and the Mission Basin Groundwater Purification Facility Well Expansion and Brine Minimization.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $54,849,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION
(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $33,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2021, $60,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous or subsequent appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2020, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

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

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of both Houses of Congress:

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $400,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of both Houses of Congress; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of both Houses of Congress.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term ''transfer'' means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Section 9504(e) of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10364(e)) is amended by striking ''$480,000,000'' and inserting ''$530,000,000''.

SEC. 204. Title I of Public Law 108–361 (the CALFED Bay-Delta Authorization Act) (118 Stat. 1681), as amended by section 4007(k) of Public Law 114–322, is amended by striking ''2019'' each place it appears and inserting ''2020''.

SEC. 205. Section 9106(g)(2) of Public Law 111–11 (Omnibus Public Land Management Act of 2009) is amended by striking ''2019'' and inserting ''2020''.

SEC. 206. The Claims Resolution Act of 2010 (Public Law 111–291) is amended—

(1) in section 309(d), by striking ''2021'' each place it appears and inserting ''2023''; and

(2) in section 311(h), by striking ''2021'' and inserting ''2023''.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $2,848,000,000, to remain available until expended: *Provided*, That of such amount, $165,000,000 shall be available until September 30, 2021, for program direction: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $58,000,000 is hereby rescinded: *Provided further*, 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.

CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY RESPONSE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy sector cybersecurity, energy security, and emergency response activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $156,000,000, to remain available until expended: *Provided*, That of such amount, $13,000,000 shall be available until September 30, 2021, for program direction.

ELECTRICITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $190,000,000, to remain available until expended: *Provided*, That of such amount, $18,000,000 shall be available until September 30, 2021, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,493,408,000, to remain available until expended: *Provided*, That of such amount, $80,000,000 shall be available until September 30, 2021, for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $750,000,000, to remain available until expended: *Provided*, That of such amount $61,500,000 shall be available until September 30, 2021, for program direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $14,000,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $195,000,000, to remain available until expended: *Provided*, That, as authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C. 6239 note), the Secretary of Energy shall draw down and sell not to exceed $450,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2020: *Provided further*, That the proceeds from such drawdown and sale shall be deposited into the ''Energy Security and Infrastructure Modernization Fund'' during fiscal year 2020: *Provided further*, That such amounts shall be made available and shall remain available until expended for necessary expenses to carry out the Life Extension II project for the Strategic Petroleum Reserve.

SPR PETROLEUM ACCOUNT

For the acquisition, transportation, and injection of petroleum products, and for other necessary expenses pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), sections 403 and 404 of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241, 6239 note), and section 5010 of the 21st Century Cures Act (Public Law 114–255), $10,000,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $10,000,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, $126,800,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $319,200,000, to remain available until expended: *Provided*, That $200,000 of the funds provided are for community support.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $881,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which $5,250,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 33 passenger motor vehicles including one bus, $7,000,000,000, to remain available until expended: *Provided*, That of such amount, $186,300,000 shall be available until September 30, 2021, for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), $425,000,000, to remain available until expended: *Provided*, That of such amount, $35,000,000 shall be available until September 30, 2021, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That for necessary administrative expenses of the Title 17 Innovative Technology Loan Guarantee Program, as authorized, $32,000,000 is appropriated, to remain available until September 30, 2021: *Provided further*, That up to $32,000,000 of fees collected in fiscal year 2020 pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections under this heading and used for necessary administrative expenses in this appropriation and shall remain available until September 30, 2021: *Provided further*, That to the extent that fees collected in fiscal year 2020 exceed $32,000,000, those excess amounts shall be credited as offsetting collections under this heading and available in future fiscal years only to the extent provided in advance in appropriations Acts: *Provided further*, That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2020 (estimated at $3,000,000) and (2)

to the extent that any remaining general fund appropriations can be derived from fees collected in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at $0: *Provided further*, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $5,000,000, to remain available until September 30, 2021.

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Tribal Energy Loan Guarantee Program, $2,000,000, to remain available until September 30, 2021.

OFFICE OF INDIAN ENERGY POLICY AND PROGRAMS

For necessary expenses for Indian Energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $22,000,000, to remain available until expended: *Provided*, That, of the amount appropriated under this heading, $5,000,000 shall be available until September 30, 2021, for program direction.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $254,378,000, to remain available until September 30, 2021, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $93,378,000 in fiscal year 2020 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2020 appropriation from the general fund estimated at not more than $161,000,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $54,215,000, to remain available until September 30, 2021.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one ambulance for replacement only, $12,457,097,000, to remain available until expended: *Provided*, That of such amount, $107,660,000 shall be available until September 30, 2021, for program direction.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed two aircraft, $2,164,400,000, to remain available until expended.

NAVAL REACTORS

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,648,396,000, to remain available until expended, of which, $88,500,000 shall be transferred to ''Department of Energy—Energy Programs—Nuclear Energy'', for the Advanced Test Reactor: *Provided*, That of such amount, $50,500,000 shall be available until September 30, 2021, for program direction.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $434,699,000, to remain available until September 30, 2021, including official reception and representation expenses not to exceed $17,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $6,255,000,000, to remain available until expended: *Provided*, That of such amount, $281,119,000 shall be available until September 30, 2021, for program direction.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than one passenger motor vehicle, $906,000,000, to remain available until expended: *Provided*, That of such amount, $328,917,000 shall be available until September 30, 2021, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Steigerwald Floodplain Restoration Project and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: *Provided*, That during fiscal year 2020, no new direct loan obligations may be made: *Provided further*, Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454 are authorized and approved, without fiscal year limitation, for the cost of current and future year purchases or payments of emissions expenses associated with Bonneville Power Administration power and transmission operations in states with clean energy programs: *Provided further*, This expenditure authorization is limited solely to Bonneville Power Administration's voluntary purchase or payments made in conjunction with state clean energy programs and is not a broader waiver of Bonneville Power Administration's sovereign immunity.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $6,597,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $6,597,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2020 appropriation estimated at not more than $0: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $56,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $47,775,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $37,375,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration:

Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2020 appropriation estimated at not more than $10,400,000: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $43,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(INCLUDING RESCISSION OF FUNDS)

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, $262,959,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $262,959,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $173,587,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2020 appropriation estimated at not more than $89,372,000, of which $89,372,000 is derived from the Reclamation Fund: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $227,000,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses): *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $176,000 is hereby permanently cancelled.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $3,160,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $2,932,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2020 appropriation estimated at not more than $228,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2020, the Administrator of the Western Area Power Administration may accept up to $1,187,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed $3,000, and the hire of passenger motor vehicles, $382,000,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $382,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2020 shall be retained and used for expenses necessary in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading ''Department of Energy—Energy Programs'', enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the ''Final Bill'' column in the ''Department of Energy'' table included under the heading ''Title III—Department of Energy'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify, and obtain the prior approval of, the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both

Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

(h) The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 302. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2020 until the enactment of the Intelligence Authorization Act for fiscal year 2020.

SEC. 303. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 304. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 305. (a) None of the funds made available in this or any prior Act under the heading ''Defense Nuclear Nonproliferation'' may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 15 days after the date on which the Secretary submits to the Committees on Appropriations of both Houses of Congress, in classified form if necessary, a report on the justification for the waiver.

SEC. 306. Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), upon a determination by the President in this fiscal year that a regional supply shortage of refined petroleum product of significant scope and duration exists, that a severe increase in the price of refined petroleum product will likely result from such shortage, and that a draw down and sale of refined petroleum product would assist directly and significantly in reducing the adverse impact of such shortage, the Secretary of Energy may draw down and sell refined petroleum product from the Strategic Petroleum Reserve. Proceeds from a sale under this section shall be deposited into the SPR Petroleum Account established in section 167 of the Energy Policy and Conservation Act (42 U.S.C. 6247), and such amounts shall be available for obligation, without fiscal year limitation, consistent with that section.

SEC. 307. Of the offsetting collections, including unobligated balances of such collections, in the ''Department of Energy—Power Marketing Administration—Colorado River Basins Power Marketing Fund, Western Area Power Administration'', $21,400,000 shall be transferred to the ''Department of Interior—Bureau of Reclamation—Upper Colorado River Basin Fund'' for the Bureau of Reclamation to carry out environmental stewardship and endangered species recovery efforts.

SEC. 308. (a) Of the unobligated balances available from amounts appropriated in prior Acts under the heading ''Title III—Department of Energy—Energy Programs'', $12,723,000 is hereby rescinded.

(b) No amounts may be rescinded under (a) from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 309. Beginning in fiscal year 2021 and for each fiscal year thereafter, fees collected pursuant to subsection (b)(1) of section 6939f of title 42, United States Code, shall be deposited in ''Department of Energy—Energy Programs—Non-Defense Environmental Cleanup'' as discretionary offsetting collections.

SEC. 310. During fiscal year 2020 and each fiscal year thereafter, notwithstanding any provision of title 5, United States Code, relating to classification or rates of pay, the Southeastern Power Administration shall pay any power system dispatcher employed by the Administration a rate of basic pay and premium pay based on those prevailing for similar occupations in the electric power industry. Basic pay and premium pay may not be paid under this section to any individual during a calendar year so as to result in a total rate in excess of the rate of basic pay for level V of the Executive Schedule (section 5316 of such title).

TITLE IV
INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $175,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $31,000,000, to remain available until September 30, 2021.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382F(d), 382M, and 382N of said Act, $30,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $15,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities: *Provided further*, That notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for programs undertaken to carry out the purposes of the Commission.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $25,000,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $842,236,000, including official representation expenses not to exceed $25,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than $9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2021, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $717,125,000 in fiscal year 2020 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That of the amounts appropriated under this heading, not less than $15,478,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear technologies, and $14,500,000 shall be for international activities, except that the amounts provided under this proviso shall not be derived from fee revenues, notwithstanding 42 U.S.C. 2214: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation estimated at not more than $125,111,000: *Provided further*, That of the amounts appropriated under this heading, $10,500,000 shall be for university research and development in areas relevant to the Commission's mission, and $5,500,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $13,314,000, to remain available until September 30, 2021: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,929,000 in fiscal year 2020 shall be retained

and be available until September 30, 2021, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation estimated at not more than $2,385,000: *Provided further*, That of the amounts appropriated under this heading, $1,171,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2021.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information, consistent with Department of Justice guidance for all federal agencies.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than $500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in subsection (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for ''Nuclear Regulatory Commission—Salaries and Expenses'' shall be expended as directed in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

(1) total budget authority;

(2) total unobligated balances; and

(3) total unliquidated obligations.

TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

SEC. 504. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

This division may be cited as the ''Energy and Water Development and Related Agencies Appropriations Act, 2020''.

DIVISION D—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

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)), $1,237,015,000, to remain available until September 30, 2021; of which $115,000,000 for annual and deferred maintenance and $101,555,000 for the wild horse and burro program, as authorized by Public Law 92–195 (16 U.S.C. 1331 et sec.), shall remain available until expended: *Provided*, That of the funds made available for the wild horse and burro program, $21,000,000 shall not be available for obligation until 60 days after submission to the Congress of the detailed plan described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That amounts in the fee account of the BLM Permit Processing Improvement Fund may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations.

In addition, $40,196,000 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 $1,237,015,000, 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 2017 or before, $19,000,000 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 $5,400,000 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

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $32,300,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

Of the unobligated balances from amounts made available for Land Acquisition and derived from the Land and Water Conservation Fund, $2,367,000 is hereby permanently rescinded from projects with cost savings or failed or partially failed projects: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $112,094,000, 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.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,364,289,000, to remain available until September 30, 2021: *Provided*, That not to exceed $20,318,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)): *Provided further*, That of the amounts made available under this heading for central office operations, $1,000,000 shall not be available for obligation until the Landscape Conservation Cooperatives report is received by the Committees on Appropriations of the House of Representatives and the Senate in accordance with the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

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; $29,704,000, to remain available until expended.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

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, $70,715,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, 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.

Of the unobligated balances from amounts made available for the Fish and Wildlife Service and derived from the Land and Water Conservation Fund, $3,628,000 is hereby permanently rescinded from projects with cost savings or failed or partially failed projects: *Provided further*, 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.

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), $54,502,000, to remain available until expended, of which $23,702,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $30,800,000 is to be derived from the Land and Water Conservation Fund.

Of the unobligated balances made available from the Cooperative Endangered Species Conservation Fund, $18,771,000 is permanently rescinded from projects or from other grant programs with an unobligated carry over balance: *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.), $46,000,000, 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,

$67,571,000, 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 SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,576,992,000, of which $10,282,000 for planning and interagency coordination in support of Everglades restoration and $135,950,000 for maintenance, repair, or rehabilitation projects for constructed assets and $153,575,000 for cyclic maintenance projects for constructed assets and cultural resources and $5,000,000 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), $3,300,000 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 (36 U.S.C. note prec. 101; Public Law 115–102), $3,300,000 of the funds provided under this heading shall be made available for the purposes specified by that Act: *Provided further*, That sections (7)(b) and (8) of that Act shall be amended by striking ''July 1, 2020'' and inserting ''July 1, 2021''.

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, $71,166,000.

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), $118,660,000, 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, $18,750,000 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 $7,500,000 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, $389,345,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2020 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232–18: *Provided further*, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: *Provided further*, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND ACQUISITION AND STATE ASSISTANCE

(INCLUDING RESCISSION OF FUNDS)

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 $13,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

Of the unobligated balances from amounts made available for the National Park Service and derived from the Land and Water Conservation Fund, $2,279,000 is hereby permanently rescinded from projects or from other grant programs with an unobligated carry over balance: *Provided*, That no amounts may be rescinded from amounts that were designed 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.

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, $15,000,000, to remain available until expended, for Centennial Challenge projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 203. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,270,957,000, to remain available until September 30, 2021; of which $84,337,000 shall remain available until expended for satellite operations; and of which $76,164,000 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, $191,611,000, of which $131,611,000 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 $131,611,000: *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

(INCLUDING RESCISSION OF FUNDS)

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, $149,333,000, of which $123,333,000 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 $123,333,000: *Provided further*, That of the unobligated balances from amounts made available under this heading $4,788,000 is permanently rescinded: *Provided further*, 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.

For an additional amount, $43,479,000, 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 $43,479,000, the amounts realized in excess of $43,479,000 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, $117,768,000, 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 $117,768,000.

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 described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): *Provided further*, That of such additional amount, $75,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, $30,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the subsequent greatest amount of unfunded needs to meet such priorities, and $10,000,000 shall be for grants to federally recognized Indian Tribes without regard to their status as certified or uncertified under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) and shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977: *Provided further*, That such additional amount shall be allocated to States and Indian Tribes within 60 days after the date of enactment of this Act.

INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFERS 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.), $1,577,110,000, 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 $74,734,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap for welfare payments 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 $57,424,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That 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 United States 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 TRANSFERS AND RESCISSION 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; $128,591,000, 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 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).

Of the unobligated balances made available for the ''Construction, Resources Management'' account, $2,000,000 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.

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, $11,779,000, of which $1,590,000 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 $183,476,740.

BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN EDUCATION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

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.), $943,077,000, 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 $702,837,000 for school operations 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 $83,407,000 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; $248,257,000 to remain available until expended: *Provided*, 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 Public Law 100–297 (25 U.S.C. 2501, et seq.) 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

(INCLUDING TRANSFERS OF FUNDS)

The Bureau of Indian Affairs and 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 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 or the Bureau of Indian Education 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 or 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 Affairs or 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 nonpublic schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: *Provided*, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: *Provided further*, That the term ''satellite school'' means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

Funds made available for Tribal Priority Allocations within Operation of Indian Programs and Operation of Indian Education Programs may be used to execute requested adjustments in tribal priority allocations initiated by an Indian Tribe.

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, $131,832,000, 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 $10,000,000 for the Appraisal and Valuation Services Office 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, $102,881,000, of which: (1) $93,390,000 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, $8,463,000, 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: *Provided*, That of the funds appropriated under this heading, $5,000,000 is for deposit into the Compact Trust Fund of the Republic of the Marshall Islands as compensation authorized by Public Law 108–188 for adverse financial and economic impacts.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $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, $111,540,000, to remain available until expended, of which not to exceed $19,016,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, ''Operation of Indian Programs'' and Bureau of Indian Education, ''Operation of Indian Education Programs'' accounts; 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 eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

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.

WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

In addition to the amounts provided under the heading ''Department of the Interior—Department-Wide Programs—Wildland Fire Management'' for wildfire suppression operations, $300,000,000, to remain available until transferred, 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 such amounts may be transferred to and merged with amounts made available under the headings ''Department of Agriculture—Forest Service—Wildland Fire Management'' and ''Department of the Interior—Department-Wide Programs—Wildland Fire Management'' for wildfire suppression operations in the fiscal year in which such amounts are transferred: *Provided further*, That amounts may be transferred to the ''Wildland Fire Management'' accounts in the Department of Agriculture or the Department of the Interior only upon the notification of the House and Senate Committees on Appropriations that all wildfire suppression operations funds appropriated under that heading in this and prior appropriations Acts to the agency to which the funds will be transferred will be obligated within 30 days: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), $10,010,000, to remain available until expended.

For an additional amount for a competitive grant program to fund radium decontamination and remediation at any land-grant university that has been subjected to such contamination as a result of actions of the former United States Bureau of Mines, $12,000,000.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., $7,767,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $55,735,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: *Provided further*, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

OFFICE OF NATURAL RESOURCES REVENUE

For necessary expenses for management of the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $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 the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, with such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire suppression'' shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose. 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) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2020. Fees for fiscal year 2020 shall be—

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) 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 subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (d) with payment required by the end of the following quarter.

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 108. 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. 109. 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. 110. 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.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES PROGRAM

SEC. 111. (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.

OBLIGATION OF FUNDS

SEC. 112. 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.

EXTENSION OF AUTHORITIES

SEC. 113. (a) Section 512 of title V of division J of Public Law 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 Public Law 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. 114. 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.

PAYMENTS IN LIEU OF TAXES (PILT)

SEC. 115. Section 6906 of title 31, United States Code, shall be applied by substituting ''fiscal year 2020'' for ''fiscal year 2019''.

SAGE-GROUSE

SEC. 116. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);

(2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse.

DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE APPROVAL

SEC. 117. (a) Subject to subsection (b), beginning no later than 180 days after the enactment of this Act, in any case in which the Bureau of Safety and Environmental Enforcement or the Bureau of Ocean Energy Management prescribes or approves any departure or use of alternate procedure or equipment, in regards to a plan or permit, under 30 C.F.R. § 585.103, 30 C.F.R. § 550.141; 30 C.F.R. §550.142; 30 C.F.R. § 250.141, or 30 C.F.R. § 250.142, the head of such bureau shall post a description of such departure or alternate procedure or equipment use approval on such bureau's publicly available website not more than 15 business days after such issuance.

(b) The head of each bureau may exclude confidential business information.

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, $716,449,000, 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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated 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 $31,000 for official reception and representation expenses, $2,663,356,000, 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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That of the funds included under this heading, $510,276,000 shall be for Geographic Programs specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

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, $41,489,000, 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, $33,598,000, 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, $1,184,755,000, 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 $1,184,755,000 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, $11,586,000 shall be paid to the ''Office of Inspector General'' appropriation to remain available until September 30, 2021, and $30,747,000 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, $91,941,000, to remain available until expended, of which $66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, including hire, maintenance, and operation of aircraft, $19,581,000, 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, $4,246,232,000, to remain available until expended, of which—

(1) $1,638,826,000 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 $1,126,088,000 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) $25,000,000 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) $29,186,000 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) $89,000,000 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 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, or any territory or possession of the United States;

(5) $87,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $56,306,000 shall be for targeted airshed grants in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);

(7) $4,000,000 shall be to carry out the water quality program authorized in section 5004(d) of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(8) $25,408,000 shall be for grants under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j–19a);

(9) $26,000,000 shall be for grants under section 1464(d) of the Safe Drinking Water Act (42 U.S.C. 300j–24(d));

(10) $19,511,000 shall be for grants under section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j–19b);

(11) $3,000,000 shall be for grants under section 1459A(l) of the Safe Drinking Water Act (42 U.S.C. 300j–19a(l));

(12) $12,000,000 shall be for grants under section 104(b)(8) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)(8));

(13) $28,000,000 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 the America's Water Infrastructure Act of 2018 (Public Law 115–270); and

(15) $1,075,907,000 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: $46,190,000 shall be for carrying out section 128 of CERCLA; $9,332,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,449,000 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; $13,000,000 shall be for multipurpose grants, including interagency agreements.

WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, $55,000,000, 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 $11,500,000,000: *Provided further*, That of the funds made available under this heading, $5,000,000 shall be used solely for the cost of direct loans and for the cost of guaranteed loans for projects described in section 5026(9) of the Water Infrastructure Finance and Innovation Act of 2014 to State infrastructure financing authorities, as authorized by section 5033(e) of such Act: *Provided further*, That the Administrator, together with the Director of the Office of Management and Budget and the Secretary of the Treasury, shall jointly develop criteria for project eligibility for direct loans and loan guarantees authorized by the Water Infrastructure Finance and Innovation Act of 2014 that limit Federal participation in a project consistent with the requirements for the budgetary treatment provided for in section 504 of the Federal Credit Reform Act of 1990 and based on the recommendations contained in the 1967 Report of the President's Commission on Budget Concepts; and the Administrator, the Director, and the Secretary, shall, not later than 120 days after the date of enactment of this Act, publish such criteria in the Federal Register: *Provided further*, That, in developing the criteria to be used, the Administrator, the Director, and the Secretary, shall consult with the Director of the Congressional Budget Office: *Provided further*, That the requirements of section 553 of title 5, United States Code, shall not apply to the development and publication of such criteria: *Provided further*, That the use of direct loans or loan guarantee authority under this heading for direct loans or commitments to guarantee loans for any project shall be in accordance with the criteria published pursuant to this Act: *Provided further*, That the Administrator, the Director, and the Secretary, shall also certify, and publish such certification in the Federal Register, that the criteria is compliant with this paragraph, at the same time the Administrator,

the Director, and the Secretary, publish the criteria in the Federal Register: *Provided further*, That the Administrator may not issue a Notice of Funding Availability for applications for credit assistance under the Water Infrastructure Finance and Innovation Act Program in fiscal year 2020 until the criteria have been developed and published pursuant to the fourth proviso and certified pursuant to the previous proviso: *Provided further*, That none of the direct loans or loan guarantee authority made available under this heading shall be available for any project unless the Administrator and the Director of the Office of Management and Budget have certified in advance in writing that the direct loan or loan guarantee, as applicable, and the project comply with the criteria developed and published pursuant to this Act: *Provided further*, That the criteria developed and published pursuant to this Act shall not apply to the use of direct loans or loan guarantee authority provided by prior appropriations Acts: *Provided further*, That not later than 15 days after the date upon which criteria have been published pursuant to the fourth proviso, the Administrator shall report to the Committees on Appropriations of the House of Representatives and Senate, the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate on any statutory improvements to the Water Infrastructure Finance and Innovation Act of 2014 or to the Water Infrastructure Finance and Innovation Act Program Account's appropriations language that would further align such Act and such language with the budgetary treatment and recommendations referred to in the fourth proviso: *Provided further*, That, for the purposes of carrying out the Congressional Budget Act of 1974, the Director of the Congressional Budget Office may request, and the Administrator shall promptly provide, documentation and information relating to a project identified in a Letter of Interest submitted to the Administrator pursuant to a Notice of Funding Availability for applications for credit assistance under the Water Infrastructure Finance and Innovation Act Program, including with respect to a project that was initiated or completed before the date of enactment of this Act.

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 $1,350,000 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 AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $305,000,000, to remain available through September 30, 2023: *Provided*, That of the funds provided, $77,000,000 is for the forest inventory and analysis program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

STATE AND PRIVATE FORESTRY

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, $346,990,000, to remain available through September 30, 2023, as authorized by law; of which $63,990,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

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, $1,957,510,000, to remain available through September 30, 2023: *Provided*, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, $373,000,000 shall be for forest products: *Provided further*, That of the funds provided, $445,310,000 shall be for hazardous fuels management activities, of which not to exceed $15,000,000 may be used to make grants, using any authorities available to the Forest Service under the ''State and Private Forestry'' appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That $20,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities, and for training or monitoring associated with such hazardous fuels management activities on Federal land, or on non-Federal land if the Secretary determines such activities benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forestry Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the ''State and Private Forestry'' appropriations: *Provided further*, That notwithstanding section 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of Agriculture, in calculating a fee for grazing on a National Grassland, may provide a credit of up to 50 percent of the calculated fee to a Grazing Association or direct permittee for a conservation practice approved by the Secretary in advance of the fiscal year in which the cost of the conservation practice is incurred. And, that the amount credited shall remain available to the Grazing Association or the direct permittee, as appropriate, in the fiscal year in which the credit is made and each fiscal year thereafter for use on the project for conservation practices approved by the Secretary.

CAPITAL IMPROVEMENT AND MAINTENANCE
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $455,000,000, 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

(INCLUDING RESCISSION OF FUNDS)

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, $78,898,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

Of the unobligated balances from amounts made available for Forest Service and derived from the Land and Water Conservation Fund, $2,000,000 is hereby permanently rescinded from projects with cost savings or failed projects or partially failed that had funds returned: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

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, 2023, (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 presuppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $2,350,620,000, to remain available until expended: *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 the meet the terms of section 251(b)(2)(F)(ii)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

In addition to the amounts provided under the heading ''Department of Agriculture—Forest Service—Wildland Fire Management'' for wildfire suppression operations, $1,950,000,000, to remain available until transferred, 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 such amounts may be transferred to and merged with amounts made available under the headings ''Department of the Interior—Department-Wide Programs—Wildland Fire Management'' and ''Department of Agriculture—Forest Service—Wildland Fire Management'' for wildfire suppression operations in the fiscal year in which such amounts are transferred: *Provided further*, That amounts may be transferred to the ''Wildland Fire Management'' accounts in the Department of the Interior or the Department of Agriculture only upon the notification of the House and Senate Committees on Appropriations that all wildfire suppression operations funds appropriated under that heading in this and prior appropriations Acts to the agency to which the funds will be transferred will be obligated within 30 days: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law.

COMMUNICATIONS SITE ADMINISTRATION

Amounts collected in this fiscal year pursuant to section 8705(f)(2) of the Agriculture Improvement Act of 2018 (Public Law 115–334), as amended by this Act, shall be deposited in the special account established by section 8705(f)(1) of such Act, shall be available to cover the costs described in subsection (c)(3) of such section of such Act, and shall remain available until expended: *Provided*, That such amounts shall be transferred to the ''National Forest System'' account.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the heading ''Wildland Fire Management'' will be obligated within 30 days: *Provided*, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Not more than $50,000,000 of funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior for wildland fire management, hazardous fuels management, and State fire assistance when such transfers would facilitate and expedite wildland fire management programs and projects.

Notwithstanding any other provision of this Act, the Forest Service may transfer unobligated balances of discretionary funds appropriated to the Forest Service by this Act to or within the National Forest System Account, or reprogram funds to be used for the purposes of hazardous fuels management and urgent rehabilitation of burned-over National Forest System lands and water, such transferred funds shall remain available through September 30, 2023: *Provided*, That none of the funds transferred pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That this section does not apply to funds derived from the Land and Water Conservation Fund.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private,

and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–171 (7 U.S.C. 8316(b)).

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 information technology services, including telecommunications and system modifications or enhancements, from the Working Capital Fund of the Department of Agriculture.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.).

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match funds made available by the Forest Service on at least a one-for-one basis: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

The Forest Service shall not assess funds for the purpose of performing fire, administrative, and other facilities maintenance and decommissioning.

Notwithstanding any other provision of law, of any appropriations or funds available to the Forest Service, not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar matters unrelated to civil litigation. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the sums requested for transfer.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of this Act, through the Office of Budget and Program Analysis, the Forest Service shall report no later than 30 business days following the close of each fiscal quarter all current and prior year unobligated balances, by fiscal year, budget line item and account, to the House and Senate Committees on Appropriations.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,315,205,000 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 $964,819,000 for Purchased/Referred Care, including $53,000,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That of the funds provided, up to $40,000,000 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, $125,000,000 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 in 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, 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, 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, $911,889,000 to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the ''Indian Health Services'' account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary of Health and Human Services; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 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, $81,000,000.

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, $76,691,000: *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 HOPI 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.), $10,458,000, 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, $793,658,000, 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: *Provided further*, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to be available as trust funds for expenses associated with the purchase of a portion of the building at 600 Maryland Avenue, S.W., Washington, D.C. to the extent that Federally supported activities will be housed there: *Provided further*, That the use of such amounts in the general trust funds of the Institution for such purpose shall not be construed as Federal debt service for, a Federal guarantee of, a transfer of risk to, or an obligation of the Federal Government: *Provided further*, That no appropriated funds may be used directly to service debt which is incurred to finance the costs of acquiring a portion of the building at 600 Maryland Avenue, S.W., Washington, D.C., or of planning, designing, and constructing improvements to such building: *Provided further*, That any agreement entered into by the Smithsonian Institution for the sale of its ownership interest, or any portion thereof, in such building so acquired may not take effect until the expiration of a 30 day period which begins on the date on which the Secretary submits to the Committees on Appropriations of the House of Representatives and Senate, the Committees on House Administration and Transportation and Infrastructure of the House of Representatives, and the Committee on Rules and Administration of the Senate a report, as outlined in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), on the intended sale.

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, $253,700,000, 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, $26,203,000, 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, $162,250,000 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, $162,250,000 to remain

available until expended, of which $147,750,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $14,500,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $12,500,000 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, $3,240,000: *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), $7,378,000.

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 representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $60,388,000, of which $715,000 shall remain available until September 30, 2022, for the Museum's equipment replacement program; and of which $2,000,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

PRESIDIO TRUST

The Presidio Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), in an amount not to exceed $10,000,000.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Dwight D. Eisenhower Memorial Commission, $1,800,000, to remain available until expended.

WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Women's Suffrage Centennial Commission, as authorized by the Women's Suffrage Centennial Commission Act (section 431(a)(3) of division G of Public Law 115–31), $1,000,000, to remain available until expended.

WORLD WAR I CENTENNIAL COMMISSION

SALARIES AND EXPENSES

Notwithstanding section 9 of the World War I Centennial Commission Act, as authorized by the World War I Centennial Commission Act (Public Law 112–272) and the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), for necessary expenses of the World War I Centennial Commission, $7,000,000, to remain available until 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.

ALYCE SPOTTED BEAR AND WALTER SOBOLEFF COMMISSION ON NATIVE CHILDREN

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children (referred to in this paragraph as the ''Commission''), $500,000, to remain available until September 30, 2021: *Provided*, That amounts made available to the Commission under the heading ''Department of the Interior—Departmental Operations—Office of the Secretary—Departmental Operations'' in division E of the Consolidated Appropriations Act, 2019 (Public Law 116–6) may be transferred to or merged with such amounts: *Provided further*, That in addition to the authority provided by section 3(g)(5) and 3(h) of Public Law 114–244, the Commission may hereafter accept in-kind personnel services, contractual support, or any appropriate support from any executive branch agency for activities of the Commission.

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 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 responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) shall continue in effect in fiscal year 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 within 60 days of enactment of this Act.

ALYCE SPOTTED BEAR AND WALTER SOBOLEFF COMMISSION ON NATIVE CHILDREN

SEC. 415. Section 3(a) of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act (Public Law 114–244) is amended by striking ''in the Office of Tribal Justice of the Department of Justice.''.

FOREST SERVICE COMMUNICATIONS SITE ADMINISTRATION

SEC. 416. Subsection (f) of section 8705 of the Agriculture Improvement Act of 2018 (Public Law 115–334) is amended by striking paragraph (2) and inserting the following:

''(2) REQUIREMENTS FOR FEES COLLECTED.—Fees collected by the Forest Service under subsection (c)(3) shall be—

''(A) collected only to the extent provided in advance in appropriations Acts;

''(B) based on the costs described in subsection (c)(3); and

''(C) competitively neutral, technology neutral, and nondiscriminatory with respect to other users of the communications site.''.

EXTENSION OF GRAZING PERMITS

SEC. 417. 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. 418. (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.

HUMANE TRANSFER AND TREATMENT OF ANIMALS

SEC. 419. (a) Notwithstanding any other provision of law, the Secretary of the Interior, with respect to land administered by the Bureau of Land Management, or the Secretary of Agriculture, with respect to land administered by the Forest Service (referred to in this section as the ''Secretary concerned''), may transfer excess wild horses and burros that have been removed from land administered by the Secretary concerned to other Federal, State, and local government agencies for use as work animals.

(b) The Secretary concerned may make a transfer under subsection (a) immediately on the request of a Federal, State, or local government agency.

(c) An excess wild horse or burro transferred under subsection (a) shall lose status as a wild free-roaming horse or burro (as defined in section 2 of Public Law 92–195 (commonly known as the ''Wild Free-Roaming Horses and Burros Act'') (16 U.S.C. 1332)).

(d) A Federal, State, or local government agency receiving an excess wild horse or burro pursuant to subsection (a) shall not—

(1) destroy the horse or burro in a manner that results in the destruction of the horse or burro into a commercial product;

(2) sell or otherwise transfer the horse or burro in a manner that results in the destruction of the horse or burro for processing into a commercial product; or

(3) euthanize the horse or burro, except on the recommendation of a licensed veterinarian in a case of severe injury, illness, or advanced age.

(e) Amounts appropriated by this Act shall not be available for—

(1) the destruction of any healthy, unadopted, and wild horse or burro under the jurisdiction of the Secretary concerned (including a contractor); or

(2) the sale of a wild horse or burro that results in the destruction of the wild horse or burro for processing into a commercial product.

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT AUTHORIZATION EXTENSION

SEC. 420. Section 503(f) of Public Law 109–54 (16 U.S.C. 580d note) shall be applied by substituting ''September 30, 2020'' for ''September 30, 2019''.

USE OF AMERICAN IRON AND STEEL

SEC. 421. (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.

RESCISSION OF FUNDS

SEC. 422. Any amounts made available for fiscal year 2020 pursuant to section 8705(f)(2) of Public Law 115–334 as amended by this Act, are hereby rescinded.

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 423. 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. 424. 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. 425. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting ''October 1, 2021'' for ''September 30, 2019''.

REPROGRAMMING GUIDELINES

SEC. 426. None of the funds made available in this Act, in this and prior fiscal years, may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

PROJECT INFORMATION

SEC. 427. (a) Within 60 days of the submission of the fiscal year 2021 budget or by April 1, 2020, whichever comes first, 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, that have been identified by each land management Agency.

(b) The Federal land acquisition project lists required by each Agency in subsection (a) shall include individual projects for the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the U.S. Forest Service, and shall total for each agency no less than 150 percent of the amount enacted for that agency for the previous fiscal year.

LOCAL CONTRACTORS

SEC. 428. Section 412 of Division E of Public Law 112–74 shall be applied by substituting ''fiscal year 2020'' for ''fiscal year 2019''.

SHASTA-TRINITY MARINA FEE AUTHORITY AUTHORIZATION EXTENSION

SEC. 429. Section 422 of division F of Public Law 110–161 (121 Stat 1844), as amended, shall be applied by substituting ''fiscal year 2020'' for ''fiscal year 2019''.

INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

SEC. 430. Section 426 of division G of Public Law 113–76 (16 U.S.C. 565a–1 note) shall be applied by substituting ''September 30, 2020'' for ''September 30, 2019''.

PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

SEC. 431. The authority provided by the 19th unnumbered paragraph under heading ''Administrative Provisions, Forest Service'' in title III of Public Law 109–54, as amended, shall be applied by substituting ''fiscal year 2020'' for ''fiscal year 2019''.

FOREST BOTANICAL PRODUCTS FEE COLLECTION AUTHORIZATION EXTENSION

SEC. 432. Section 339 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (as enacted into law by Public Law 106–113; 16 U.S.C. 528 note), as amended by section 335(6) of Public Law 108–108 and section 432 of Public Law 113–76, shall be applied by substituting ''fiscal year 2020'' for ''fiscal year 2019''.

ALASKA NATIVE REGIONAL HEALTH ENTITIES AUTHORIZATION EXTENSION

SEC. 433. Section 424(a) of the Consolidated Appropriations Act, 2014 (Public Law 113–76), as amended by section 428 of the Consolidated Appropriations Act, 2018 (Public Law 115–141), shall be applied by substituting ''October 1, 2020'' for ''October 1, 2019''.

CHESAPEAKE BAY INITIATIVE

SEC. 434. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105–312; 54 U.S.C. 320101 note) shall be applied by substituting ''fiscal year 2020'' for ''fiscal year 2019''.

FOREST SERVICE BUDGET RESTRUCTURE

SEC. 435. (a) The Secretary of Agriculture shall establish the ''Forest Service Operations'' account not later than October 1, 2020, for the necessary expenses of the Forest Service: (1) for the base salary and expenses of employees in the Chief's Office, the Work Environment and Performance Office, the Business Operations Deputy Area, and the Chief Financial Officer's Office to carry out administrative and general management support functions; (2) for the costs of facility maintenance, repairs, and leases for buildings and sites; (3) for the costs of utility and communication expenses, business services, and information technology, including cybersecurity requirements; and (4) for such other administrative support function expenses necessary for the operation of the Forest Service.

(b) Subsequent to the establishment of the account under subsection (a), the Secretary of Agriculture may execute appropriations of the Department for fiscal year 2021 as provided pursuant to such subsection, including any continuing appropriations made available for fiscal year 2021 before enactment of a regular appropriations Act.

(c) Notwithstanding any other provision of law, the Secretary of Agriculture may transfer any unobligated balances made available to the Forest Service by this or prior appropriations Acts to the account established under subsection (a) to carry out such subsection, and shall notify the Committees on Appropriations of the Senate and the House of Representatives within 5 days of such transfer: *Provided*, That no amounts may be transferred from amounts that were made available for wildfire suppression operations

pursuant to section 251(b)(2)(F) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d)(1) Not later than November 1, 2020, the Secretary of Agriculture shall establish the preliminary baseline for application of transfer authorities and submit the report specified in paragraph (2) to the Committees on Appropriations for the Senate and the House of Representatives.

(2) The report required in this subsection shall include—

(A) a delineation of the amount and account of each transfer made pursuant to subsection (b) or (c);

(B) a table for each appropriation with a separate column to display the fiscal year 2020 enacted levels, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and adjustments made pursuant to the transfer authority in subsection (b) or (c), and the resulting fiscal year level;

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

(D) an identification of funds directed for a specific activity.

TIMBER SALE REQUIREMENTS

SEC. 436. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON USE OF FUNDS

SEC. 437. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 438. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

FUNDING PROHIBITION

SEC. 439. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

POLICIES RELATING TO BIOMASS ENERGY

SEC. 440. To support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use;

(B) encourage private investment throughout the forest biomass supply chain, including in—

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

(vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

(D) recognize State initiatives to produce and use forest biomass.

SMALL REMOTE INCINERATORS

SEC. 441. None of the funds made available in this Act may be used to implement or enforce the regulation issued on March 21, 2011 at 40 CFR part 60 subparts CCCC and DDDD with respect to units in the State of Alaska that are defined as ''small, remote incinerator'' units in those regulations and, until a subsequent regulation is issued, the Administrator shall implement the law and regulations in effect prior to such date.

CHACO CANYON

SEC. 442. None of the funds made available by this Act may be used to accept a nomination for oil and gas leasing under 43 CFR 3120.3 et seq, or to offer for oil and gas leasing, any Federal lands within the withdrawal area identified on the map of the Chaco Culture National Historical Park prepared by the Bureau of Land Management and dated April 2, 2019, prior to the completion of the cultural resources investigation identified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

DAVID R. OBEY NORTHERN GREAT LAKES VISITOR CENTER

SEC. 443. (a) DESIGNATION.—The Northern Great Lakes Visitor Center located in Ashland, Wisconsin, the title to which is owned by the Forest Service, shall be known and designated as the ''David R. Obey Northern Great Lakes Visitor Center''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''David R. Obey Northern Great Lakes Visitor Center''.

This division may be cited as the ''Department of the Interior, Environment, and Related Agencies Appropriations Act, 2020''.

DIVISION E—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2020

TITLE I

LEGISLATIVE BRANCH

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $18,760; the President Pro Tempore of the Senate, $37,520; Majority Leader of the Senate, $39,920; Minority Leader of the Senate, $39,920; Majority Whip of the Senate, $9,980; Minority Whip of the Senate, $9,980; President Pro Tempore Emeritus, $15,000; Chairmen of the Majority and Minority Conference Committees, $4,690 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $4,690 for each Chairman; in all, $189,840.

For representation allowances of the Majority and Minority Leaders of the Senate, $14,070 for each such Leader; in all, $28,140.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $216,321,170, which shall be paid from this appropriation as follows:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $2,533,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $759,000.

OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS

For the Office of the President Pro Tempore Emeritus, $326,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $5,506,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $3,525,000.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $15,793,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,738,000 for each such committee; in all, $3,476,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $862,000.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,776,000 for each such committee; in all, $3,552,000.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $510,000.

OFFICE OF THE SECRETARY

For Office of the Secretary, $26,818,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $85,867,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,940,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $64,854,170.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $6,397,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,197,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $7,110; Sergeant at Arms and

Doorkeeper of the Senate, $7,110; Secretary for the Majority of the Senate, $7,110; Secretary for the Minority of the Senate, $7,110; in all, $28,440.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted under paragraph 1 of rule XXVI of the Standing Rules of the Senate, section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96–304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, $133,265,000, of which $26,650,000 shall remain available until September 30, 2022.

U.S. SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $508,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $14,536,000 of which $11,436,000 shall remain available until September 30, 2024 and of which $3,100,000 shall remain available until expended.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $128,753,000, which shall remain available until September 30, 2024.

MISCELLANEOUS ITEMS

For miscellaneous items, $18,871,410 which shall remain available until September 30, 2022.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $449,000,000 of which $20,128,950 shall remain available until September 30, 2022 and of which $6,000,000 shall be allocated solely for the purpose of providing financial compensation to Senate interns.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISION

REQUIRING AMOUNTS REMAINING IN SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 101. Notwithstanding any other provision of law, any amounts appropriated under this Act under the heading ''SENATE'' under the heading ''CONTINGENT EXPENSES OF THE SENATE'' under the heading ''SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT'' shall be available for obligation only during the fiscal year or fiscal years for which such amounts are made available. Any unexpended balances under such allowances remaining after the end of the period of availability shall be returned to the Treasury in accordance with the undesignated paragraph under the center heading ''GENERAL PROVISION'' under chapter XI of the Third Supplemental Appropriation Act, 1957 (2 U.S.C. 4107) and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $1,370,725,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $28,884,000, including: Office of the Speaker, $8,295,000, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,947,000, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $8,295,000, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $2,448,000, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $2,219,000, including $5,000 for official expenses of the Minority Whip; Republican Conference, $2,340,000; Democratic Caucus, $2,340,000: *Provided*, That such amount for salaries and expenses shall remain available from January 3, 2020 until January 2, 2021.

Members' Representational Allowances

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $615,000,000.

ALLOWANCE FOR COMPENSATION OF INTERNS IN MEMBER OFFICES

For the allowance established under section 120 of the Legislative Branch Appropriations Act, 2019 (2 U.S.C. 5322a) for the compensation of interns who serve in the offices of Members of the House of Representatives, $11,025,000, to remain available through December 31, 2020: *Provided*, That notwithstanding section 120(b) of such Act, an office of a Member of the House of Representatives may use not more than $25,000 of the allowance available under this heading during calendar year 2020.

ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE LEADERSHIP OFFICES

For the allowance established under section 113 of this Act for the compensation of interns who serve in House leadership offices, $365,000, to remain available through December 31, 2020: *Provided*, That of the amount provided under this heading, $200,000 shall be available for the compensation of interns who serve in House leadership offices of the majority, to be allocated among such offices by the Speaker of the House of Representatives, and $165,000 shall be available for the compensation of interns who serve in House leadership offices of the minority, to be allocated among such offices by the Minority Floor Leader.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $135,359,000: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2020, except that $2,850,000 of such amount shall remain available until expended for committee room upgrading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $24,269,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2020.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $231,903,000, including: for salaries and expenses of the Office of the Clerk, including the positions of the Chaplain and the Historian, and including not more than $25,000 for official representation and reception expenses, of which not more than $20,000 is for the Family Room and not more than $2,000 is for the Office of the Chaplain, $30,766,000, of which $1,500,000 shall remain available until expended; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than $3,000 for official representation and reception expenses, $20,225,000, of which $10,267,000 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than $3,000 for official representation and reception expenses, $153,550,000, of which $11,639,000 shall remain available until expended; for salaries and expenses of the Office of Diversity and Inclusion, $1,000,000; for salaries and expenses of the Office of the Whistleblower Ombudsman, $750,000; for salaries and expenses of the Office of the Inspector General, $5,019,000; for salaries and expenses of the Office of General Counsel, $1,751,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, $2,000 for preparing the Digest of Rules, and not more than $1,000 for official representation and reception expenses, $2,088,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $3,419,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $11,937,000; for salaries and expenses of the Office of Interparliamentary Affairs, $814,000; for other authorized employees, $584,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $323,920,000, including: supplies, materials, administrative costs and Federal tort claims, $1,526,000; official mail for committees, leadership offices, and administrative offices of the House, $190,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $294,377,000, to remain available until March 31, 2021; salaries and expenses for Business Continuity and Disaster Recovery, $17,668,000, of which $5,000,000 shall remain available until expended; transition activities for new members and staff, $4,489,000, to remain available until expended; Wounded Warrior Program and the Congressional Gold Star Family Fellowship Program, $3,000,000, to remain available until expended; Office of Congressional Ethics, $1,670,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $1,000,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 110. (a) Notwithstanding any other provision of law, any amounts appropriated under this Act for ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES'' shall be available only for fiscal year 2020. Any amount remaining after all payments are made under such allowances for fiscal year 2020 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) As used in this section, the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 111. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds $1,000 for the vehicle in any month.

ALLOWANCE FOR COMPENSATION OF INTERNS IN MEMBER OFFICES

SEC. 112. (a) Section 120(f) of the Legislative Branch Appropriations Act, 2019 (2 U.S.C. 5322a(f)) is amended by striking the period at the end and inserting the following: '', and such sums as may be necessary for fiscal year 2020 and each succeeding fiscal year.''.

(b) Section 101(c)(2) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 5507(c)(2)) is amended by striking ''and 'Office of the Attending Physician'.'' and inserting '' 'Office of the Attending Physician', and 'Allowance for Compensation of Interns in Member Offices'.''.

(c) The amendments made by this section shall take effect as if included in the enactment of section 120 of the Legislative Branch Appropriations Act, 2019 (2 U.S.C. 5322a).

ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE LEADERSHIP OFFICES

SEC. 113. (a) There is established for the House of Representatives an allowance which shall be available for the compensation of interns who serve in House leadership offices.

(b) Section 104(b) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5321(b)) shall apply with respect to an intern who is compensated under the allowance under this section in the same manner as such section applies with respect to an intern who is compensated under the Members' Representational Allowance.

(c) In this section—

(1) the term ''House leadership office'' means, with respect to a fiscal year, any office for which the appropriation for salaries and expenses of the office for the fiscal year is provided under the heading ''House Leadership Offices'' in the Act making appropriations for the Legislative Branch for the fiscal year; and

(2) term ''intern'', with respect to a House leadership office, has the meaning given such term with respect to a Member of the House of Representatives in section 104(c)(2) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5321(c)(2)).

(d) There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2020 and each succeeding fiscal year.

(e) Section 101(c)(2) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 5507(c)(2)), as amended by section 112(b), is further amended by striking '', and 'Allowance for Compensation of Interns in Member Offices'.'' and inserting '', 'Allowance for Compensation of Interns in Member Offices', and 'Allowance for Compensation of Interns in House Leadership Offices'.''.

(f) This section and the amendments made by this section shall apply with respect to fiscal year 2020 and each succeeding fiscal year.

CYBERSECURITY ASSISTANCE FOR HOUSE OF REPRESENTATIVES

SEC. 114. The head of any Federal entity that provides assistance to the House of Representatives in the House's efforts to deter, prevent, mitigate, or remediate cybersecurity risks to, and incidents involving, the information systems of the House shall take all necessary steps to ensure the constitutional integrity of the separate branches of the government at all stages of providing the assistance, including applying minimization procedures to limit the spread or sharing of privileged House and Member information.

RESCISSIONS OF FUNDS

SEC. 115. (a) Of the unobligated balances available from prior appropriations Acts from the revolving fund established under House Resolution 94, Ninety-Eighth Congress, agreed to February 8, 1983, as enacted into permanent law by section 110 of the Congressional Operations Appropriations Act, 1984 (2 U.S.C. 4917), $1,000,000 is hereby rescinded.

(b) Of the unobligated balances available from prior appropriations Acts from the revolving fund established in the item relating to ''Stationery'' under the heading ''House of Representatives, Contingent Expenses of the House'' in the first section of the Legislative Branch Appropriation Act, 1948 (2 U.S.C. 5534), $4,000,000 is hereby rescinded.

USE OF AVAILABLE BALANCES OF EXPIRED APPROPRIATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 116. (a) Subject to section 119 of the Legislative Branch Appropriations Act, 2018 (2 U.S.C. 5511), available balances of expired appropriations for the House of Representatives shall be available to the House of Representatives—

(1) for the payment of a death gratuity which is specifically appropriated by law and which is made in connection with the death of an employee of the House of Representatives, without regard to the fiscal year in which the payment is made; and

(2) for deposit into the account established under section 109 of the Legislative Branch Appropriations Act, 1998 (2 U.S.C. 5508) for making payments of the House of Representatives to the Employees' Compensation Fund under section 8147 of title 5, United States Code, and for reimbursing the Secretary of Labor for any amounts paid with respect to unemployment compensation payments for former employees of the House.

(b) This section shall apply with respect to funds appropriated or otherwise made available in fiscal year 2020 and each succeeding fiscal year.

REDUCTION IN AMOUNT OF TUITION CHARGED FOR CHILDREN OF EMPLOYEES OF HOUSE CHILD CARE CENTER

SEC. 117. (a) Section 312(d) of the Legislative Branch Appropriations Act, 1992 (2 U.S.C. 2062(d)) is amended by adding at the end the following new paragraph:

''(4) In the case of a child of an employee of the center who is furnished care at the center, the Chief Administrative Officer shall reduce the amount of tuition otherwise charged with respect to such child during a month by the greater of—

''(A) 50 percent; or

''(B) such percentage as may be necessary to ensure that the total amount of tuition paid by the employee with respect to all children of the employee who are furnished care at the center during the month does not exceed $1,000.''.

(b) Section 312(d)(2) of such Act (2 U.S.C. 2062(d)(2)) is amended by inserting after ''similar benefits and programs'' the following: ''(including the subsidies provided on behalf of employees of the center as a result of reductions in the amount of tuition otherwise charged with respect to children of such employees under paragraph (4))''.

(c) The amendments made by this section shall apply with respect to fiscal year 2020 and each succeeding fiscal year.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $4,203,000, to be disbursed by the Secretary of the Senate.

JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES OF 2021

For salaries and expenses associated with conducting the inaugural ceremonies of the President and Vice President of the United States, January 20, 2021, in accordance with such program as may be adopted by the joint congressional committee authorized to conduct the inaugural ceremonies of 2021, $1,500,000 to be disbursed by the Secretary of the Senate and to remain available until September 30, 2021: *Provided*, That funds made available under this heading shall be available for payment, on a direct or reimbursable basis, whether incurred on, before, or after, October 1, 2020: *Provided further*, That the compensation of any employee of the Committee on Rules and Administration of the Senate who has been designated to perform service with respect to the inaugural ceremonies of 2021 shall continue to be paid by the Committee on Rules and Administration, but the account from which such staff member is paid may be reimbursed for the services of the staff member out of funds made available under this heading: *Provided further*, That there are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary, without fiscal year limitation, for agency contributions related to the compensation of employees of the joint congressional committee.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $11,563,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of $2,175 per month to the Attending Physician;

(2) an allowance of $1,300 per month to the Senior Medical Officer;

(3) an allowance of $725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of $725 per month to 2 assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) $2,800,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $3,868,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, $1,509,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty

pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $379,062,000 of which overtime shall not exceed $47,048,000 unless the Committee on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $85,279,000, to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2020 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISION

SEC. 120. Section 908(c) of the Emergency Supplemental Act, 2002 (2 U.S.C. 1926(c)), is amended by striking ''$40,000'' and inserting ''$60,000''.

OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS

SALARIES AND EXPENSES

For salaries and expenses necessary for the operation of the Office of Congressional Workplace Rights, $6,333,000, of which $1,000,000 shall remain available until September 30, 2021, and of which not more than $1,000 may be expended on the certification of the Executive Director in connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $54,941,000: *Provided*, That the Director shall use not less than $500,000 of the amount made available under this heading for (1) improving technical systems, processes, and models for the purpose of improving the transparency of estimates of budgetary effects to Members of Congress, employees of Members of Congress, and the public, and (2) to increase the availability of models, economic assumptions, and data for Members of Congress, employees of Members of Congress, and the public.

ARCHITECT OF THE CAPITOL

CAPITAL CONSTRUCTION AND OPERATIONS

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for all necessary expenses for surveys and studies, construction, operation, and general and administrative support in connection with facilities and activities under the care of the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $120,000,000.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $68,878,000, of which $40,899,000 shall remain available until September 30, 2024.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $15,024,000, of which $3,000,000 shall remain available until September 30, 2024.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $88,424,000, of which $23,100,000 shall remain available until September 30, 2024.

HOUSE OFFICE BUILDINGS

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses for the maintenance, care and operation of the House office buildings, $153,273,000, of which $30,300,000 shall remain available until September 30, 2024, and of which $62,000,000 shall remain available until expended for the restoration and renovation of the Cannon House Office Building*: Provided*, That of the amount made available under this heading, $8,000,000 shall be derived by transfer from the House Office Building Fund established under section 176(d) of the Continuing Appropriations Act, 2017, as added by section 101(3) of the Further Continuing Appropriation Act, 2017 (Public Law 114–254; 2 U.S.C. 2001 note).

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Publishing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $98,957,000, of which $15,300,000 shall remain available until September 30, 2024: *Provided*, That not more than $10,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2020.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $55,746,000, of which $25,200,000 shall remain available until September 30, 2024.

CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computing Facility, and Architect of the Capitol security operations, $55,216,000, of which $28,000,000 shall remain available until September 30, 2024.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $16,094,000, of which $4,000,000 shall remain available until September 30, 2024: *Provided*, That, of the amount made available under this heading, the Architect of the Capitol may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, $24,321,000.

ADMINISTRATIVE PROVISION

NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 130. None of the funds made available in this Act for the Architect of the Capitol may be used to make incentive or award payments to contractors for work on contracts or programs for which the contractor is behind schedule or over budget, unless the Architect of the Capitol, or agency-employed designee, 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.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; information technology services provided centrally; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $504,164,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2020, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150): *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $6,000,000: *Provided further*, That of the total amount appropriated, not more than $18,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses, including for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, $9,110,000 shall remain available until expended for the

digital collections and educational curricula program: *Provided further*, That of the total amount appropriated, $1,350,000 shall remain available until expended for upgrade of the Legislative Branch Financial Management System: *Provided further*, That of the total amount appropriated, $250,000 shall remain available until expended for the Surplus Books Program to promote the program and facilitate a greater number of donations to eligible entities across the United States: *Provided further*, That of the total amount appropriated, $3,587,000 shall remain available until expended for the Veterans History Project to continue digitization efforts of already collected materials, reach a greater number of veterans to record their stories, and promote public access to the Project: *Provided further*, That of the total amount appropriated, $10,000,000 shall remain available until expended for the development of the Library's Visitor Experience project, and may be obligated and expended only upon approval by the Subcommittee on the Legislative Branch of the Committee on Appropriations of the House of Representatives and by the Subcommittee on the Legislative Branch of the Committee on Appropriations of the Senate.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, $91,840,000, of which not more than $43,221,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2020 under sections 708(d) and 1316 of title 17, United States Code: *Provided*, That the Copyright Office may not obligate or expend any funds derived from collections under such section in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than $6,482,000 shall be derived from collections during fiscal year 2020 under sections 111(d)(2), 119(b)(3), 803(e), and 1005 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $49,703,000: *Provided further*, That of the funds provided under this heading, not less than $17,100,000 is for modernization initiatives, of which $10,000,000 shall remain available until September 30, 2021: *Provided further*, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than $6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That, notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $120,495,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate: *Provided further*, That this prohibition does not apply to publication of nonconfidential Congressional Research Service (CRS) products: *Provided further*, That a nonconfidential CRS product includes any written product containing research or analysis that is currently available for general congressional access on the CRS Congressional Intranet, or that would be made available on the CRS Congressional Intranet in the normal course of business and does not include material prepared in response to Congressional requests for confidential analysis or research.

NATIONAL LIBRARY SERVICE FOR THE BLIND AND PRINT DISABLED

SALARIES AND EXPENSES

For all necessary expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $58,563,000: *Provided*, That of the total amount appropriated, $650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISION

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 140. (a) IN GENERAL.—For fiscal year 2020, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $231,975,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $79,000,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That unobligated or unexpended balances of expired discretionary funds made available under this heading in this Act for this fiscal year may be transferred to, and merged with, funds under the heading ''Government Publishing Office Business Operations Revolving Fund'' no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated, to be available for carrying out the purposes of this heading, subject to the approval of the Committee on Appropriations of the House of Representatives and the Senate: *Provided further*, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

PUBLIC INFORMATION PROGRAMS OF THE SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the public information programs of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications in any format, and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $31,296,000: *Provided*, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2018 and 2019 to depository and other designated libraries: *Provided further*, That unobligated or unexpended balances of expired discretionary funds made available under this heading in this Act for this fiscal year may be transferred to, and merged with, funds under the heading ''Government Publishing Office Business Operations Revolving Fund'' no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated, to be available for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and the Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, $6,704,000, to remain available until expended, for information technology development and facilities repair: *Provided*, That the Government Publishing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Publishing Office Business Operations Revolving Fund: *Provided further*, That not more than $7,500 may be expended on the certification of the Director of the Government Publishing Office in connection with official representation and reception expenses: *Provided further*, That the Business Operations Revolving Fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Director of the Government Publishing Office shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the Business Operations Revolving Fund shall be available for temporary or intermittent services under

section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That activities financed through the Business Operations Revolving Fund may provide information in any format: *Provided further*, That the Business Operations Revolving Fund and the funds provided under the heading ''Public Information Programs of the Superintendent of Documents'' may not be used for contracted security services at Government Publishing Office's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $630,000,000: *Provided*, That, in addition, $24,800,000 of payments received under sections 782, 791, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), $5,900,000: *Provided*, That funds made available to support Russian participants shall only be used for those engaging in free market development, humanitarian activities, and civic engagement, and shall not be used for officials of the central government of Russia.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), $430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2020 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under 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 under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

LIMITATION ON TRANSFERS

SEC. 206. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 207. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate, unless through regulations as authorized by section 402(b)(8) of the Capitol Visitor Center Act of 2008 (2 U.S.C. 2242(b)(8)).

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

LIMITATION ON TELECOMMUNICATIONS EQUIPMENT PROCUREMENT

SEC. 208. (a) None of the funds appropriated or otherwise made available under this Act may be used to acquire telecommunications equipment produced by Huawei Technologies Company, ZTE Corporation or 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, office, or other entity acquiring the equipment or system has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST 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 Federal Bureau of Investigation and other appropriate agencies; and

(3) in consultation with the Federal Bureau of Investigation 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 and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the Federal Bureau of Investigation, that the acquisition of such system is in the vital national security interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate in a manner that identifies the system intended for acquisition and a detailed description of the mitigation strategies identified in paragraph (1), provided that such report may include a classified annex as necessary.

PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

SEC. 209. (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 or other official government activities.

PLASTIC WASTE REDUCTION

SEC. 210. All agencies and offices funded by this division that contract with a food service provider or providers shall confer and coordinate with such food service provider or providers, in consultation with disability advocacy groups, to eliminate or reduce plastic waste, including waste from plastic straws, explore the use of biodegradable items, and increase recycling and composting opportunities.

ADJUSTMENT TO NORMAL COST PERCENTAGE RATES

SEC. 211. Section 8423(a)(1)(B)(i) of title 5, United States Code, is amended by inserting ''(including a separate normal-cost percentage for Congressional employees that are members of the Capitol Police covered under subsection (d) of section 8412 and subsection (c) of section 8425)'' after ''Congressional employees''.

CONGRESSIONAL STAFF COMPENSATION

SEC. 212. (a) SENATE.—

(1) CHANGE IN MAXIMUM RATES.—

(A) IN GENERAL.—Section 105 of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575) is amended—

(i) in subsection (d)(2), in the second sentence, by striking ''or in excess'' and all that follows through ''per annum.'' and inserting ''or in excess of $173,900.'';

(ii) in subsection (e)(3)(B), by striking ''in excess of'' and all that follows and inserting ''in excess of $173,900.''; and

(iii) in subsection (f), in the first sentence, by striking ''or in excess'' and all that follows through ''unless expressly'' and inserting ''or in excess of $173,900, unless expressly''.

(B) AUTHORITY FOR STATUTORY EMPLOYEES.—

(i) FIXED SALARY POSITIONS.—For any position for which the Secretary of the Senate disburses the pay for the position and for which the specific amount of the rate of pay for the particular position is fixed by statute on the day before the effective date of the amendments made by this section, on and after such effective date the amount of the rate of pay for such position shall be fixed by the President pro tempore in an amount not to exceed the maximum rate of pay in effect under section 105(f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(f)).

(ii) POSITIONS WITH MAXIMUMS.—For any position for which the Secretary of the Senate disburses the pay for the position and for which the maximum rate of pay for the particular position is fixed by statute on the day before the effective date of the amendments made by this section, on and after such effective date the maximum rate of pay for such position shall be fixed by the President pro tempore, which shall not exceed the maximum rate of pay in effect under section 105(f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(f)).

(2) ADJUSTMENTS.—

(A) IN GENERAL.—Section 4 of the Federal Pay Comparability Act of 1970 (2 U.S.C. 4571) is amended—

(i) in subsection (a)—

(I) in paragraph (1)—

(aa) in subparagraph (A), by striking ''or'' at the end; and

(bb) by striking subparagraph (B) and inserting the following:

''(B) in the case of such personnel appointed to positions for which the rates of pay for the particular positions were fixed by or pursuant to law at specific rates on the day before the effective date of the amendments made by section 212 of the Legislative Branch Appropriations Act, 2020, adjust such rates; and

''(C) in the case of such personnel appointed to positions for which the maximum rates of pay for the particular positions were fixed by or pursuant to law on the day before such effective date, adjust such maximum rates; and''; and

(II) in the matter following paragraph (2)—

(aa) by striking ''and with such exceptions as may be necessary to provide for appropriate pay relationships between positions''; and

(bb) by striking ''to restore'' and all that follows through ''between positions.'' and inserting ''to maintain the pay relationships that existed on the effective date of the amendments made by section 212 of the Legislative Branch Appropriations Act, 2020 between the maximum rate of pay for Senate personnel and Senators.''; and

(ii) in subsection (d), by striking ''to restore'' and all that follows and inserting ''to maintain the pay relationships that existed on the effective date of the amendments made by section 212 of the Legislative Branch Appropriations Act, 2020 between the maximum rate of pay for Senate personnel and Senators.''.

(B) OTHER ADJUSTMENTS.—Section 315(a) of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 4573(a)) is amended by striking ''to the extent necessary to maintain'' and all that follows and inserting ''(including such personnel appointed to positions for which the specific amount of the rate of pay for the particular position is fixed by statute on the day before the effective date of the amendments made by section 212 of the Legislative Branch Appropriations Act, 2020 and such personnel appointed to positions for which the maximum rates of pay for the particular positions were fixed by or pursuant to law on the day before such effective date) to the extent necessary to maintain the pay relationships that existed on such effective date between the maximum rate of pay for Senate personnel and Senators.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 105 of the Legislative Branch Appropriation Act, 1976 (Public Law 94–59; 89 Stat. 275) is repealed.

(B) Section 201(a)(5)(A) of the Congressional Budget Act of 1974 (2 U.S.C. 601(a)(5)(A)) is amended by striking ''the lower of—'' and all that follows and inserting ''the maximum rate of pay in effect under section 105(f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(f)).''.

(C) Section 302(a)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1382(a)(2)(B)) is amended by striking ''the lesser of—'' and all that follows and inserting ''the maximum rate of pay in effect under section 105(f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(f)).''.

(D) The first section of the Act entitled ''An Act to fix the annual rates of pay for the Architect of the Capitol and the Assistant Architect of the Capitol'' (2 U.S.C. 1802) is amended to read as follows:

''SECTION 1. COMPENSATION.

''The compensation of the Architect of the Capitol shall be at an annual rate which is equal to the maximum rate of pay in effect under section 105(f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(f)).''.

(E) Subsection (c) of the first section of the Act entitled ''An Act to establish by law the position of Chief of the Capitol Police, and for other purposes'' (2 U.S.C. 1902) is amended by striking ''the lower of'' and all that follows and inserting ''the maximum rate of pay in effect under section 105(f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(f)).''.

(F) Senate Resolution 89, 100th Congress, agreed to January 28, 1987, as enacted into law by section 9 of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 6133), is amended in subsection (a) of the first section by striking ''by the appropriate Leader'' and all that follows and inserting ''by the appropriate Leader.''.

(G) Section 2(a) of the Legislative Branch Appropriations Act, 1988 (as enacted into law by section 101(i) of Public Law 100–202 (101 Stat. 1329–290)) (2 U.S.C. 6651) is repealed.

(H) Section 203(g) of the Federal Legislative Salary Act of 1964 (Public Law 88–426; 78 Stat. 415) is repealed.

(I) Section 701 of the Ethics in Government Act of 1978 (2 U.S.C. 288) is amended—

(i) by striking paragraph (4) of subsection (a); and

(ii) in subsection (b)(1), by striking the second sentence.

(b) HOUSE OF REPRESENTATIVES.—

(1) ADJUSTMENTS BY SPEAKER OF THE HOUSE.—Section 311(d) of the Legislative Branch Appropriations Act, 1988 (as enacted into law by section 101(i) of Public Law 100–202 (101 Stat. 1329–290)) (2 U.S.C. 4532) is amended—

(A) in paragraph (1)—

(i) by striking ''and'' at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(iii) by adding at the end the following new subparagraph:

''(C) the maintenance of the pay relationship described in paragraph (3).'';

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph:

''(3) The pay relationship described in this paragraph is the relationship in existence as of the effective date of the amendments made by section 212 of the Legislative Branch Appropriations Act, 2020 between—

''(A) an annual rate of pay of $173,900; and

''(B) the annual rate of pay of a Member of the House of Representatives who is not the Speaker, Majority Leader, or Minority Leader of the House.''.

(2) PAY ADJUSTMENTS BY CHIEF ADMINISTRATIVE OFFICER.—Section 4(e) of the Federal Pay Comparability Act of 1970 (2 U.S.C. 4531(e)) is amended to read as follows:

''(e) No rate of pay for any position shall be adjusted under this section to an amount in excess of the rate of pay in effect for such position under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532).''.

(3) CERTAIN POSITIONS OF THE HOUSE OF REPRESENTATIVES.—

(A) LEGISLATIVE COUNSEL.—Section 523 of the Legislative Reorganization Act of 1970 (2 U.S.C. 282b) is amended—

(i) in subsection (a), by striking ''equal to the rate of basic pay'' and all that follows and inserting ''equal to the greater of $173,900 or the rate of pay in effect for such position under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532).''; and

(ii) in subsection (b), by striking ''in excess of the rate of basic pay'' and all that follows and inserting ''in excess of the applicable rate of pay in effect under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532).''.

(B) LAW REVISION COUNSEL.—Section 205(f) of House Resolution 988, 93rd Congress, agreed to October 8, 1974, as enacted into law by the matter under the heading ''ADMINISTRATIVE PROVISIONS'' under the heading ''HOUSE OF REPRESENTATIVES'' under chapter III of title I of the Supplemental Appropriations Act, 1975 (2 U.S.C. 285e), is amended by striking ''Law Revision Counsel shall be paid'' and all that follows and inserting ''Law Revision Counsel shall be paid at a per annum gross rate determined by the Speaker not to exceed the greater of $173,900 or the rate of pay in effect for such position under an order issued by the Speaker pursuant to the authority of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532); and members of the staff of the Office other than the Law Revision Counsel shall be paid at per annum gross

rates fixed by the Law Revision Counsel with the approval of the Speaker or in accordance with policies approved by the Speaker, but not in excess of the applicable rate of pay in effect under an order issued by the Speaker pursuant to the authority of such section.''.

(C) PARLIAMENTARIAN.—Section 4 of House Resolution 502, 95th Congress, agreed to April 20, 1977, as enacted into law by section 115 of the Legislative Branch Appropriation Act, 1978 (2 U.S.C. 287c), is amended—

(i) in subsection (a), by striking ''but not in excess'' and all that follows and inserting ''but not in excess of the greater of $173,900 or the rate of pay in effect for such position under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532).''; and

(ii) in subsection (b), by striking '', but not in excess of the rate of basic pay set forth in subsection (a)'' and inserting ''but not in excess of the applicable rate of pay in effect under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532)''.

(D) CHAPLAIN.—Section 3 of House Resolution 661, 95th Congress, agreed to July 29, 1977, as enacted into law by section 111 of the Legislative Branch Appropriation Act, 1979 (2 U.S.C. 5521), is amended by striking section 3 and inserting the following:

''SEC. 3. The maximum per year gross rate of compensation of the Chaplain of the House of Representatives shall not exceed the greater of $173,900 or the rate of pay in effect for such position under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532).''.

(E) CERTAIN LEADERSHIP EMPLOYEES.—Subsection (b) of the first section of House Resolution 393, 95th Congress, agreed to March 31, 1977, as enacted into law by section 115 of the Legislative Branch Appropriation Act, 1978 (2 U.S.C. 5141(b)), is amended by striking ''The annual rate'' and all that follows through ''United States Code,'' and inserting the following: ''The maximum annual rate of compensation for any individual employed under subsection (a) shall not exceed the greater of $173,900 or the applicable rate of pay in effect under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532),''.

(4) CHIEF OF STAFF OF JOINT COMMITTEE ON TAXATION.—Section 214(e) of the Postal Revenue and Federal Salary Act of 1967 (2 U.S.C. 4302) is amended by striking ''The per annum rate of compensation'' and all that follows through the period at the end and inserting the following: ''The maximum annual rate of compensation of the Chief of Staff of the Joint Committee on Taxation shall not exceed the greater of $173,900 or the rate of pay in effect for such position under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 4532).''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the later of—

(1) the first day of the first applicable pay period beginning on or after January 1, 2020; or

(2) the first day of the first applicable pay period beginning on or after the date of enactment of this Act.

This division may be cited as the ''Legislative Branch Appropriations Act, 2020''.

DIVISION F—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

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, $1,178,499,000, 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, $2,449,632,000, 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, $1,687,230,000, 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, $2,362,529,000, 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 $298,655,000 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, $164,471,000, 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, $357,907,000.

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, $317,870,000.

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, $295,016,000.

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.

DEPARTMENT OF DEFENSE 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 $35,000 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: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

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 ''Foreign 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'', $374,529,000;

''Military Construction, Air Force'', $288,200,000;

''Military Construction, Army National Guard'', $155,000,000;

''Military Construction, Air National Guard'', $57,000,000;

''Military Construction, Air Force Reserve'', $24,800,000; and

''Military Construction, Defense-Wide'', $66,880,000:

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.

(RESCISSIONS 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; and

''NATO Security Investment Program'', $25,000,000:

Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

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. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

SEC. 128. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force: (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress (''the Committees'') a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: *Provided*, That the term ''United States'' in this section does not include any territory or possession of the United States.

SEC. 129. 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.

SEC. 130. For an additional amount for the accounts and in the amounts specified for planning and design, for improving military installation resilience, to remain available until September 30, 2024:

''Military Construction, Army'', $20,000,000;

''Military Construction, Navy and Marine Corps'', $35,000,000; and

''Military Construction, Air Force'', $20,000,000:

Provided, That not later than 60 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: *Provided further*, That the Secretary of the military department concerned may not obligate or expend any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

SEC. 131. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2021:

''Family Housing Operation and Maintenance, Army'', $50,000,000;

''Family Housing Operation and Maintenance, Navy and Marine Corps'', $59,600,000; and

''Family Housing Operation and Maintenance, Air Force'', $31,200,000.

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, $1,439,931,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2019; and, $118,246,975,000 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 of title 38, United States Code, $17,620,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2019, to remain available until expended; and, in addition, $129,224,000, shall become available on October 1, 2020, and shall remain available until expended.

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, $3,125,000,000: *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, bioengineering services, food services, and salaries and expenses of healthcare employees hired under 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; $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 written 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 that became available on October 1, 2019, under this heading, not less than $585,000,000 shall be for gender-specific care for women.

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 became 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: *Provided further*, That $615,000,000 of the additional amounts provided for fiscal year 2020 under this heading in this Act shall be derived by transfer from the Veterans Choice Fund pursuant to the authority in section 802(c)(4) of the Veterans Access, Choice, and Accountability Act of 2014, as amended (38 U.S.C. 1701 note), from prior year unobligated balances in that Fund that were provided by section 510 of the VA MISSION Act of 2018 (Public Law 115–182).

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 became 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; $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, $800,000,000, plus reimbursements, shall remain available until September 30, 2021: *Provided*, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading are available for prosthetic research specifically for female veterans, and for toxic exposure research.

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, $355,911,000, 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, $4,371,615,000, 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 $2,739,597,000 shall be for operations and maintenance, of which not to exceed 5 percent shall remain available until September 30, 2021: *Provided further*, That $427,780,000 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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated 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, $1,500,000,000, 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.), $210,000,000, 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, $398,800,000, 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, $90,000,000, 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. 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: *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. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. 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. 225. 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. 226. 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. 227. 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. 228. 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. 229. 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. 230. 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. 231. 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. 232. (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.

(c)(1) The Secretary of Veterans Affairs shall conduct a study on the effectiveness of the hotline specified in subsection (a) during the five-year period beginning on January 1, 2016, based on an analysis of national suicide data and data collected from such hotline.

(2) At a minimum, the study required by paragraph (1) shall—

(A) determine the number of veterans who contact the hotline specified in subsection (a) and who receive follow up services from the hotline or mental health services from the Department of Veterans Affairs thereafter;

(B) determine the number of veterans who contact the hotline who are not referred to, or do not continue receiving, mental health care who commit suicide; and

(C) determine the number of veterans described in subparagraph (A) who commit or attempt suicide.

SEC. 233. 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 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 any VISN, which have been authorized or approved by Congress.

SEC. 234. 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. 235. (a) Notwithstanding any other provision of law, the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the ''Medical Services'' account may be used to 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) In this section:

(1) The term ''service-connected'' has the meaning given such term in section 101 of title 38, United States Code.

(2) The term ''covered veteran'' means a veteran, as such term is defined in section 101 of title 38, United States Code, who has a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment.

(3) 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, United States Code, 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, including any limitations on the amount of such benefits available to such a member except that—

(A) the time 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.

(4) 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 Act 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.

(c) Amounts made available for the purposes specified in subsection (a) of this section are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2018 (Public Law 115–141).

SEC. 236. 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. 237. 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. 238. (a) Except as provided in subsection (b), the Secretary of Veterans Affairs, in consultation 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 if and 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. 239. 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. 240. 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. 241. 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. 242. 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. 243. 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. 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. For funds provided to the Department of Veterans Affairs for each of fiscal year 2020 and 2021, section 248 of Division A of Public Law 114–223 shall apply.

SEC. 246. (a) The Secretary of Veterans Affairs may use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time employment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including—

(1) an assessment of the veteran-to-staff ratio for each such program; and

(2) recommendations for such action as the Secretary considers necessary to reduce the veteran-to-staff ratio for each such program.

SEC. 247. 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. 248. 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. 249. (a) None of the funds appropriated or otherwise made available by this Act may be used to conduct research commencing on or after October 1, 2019, that uses any canine, feline, or non-human primate unless the Secretary of Veterans Affairs approves such research specifically and in writing pursuant to subsection (b).

(b)(1) The Secretary of Veterans Affairs may approve the conduct of research commencing on or after October 1, 2019, using canines, felines, or non-human primates if the Secretary determines that—

(A) the scientific objectives of the research can only be met by using such canines, felines, or non-human primates;

(B) such scientific objectives are directly related to an illness or injury that is combat-related; and

(C) the research is consistent with the revised Department of Veterans Affairs canine research policy document dated December 15, 2017, including any subsequent revisions to such document.

(2) The Secretary may not delegate the authority under this subsection.

(c) If the Secretary approves any new research pursuant to subsection (b), not later than 30 days before the commencement of such research, the Secretary shall submit to the Committees on Appropriations of the Senate and House of Representatives a report describing—

(1) the nature of the research to be conducted using canines, felines, or non-human primates;

(2) the date on which the Secretary approved the research;

(3) the justification for the determination of the Secretary that the scientific objectives of such research could only be met using canines, felines, or non-human primates;

(4) the frequency and duration of such research; and

(5) the protocols in place to ensure the necessity, safety, and efficacy of the research; and

(d) Not later than 180 days after the date of the enactment of this Act, and biannually thereafter, the Secretary shall submit to such Committees a report describing—

(1) any research being conducted by the Department of Veterans Affairs using canines, felines, or non-human primates as of the date of the submittal of the report;

(2) the circumstances under which such research was conducted using canines, felines, or non-human primates;

(3) the justification for using canines, felines, or non-human primates to conduct such research; and

(4) the protocols in place to ensure the necessity, safety, and efficacy of such research.

(e) Not later than December 31, 2020, the Secretary shall submit to such Committees a plan under which the Secretary will eliminate or reduce the research conducted using canines, felines, or non-human primates by not later than five years after the date of the enactment of this Act.

SEC. 250. 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. 251. (a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a plan to reduce the chances that clinical mistakes by employees of the Department of Veterans Affairs will result in adverse events that require institutional or clinical disclosures and to prevent any unnecessary hardship for patients and families impacted by such adverse events.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) A description of a process for the timely identification of individuals impacted by disclosures described in subsection (a) and the process for contacting those individuals or their next of kin.

(2) A description of procedures for expediting any remedial or follow-up care required for those individuals.

(3) A detailed outline of proposed changes to the process of the Department for clinical quality checks and oversight.

(4) A communication plan to ensure all facilities of the Department are made aware of any requirements updated pursuant to the plan.

(5) A timeline detailing the implementation of the plan.

(6) An identification of the senior executive of the Department responsible for ensuring compliance with the plan.

(7) An identification of potential impacts of the plan on timely diagnoses for patients.

(8) An identification of the processes and procedures for employees of the Department to make leadership at the facility and the Department aware of adverse events that are concerning and that result in disclosures and to ensure that the medical impact on veterans of such disclosures is minimized.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans' Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

SEC. 252. (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.

(RESCISSIONS OF FUNDS)

SEC. 253. Of the unobligated balances available to the Department of Veterans Affairs from prior appropriations Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

''Veterans Health Administration, Medical Services'', $350,000,000;

''Veterans Health Administration, Medical Support and Compliance'', $10,000,000;

''Veterans Health Administration, Medical and Prosthetic Research'', $50,000,000;

''Veterans Health Administration, DOD-VA Health Care Sharing Incentive Fund'', $15,949,000;

''National Cemetery Administration'', $1,000,000;

''Departmental Administration, Board of Veterans Appeals'', $8,000,000; and

''Departmental Administration, Veterans Electronic Health Record'', $70,000,000:

Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 254. 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''.

(RESCISSION OF FUNDS)

SEC. 255. The remaining unobligated balances in the ''Department of Veterans Affairs—Departmental Administration—General Operating Expenses'' account from the following funds appropriated in Public Law 107–38 are hereby rescinded: *Provided*, That the amounts rescinded pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of that Act:

(1) funds subject to subsequent enactment and transferred pursuant to chapter 13 of division B of Public Law 107–117; and

(2) funds made available and subsequently transferred pursuant to the first proviso under the heading ''Executive Office of the President and Funds Appropriated to the President—Emergency Response Fund''.

SEC. 256. Amounts made available for the ''Veterans Health Administration, Medical Community Care'' account in this or any other Act for fiscal years 2020 and 2021 may be used for expenses that would otherwise be payable from the Veterans Choice Fund established by section 802 of the Veterans Access, Choice, and Accountability Act, as amended (38 U.S.C. 1701 note).

SEC. 257. Hereafter, the matter preceding the first proviso under the heading ''Veterans Health Administration, Medical Services'' in title II of division C of Public Law 115–244 shall be applied for the purpose of the appropriations under that heading that became available on October 1, 2019, by striking ''aid to State homes as authorized by section 1741 of title 38, United States Code,''.

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, $84,100,000, 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.

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—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $75,300,000, of which $12,000,000 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—Gulfport, 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'', $111,968,000, 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.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $94,570,000, 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.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'' $391,988,000, 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.

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.

ADMINISTRATIVE PROVISION

SEC. 401. None of the funds appropriated for military construction projects outside the United States under this title may be obligated or expended for planning and design of any project associated with the European Deterrence Initiative until the Secretary of Defense develops and submits to the congressional defense committees, in a classified and unclassified format, a list of all of the military construction projects associated with the European Deterrence Initiative which the Secretary anticipates will be carried out during each of the fiscal years 2021 through 2025.

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'', $3,477,000,000, to remain available until September 30, 2024, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That none of the funds made available in this Act to the Navy and Marine Corps for such recovery efforts shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this Act, the Secretary of the Navy, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading in this title: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $2,605,200,000, to remain available until September 30, 2024, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That none of the funds made available in this Act to the Air Force for such recovery efforts shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this Act, the Secretary of the Air Force, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading in this title: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is

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

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for ''Military Construction, Defense-Wide'', $77,175,000, to remain available until September 30, 2024, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That none of the funds made available in this Act to the Department of Defense for such recovery efforts shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this Act, the Secretary of Defense, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading in this title: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for ''Military Construction, Army National Guard'', $66,000,000, to remain available until September 30, 2024, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding, tornadoes, and earthquakes occurring in fiscal year 2019: *Provided*, That none of the funds made available in this Act to the Army National Guard for such recovery efforts shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this Act, the Director of the Army National Guard, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading in this title: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, ARMY RESERVE

For an additional amount for ''Military Construction, Army Reserve'', $3,300,000, to remain available until September 30, 2024, for necessary expenses related to the consequences of Hurricanes Michael and Florence and flooding and earthquakes occurring in fiscal year 2019: *Provided*, That none of the funds made available in this Act to the Army Reserve for such recovery efforts shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this Act, the Secretary of the Army, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading in this title: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION

SEC. 501. Notwithstanding any other provision of law, funds made available under each heading in this title shall only be used for the purposes specifically described under that 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. 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. 613. None of the funds made available by this Act may be used in contravention of section 101(e)(8) of title 10, United States Code.

SEC. 614. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

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

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This division may be cited as the ''Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2020''.

DIVISION G—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2020

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, $9,125,687,000, of which $754,468,000 may remain available until September 30, 2021, and of which up to $4,095,899,000 may remain available until expended for Worldwide Security Protection: *Provided*, That of the amount made available under this heading for Worldwide Security Protection, $2,626,122,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of

1985: *Provided further*, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (62 Stat. 11; Chapter 36), $2,896,063,000, of which up to $509,782,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, $1,840,143,000.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation, and disarmament activities as authorized, $780,057,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $3,609,424,000, of which up to $3,586,117,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

(B) not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

(6) TRANSFER OF FUNDS, REPROGRAMMING, AND OTHER MATTERS.—

(A) Notwithstanding any other provision of this Act, funds may be reprogrammed within and between paragraphs (1) through (4) under this heading subject to section 7015 of this Act.

(B) Of the amount made available under this heading, not to exceed $10,000,000 may be transferred to, and merged with, funds made available by this Act under the heading ''Emergencies in the Diplomatic and Consular Service'', to be available only for emergency evacuations and rewards, as authorized.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to section 1108(g) of title 31, United States Code, for the field examination of programs and activities in the United States funded from any account contained in this title.

(7) CLARIFICATION.—References to the ''Diplomatic and Consular Programs'' account in any provision of law shall in this fiscal year, and each fiscal year thereafter, be construed to include the ''Diplomatic Programs'' account.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, as authorized, $139,500,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $90,829,000, of which $13,624,000 may remain available until September 30, 2021: *Provided*, That funds appropriated under this heading are made available notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post inspections.

In addition, for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight, $54,900,000, to remain available until September 30, 2021, which is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That funds appropriated under this heading that are made available for the printing and reproduction costs of SIGAR shall not exceed amounts for such costs during fiscal year 2019.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For necessary expenses of educational and cultural exchange programs, as authorized, $730,700,000, to remain available until expended, of which not less than $272,000,000 shall be for the Fulbright Program and not less than $111,860,000 shall be for Citizen Exchange Program: *Provided*, That fees or other payments received from, or in connection with, English teaching, educational advising and counseling programs, and exchange visitor programs as authorized may be credited to this account, to remain available until expended: *Provided further*, That a portion of the Fulbright awards from the Eurasia and Central Asia regions shall be designated as Edmund S. Muskie Fellowships, following consultation with the Committees on Appropriations: *Provided further*, That funds appropriated under this heading that are made available for the Benjamin Gilman International Scholarships Program shall also be made available for the John S. McCain Scholars Program, pursuant to section 7075 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6): *Provided further*, That funds appropriated under this heading shall be made available for a Civil Society Exchange Program, in accordance with the requirements specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), and following consultation with the Committees on Appropriations: *Provided further*, That any substantive modifications from the prior fiscal year to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

REPRESENTATION EXPENSES

For representation expenses as authorized, $7,212,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For necessary expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $30,890,000, to remain available until September 30, 2021.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), preserving, maintaining, repairing, and planning for real property that are owned or leased by the Department of State, and renovating, in addition to funds otherwise available, the Harry S Truman Building, $769,800,000, to remain available until September 30, 2024, of which not to exceed $25,000 may be used for overseas representation expenses as authorized: *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies of the United States Government.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $1,205,649,000, to remain available until expended, of which $424,087,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, as authorized, $7,885,000, to remain available until expended, of which not to exceed $1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading ''Repatriation Loans Program Account''.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,300,000, as authorized: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $5,563,619.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $31,963,000.

INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF COLUMBIA

Not to exceed $1,806,600 shall be derived from fees collected from other executive agencies for lease or use of facilities at the International Center in accordance with section 4 of the International Center Act (Public Law 90–553), and, in addition, as authorized by section 5 of such Act, $743,000, to be derived from the reserve authorized by such section, to be used for the purposes set out in that section.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized, $158,900,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions, or specific Acts of Congress, $1,473,806,000, of which $96,240,000, to remain available until September 30, 2021, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further*, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an

emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: *Provided further*, That any payment of arrearages under this heading shall be directed to activities that are mutually agreed upon by the United States and the respective international organization and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $1,526,383,000, of which $988,656,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That of the funds made available under this heading, up to $1,069,315,000 may remain available until September 30, 2021: *Provided further*, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified of: (1) the estimated cost and duration of the mission, the objectives of the mission, the national interest that will be served, and the exit strategy; and (2) the sources of funds, including any reprogrammings or transfers, that will be used to pay the cost of the new or expanded mission, and the estimated cost in future fiscal years: *Provided further*, That none of the funds appropriated under this heading may be made available for obligation unless the Secretary of State certifies and reports to the Committees on Appropriations on a peacekeeping mission-by-mission basis that the United Nations is implementing effective policies and procedures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation and abuse or other violations of human rights, and to hold accountable individuals who engage in such acts while participating in such mission, including prosecution in their home countries and making information about such prosecutions publicly available on the website of the United Nations: *Provided further*, That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: *Provided further*, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that United States manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interest of the United States and the President has submitted to Congress such a recommendation: *Provided further*, That the Secretary of State shall work with the United Nations and members of the United Nations Security Council to evaluate and prioritize peacekeeping missions, and to consider a drawdown when mission goals have been substantially achieved: *Provided further*, That any payment of arrearages with funds appropriated by this Act shall be subject to the regular notification procedures of the Committees on Appropriations.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation expenses; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $48,170,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $36,900,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by the North American Free Trade Agreement Implementation Act (Public Law 103–182), $15,008,000: *Provided*, That of the amount provided under this heading for the International Joint Commission, up to $1,250,000 may remain available until September 30, 2021, and up to $9,000 may be made available for representation expenses: *Provided further*, That of the amount provided under this heading for the International Boundary Commission, up to $1,000 may be made available for representation expenses.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $62,718,000: *Provided*, That the United States share of such expenses may be advanced to the respective commissions pursuant to section 3324 of title 31, United States Code.

RELATED AGENCY

UNITED STATES AGENCY FOR GLOBAL MEDIA

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the United States Agency for Global Media (USAGM), as authorized, to carry out international communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, $798,696,000: *Provided*, That in addition to amounts otherwise available for such purposes, up to $40,708,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $20,000,000 shall be for Internet freedom programs: *Provided further*, That of the total amount appropriated under this heading, not to exceed $35,000 may be used for representation expenses, of which $10,000 may be used for such expenses within the United States as authorized, and not to exceed $30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty: *Provided further*, That the USAGM shall notify the Committees on Appropriations within 15 days of any determination by the USAGM that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in subsections (a) and (b) of section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity's journalistic code of ethics: *Provided further*, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to $5,000,000 in receipts from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying out authorized purposes: *Provided further*, That significant modifications to USAGM broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all USAGM language services shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That up to $7,000,000 from the USAGM Buying Power Maintenance account may be transferred to, and merged with, funds appropriated by this Act under the heading ''International Broadcasting Operations'', which shall remain available until expended: *Provided further*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law and shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further*, That any reference to the ''Broadcasting Board of Governors'' or ''BBG'', including in any account providing amounts to the Broadcasting Board of Governors, in any Act making appropriations for the Department of State, foreign operations, and related programs enacted before, on, or after the date of the enactment of this Act shall for this fiscal year, and any fiscal year thereafter, be construed to mean the ''United States Agency for Global Media'' or ''USAGM'', respectively.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television, and digital transmission and reception; the purchase, rent, and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide, in addition to amounts otherwise available for such purposes, $11,700,000, to remain available until expended, as authorized, of which not less than $2,000,000 shall be made available for emergency repairs to USAGM transmitting stations.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22

U.S.C. 4402), $19,000,000, to remain available until expended: *Provided*, That funds appropriated under this heading shall be apportioned and obligated to the Foundation not later than 60 days after enactment of this Act.

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute of Peace, as authorized by the United States Institute of Peace Act (22 U.S.C. 4601 et seq.), $45,000,000, to remain available until September 30, 2021, which shall not be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

For necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, as authorized by section 633 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (22 U.S.C. 2078), the total amount of the interest and earnings accruing to such Fund on or before September 30, 2020, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2020, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by section 5376 of title 5, United States Code; or for purposes which are not in accordance with section 200 of title 2 of the Code of Federal Regulations, including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2020, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $16,700,000: *Provided*, That funds appropriated under this heading shall be apportioned and obligated to the Center not later than 60 days after enactment of this Act.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act (22 U.S.C. 4412), $300,000,000, to remain available until expended, of which $195,840,000 shall be allocated in the traditional and customary manner, including for the core institutes, and $104,160,000 shall be for democracy programs: *Provided*, That the requirements of section 7061(a) of this Act shall not apply to funds made available under this heading: *Provided further*, That funds appropriated under this heading shall be apportioned and obligated to the Endowment not later than 60 days after enactment of this Act.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, $675,000, as authorized by chapter 3123 of title 54, United States Code: *Provided*, That the Commission may procure temporary, intermittent, and other services notwithstanding paragraph (3) of section 312304(b) of such chapter: *Provided further*, That such authority shall terminate on October 1, 2020: *Provided further*, That the Commission shall notify the Committees on Appropriations prior to exercising such authority.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom (USCIRF), as authorized by title II of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.), $4,500,000, to remain available until September 30, 2021, including not more than $4,000 for representation expenses: *Provided*, That prior to the obligation of $1,000,000 of the funds appropriated under this heading, the Commission shall consult with the appropriate congressional committees on the status of legislation to reauthorize the Commission, and such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304 (22 U.S.C. 3001 et seq.), $2,579,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2021.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911 et seq.), $2,250,000, including not more than $3,000 for representation expenses, to remain available until September 30, 2021.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), $3,500,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2021: *Provided*, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall continue in effect during fiscal year 2020 and shall apply to funds appropriated under this heading.

TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $1,377,246,000, of which up to $206,587,000 may remain available until September 30, 2021: *Provided*, That none of the funds appropriated under this heading and under the heading ''Capital Investment Fund'' in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: *Provided further*, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to ''Operating Expenses'' in accordance with the provisions of those sections: *Provided further*, That of the funds appropriated or made available under this heading, not to exceed $250,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses, and not to exceed $100,500 shall be for official residence expenses, for USAID during the current fiscal year: *Provided further*, That the USAID Administrator shall consult with the Committees on Appropriations not later than 60 days after enactment of this Act on changes to the account structure as described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $210,300,000, to remain available until expended: *Provided*, That this amount is in addition to funds otherwise available for such purposes: *Provided further*, That funds appropriated under this heading shall be available subject to the regular notification procedures of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $75,500,000, of which up to $11,325,000 may remain available until September 30, 2021, for the Office of Inspector General of the United States Agency for International Development.

TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For necessary expenses to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, as follows:

GLOBAL HEALTH PROGRAMS

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $3,162,450,000, to remain available until September 30, 2021, and which shall be apportioned directly to the United States Agency for International Development not later than 60 days after enactment of this Act: *Provided*, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in

developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; (7) programs to prevent, prepare for, and respond to, unanticipated and emerging global health threats; and (8) family planning/reproductive health: *Provided further*, That funds appropriated under this paragraph may be made available for a United States contribution to The GAVI Alliance: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: *Provided further*, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds made available under this Act may be used to lobby for or against abortion: *Provided further*, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term ''motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $5,930,000,000, to remain available until September 30, 2024, which shall be apportioned directly to the Department of State not later than 60 days after enactment of this Act: *Provided*, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund): *Provided further*, That the amount of such contribution shall be $1,560,000,000 and shall be for the first installment of the sixth replenishment: *Provided further*, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2020 may be made available to USAID for technical assistance related to the activities of the Global Fund, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds appropriated under this paragraph, up to $17,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, 214, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, $3,400,000,000, to remain available until September 30, 2021: *Provided*, That funds made available under this heading shall be apportioned directly to the United States Agency for International Development not later than 60 days after enactment of this Act.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $4,395,362,000, to remain available until expended, of which $1,733,980,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That funds made available under this heading shall be apportioned to the United States Agency for International Development not later than 60 days after enactment of this Act.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development, pursuant to section 491 of the Foreign Assistance Act of 1961, and to support transition to democracy and long-term development of countries in crisis, $92,043,000, to remain available until expended: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the Secretary of State determines that it is important to the national interest of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

COMPLEX CRISES FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to support programs and activities administered by the United States Agency for International Development to prevent or respond to emerging or unforeseen foreign challenges and complex crises overseas, $30,000,000, to remain available until expended: *Provided*, That funds appropriated under this heading may be made available on such terms and conditions as are appropriate and necessary for the purposes of preventing or responding to such challenges and crises, except that no funds shall be made available for lethal assistance or to respond to natural disasters: *Provided further*, That funds appropriated under this heading may be made available notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961: *Provided further*, That funds appropriated under this heading may be used for administrative expenses, in addition to funds otherwise available for such purposes, except that such expenses may not exceed 5 percent of the funds appropriated under this heading: *Provided further*, That funds appropriated under this heading shall be apportioned to USAID not later than 60 days after enactment of this Act: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days prior to the obligation of funds.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $3,045,000,000, to remain available until September 30, 2021.

DEMOCRACY FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, including to carry out the purposes of section 502(b)(3) and (5) of Public Law 98–164 (22 U.S.C. 4411), $178,450,000, to remain available until September 30, 2021, which shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State, and shall be apportioned to such Bureau not later than 60 days after enactment of this Act: *Provided*, That funds appropriated under this heading that are made available to the National Endowment for Democracy and its core institutes are in addition to amounts otherwise available by this Act for such purposes: *Provided further*, That the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall consult with the Committees on Appropriations prior to the initial obligation of funds appropriated under this paragraph.

For an additional amount for such purposes, $95,250,000, to remain available until September 30, 2021, which shall be made available for the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development, and shall be apportioned to such Bureau not later than 60 days after enactment of this Act.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act (Public Law 102–511), and the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179), $770,334,000, to remain available until September 30, 2021, which shall be available, notwithstanding any other provision of law, except section 7047 of this Act, for assistance and related programs for countries identified in section 3 of the FREEDOM Support Act (22 U.S.C. 5801) and section 3(c) of the SEED Act of 1989 (22 U.S.C. 5402), in addition to funds otherwise available for such purposes: *Provided*, That funds appropriated by this Act under the headings ''Global Health Programs'', ''Economic Support Fund'', and ''International Narcotics Control and Law Enforcement'' that are made available for assistance for such countries shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 102 of the FREEDOM Support Act and section 601 of the SEED Act of 1989: *Provided further*, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance: *Provided further*, That funds appropriated under this heading may be made available for contributions to multilateral initiatives to counter hybrid threats: *Provided further*, That any notification of funds made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: *Provided further*, That if subsequent to the notification of assistance it becomes necessary to rely on notwithstanding authority, the Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601), and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.); allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $3,432,000,000, to remain available until expended, of which: $1,521,355,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; not less than $35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements; and $5,000,000 shall be made available for refugees resettling in Israel.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)), $100,000, to remain available until expended: *Provided*, That amounts in excess of the limitation contained in paragraph (2) of such section shall be transferred to, and merged with, funds made available by this Act under the heading ''Migration and Refugee Assistance''.

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501 et seq.), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $410,500,000, of which $6,330,000 is for the Office of Inspector General, to remain available until September 30, 2021: *Provided*, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by section 16 of the Peace Corps Act (22 U.S.C. 2515), an amount not to exceed $5,000,000: *Provided further*, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: *Provided further*, That of the funds appropriated under this heading, not to exceed $104,000 may be available for representation expenses, of which not to exceed $4,000 may be made available for entertainment expenses: *Provided further*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That notwithstanding the previous proviso, section 614 of division E of Public Law 113–76 shall apply to funds appropriated under this heading.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.) (MCA), $905,000,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, up to $105,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: *Provided further*, That section 605(e) of the MCA (22 U.S.C. 7704(e)) shall apply to funds appropriated under this heading: *Provided further*, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA (22 U.S.C. 7708) only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: *Provided further*, That no country should be eligible for a threshold program after such country has completed a country compact: *Provided further*, That of the funds appropriated under this heading, not to exceed $100,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $37,500,000, to remain available until September 30, 2021: *Provided*, That of the funds appropriated under this heading, not to exceed $2,000 may be available for representation expenses.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the African Development Foundation Act (title V of Public Law 96–533; 22 U.S.C. 290h et seq.), $33,000,000, to remain available until September 30, 2021, of which not to exceed $2,000 may be available for representation expenses: *Provided*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation (USADF): *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act (22 U.S.C. 290h–3(a)(2)), in exceptional circumstances the Board of Directors of the USADF may waive the $250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: *Provided further*, That the USADF shall submit a report to the appropriate congressional committees after each time such waiver authority is exercised: *Provided further*, That the USADF may make rent or lease payments in advance from appropriations available for such purpose for offices, buildings, grounds, and quarters in Africa as may be necessary to carry out its functions: *Provided further*, That the USADF may maintain bank accounts outside the United States Treasury and retain any interest earned on such accounts, in furtherance of the purposes of the African Development Foundation Act: *Provided further*, That the USADF may not withdraw any appropriation from the Treasury prior to the need of spending such funds for program purposes.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $30,000,000, to remain available until expended, of which not more than $6,000,000 may be used for administrative expenses: *Provided*, That amounts made available under this heading may be made available to contract for services as described in section 129(d)(3)(A) of the Foreign Assistance Act of 1961, without regard to the location in which such services are performed.

DEBT RESTRUCTURING

For the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to part V of the Foreign Assistance Act of 1961, $15,000,000, to remain available until September 30, 2021.

TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $1,391,000,000, to remain available until September 30, 2021: *Provided*, That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of such Act, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading shall be made available to support training and technical assistance for foreign law enforcement, corrections, judges, and other judicial authorities, utilizing regional partners: *Provided further*, That funds made available under this heading that are transferred to another department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $5,000,000, and any agreement made pursuant to section 632(a) of such Act, shall be subject to the regular notification procedures of the Committees on Appropriations.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $895,750,000, to remain available until September 30, 2021, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act (22 U.S.C. 5854), section 23 of the Arms Export Control Act (22 U.S.C. 2763), or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): *Provided*, That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be made available, notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament, and weapons destruction, and shall remain available until expended: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available for the IAEA unless the Secretary of State determines that Israel is being denied its right to participate in the activities of that Agency: *Provided further*, That funds made available for conventional weapons destruction programs, including demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities, subject to the regular notification procedures of the Committees on Appropriations.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $457,348,000, of which $325,213,000, to remain available until September 30, 2021, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That funds appropriated under this heading may be used, notwithstanding section 660 of the Foreign Assistance Act of 1961, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: *Provided further*, That of the funds appropriated under this heading, not less than $31,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai and not less than $71,000,000 shall be made available for the Global Peace Operations Initiative: *Provided further*, That funds appropriated under this heading may be made available to pay assessed expenses of international peacekeeping activities in Somalia under the same terms and conditions, as applicable, as funds appropriated by this Act under the heading ''Contributions for International Peacekeeping Activities'': *Provided further*, That none of the funds appropriated under this heading shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $112,925,000, of which up to $11,000,000 may remain available until September 30, 2021 and may not be obligated until the Secretary of State submits to the Committees on Appropriations, following consultation with such Committees, a monitoring and evaluation plan for funds made available under this heading, as described under this heading in Senate Report 116–126: *Provided*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further*, That of the funds appropriated under this heading, not to exceed $50,000 may be available for entertainment expenses.

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act (22 U.S.C. 2763), $6,156,924,000, of which $511,909,000, to remain available until September 30, 2021, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: *Provided further*, That of the funds appropriated under this heading, not less than $3,300,000,000 shall be available for grants only for Israel which shall be disbursed within 30 days of enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than $805,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of section 1501(a) of title 31, United States Code.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: *Provided further*, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the ''Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That not more than $70,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales,

except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed $4,000 may be available for entertainment expenses and not to exceed $130,000 may be available for representation expenses: *Provided further*, That not more than $1,082,200,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(e)(1)(A)) may be obligated for expenses incurred by the Department of Defense during fiscal year 2020 pursuant to section 43(b) of the Arms Export Control Act (22 U.S.C. 2792(b)), except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, $390,500,000: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund: *Provided further*, That not later than 60 days after enactment of this Act, such funds shall be made available for core contributions for each entity listed in the table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) unless otherwise provided for in this Act, or if the Secretary of State has justified the proposed uses of funds other than for core contributions following prior consultation with, and subject to the regular notification procedures of, the Committees on Appropriations.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $139,575,000, to remain available until, and to be fully disbursed not later than, September 30, 2021: *Provided*, That of such amount, $136,563,000, which shall remain available until September 30, 2020, is only available for the second installment of the seventh replenishment of the Global Environment Facility, and shall be obligated and disbursed not later than 90 days after enactment of this Act: *Provided further*, That the Secretary shall report to the Committees on Appropriations on the status of funds provided under this heading not less than quarterly until fully disbursed: *Provided further*, That in such report the Secretary shall provide a timeline for the obligation and disbursement of any funds that have not yet been obligated or disbursed.

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury for the United States share of the paid-in portion of the increases in capital stock, $206,500,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed $1,421,275,728.70.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,097,010,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For payment to the Asian Development Bank's Asian Development Fund by the Secretary of the Treasury, $47,395,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, $171,300,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, $30,000,000, to remain available until, and to be fully disbursed no later than, September 30, 2021, for the second installment of the eleventh replenishment of the International Fund for Agricultural Development: *Provided*, That the Secretary of the Treasury shall report to the Committees on Appropriations on the status of such payment not less than quarterly until fully disbursed: *Provided further*, That in such report the Secretary shall provide a timeline for the obligation and disbursement of any funds that have not yet been obligated or disbursed.

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $5,700,000, of which up to $855,000 may remain available until September 30, 2021.

PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of enactment of this Act.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed $110,000,000, of which up to $16,500,000 may remain available until September 30, 2021: *Provided*, That the Export-Import Bank (the Bank) may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: *Provided further*, That the Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: *Provided further*, That in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account for such purposes, to remain available until expended.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945 (Public Law 79–173) and the Federal Credit Reform Act of 1990, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: *Provided*, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0.

UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $2,000,000, to remain available until September 30, 2021.

CORPORATE CAPITAL ACCOUNT

The United States International Development Finance Corporation (the Corporation) is authorized to make such expenditures and commitments within the limits of funds and borrowing authority available to the Corporation, and in accordance with the law, and to make such expenditures and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs for the current fiscal year for the Corporation: *Provided*, That for necessary expenses of the activities described in subsections (b), (c), (e), (f), and (g) of section 1421 of the BUILD Act of 2018 (division F of Public Law 115–254) and for administrative expenses to carry out authorized activities and project-specific transaction costs described in section 1434(d) of such Act, $299,000,000: *Provided further*, That of the amount provided—

(1) $119,000,000 shall remain available until September 30, 2022, for administrative expenses to carry out authorized activities (including an amount for official reception and representation expenses which shall not exceed $25,000) and project-specific transaction costs as described in section 1434(k) of such Act, of which $1,000,000 shall remain available until September 30, 2024;

(2) $150,000,000 shall remain available until September 30, 2022, for the activities described in section 1421(c) of such Act, except such amounts obligated in a fiscal year shall remain available for disbursement for the term of the underlying project: *Provided further*, That if the term of the project extends longer than 10 fiscal years, the Chief Executive Officer of the Corporation shall inform the appropriate congressional committees prior to the obligation or disbursement of funds, as applicable: *Provided further*, That amounts may only be obligated after the

Chief Executive Officer of the Corporation submits to the appropriate congressional committees the guidelines and criteria required by paragraph (3) of such section; and

(3) $30,000,000 shall be paid to the ''United States International Development Finance Corporation—Program Account'' for programs authorized by subsections (b), (e), (f), and (g) of section 1421 of the BUILD Act of 2018 (division F of Public Law 115–254):

Provided further, That funds may only be obligated pursuant to section 1421(g) of the BUILD Act of 2018 subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations: *Provided further*, That in this fiscal year, and each fiscal year thereafter, the Corporation shall collect the amounts described in section 1434(h) of the BUILD Act of 2018: *Provided further*, That in fiscal year 2020 such collections shall be credited as offsetting collections to this appropriation: *Provided further*, That such collections collected in fiscal year 2020 in excess of $299,000,000 shall be credited to this account and shall be available in future fiscal years only to the extent provided in advance in appropriations Acts: *Provided further*, That in fiscal year 2020, if such collections are less than $299,000,000, receipts collected pursuant to the BUILD Act of 2018 and the Federal Credit Reform Act of 1990, in an amount equal to such shortfall, shall be credited as offsetting collections to this appropriation: *Provided further*, That funds appropriated or otherwise made available under this heading may not be used to provide any type of assistance that is otherwise prohibited by any other provision of law or to provide assistance to any foreign country that is otherwise prohibited by any other provision of law: *Provided further*, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by the offsetting collections described under this heading so as to result in a final fiscal year appropriation from the General Fund estimated at $0.

PROGRAM ACCOUNT

Amounts paid from ''United States International Development Finance Corporation—Corporate Capital Account'' (CCA) shall remain available until September 30, 2022: *Provided*, That up to $80,000,000 of amounts paid to this account from CCA or transferred to this account pursuant to section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254) shall be available for the costs of direct and guaranteed loans provided by the Corporation pursuant to section 1421(b) of such Act: *Provided further*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such amounts obligated in a fiscal year shall remain available for disbursement for the following 8 fiscal years: *Provided further*, That funds transferred to carry out the Foreign Assistance Act of 1961 pursuant to section 1434(j) of the BUILD Act of 2018 may remain available for obligation for 1 additional fiscal year: *Provided further*, That the total loan principal or guaranteed principal amount shall not exceed $8,000,000,000.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $79,500,000, to remain available until September 30, 2021, of which no more than $19,000,000 may be used for administrative expenses: *Provided*, That of the funds appropriated under this heading, not more than $5,000 may be available for representation and entertainment expenses.

TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by section 3109 of such title and for hire of passenger transportation pursuant to section 1343(b) of title 31, United States Code.

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2020 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

DIPLOMATIC FACILITIES

SEC. 7004. (a) CAPITAL SECURITY COST SHARING EXCEPTION.—Notwithstanding paragraph (2) of section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act), as amended by section 111 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323), a project to construct a facility of the United States may include office space or other accommodations for members of the United States Marine Corps.

(b) NEW DIPLOMATIC FACILITIES.—For the purposes of calculating the fiscal year 2020 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the contribution of the Department of State for this purpose.

(c) CONSULTATION AND NOTIFICATION.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property or award of construction contracts for overseas United States diplomatic facilities during fiscal year 2020, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That notifications pursuant to this subsection shall include the information enumerated under the heading ''Embassy Security, Construction, and Maintenance'' in House Report 116–78.

(d) INTERIM AND TEMPORARY FACILITIES ABROAD.—

(1) SECURITY VULNERABILITIES.—Funds appropriated by this Act under the heading ''Embassy Security, Construction, and Maintenance'' may be made available, following consultation with the appropriate congressional committees, to address security vulnerabilities at interim and temporary United States diplomatic facilities abroad, including physical security upgrades and local guard staffing, except that the amount of funds made available for such purposes from this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be a minimum of $25,000,000.

(2) CONSULTATION.—Notwithstanding any other provision of law, the opening, closure, or any significant modification to an interim or temporary United States diplomatic facility shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations, except that such consultation and notification may be waived if there is a security risk to personnel.

(e) SOFT TARGETS.—Of the funds appropriated by this Act under the heading ''Embassy Security, Construction, and Maintenance'', not less than $10,000,000 shall be made available for security upgrades to soft targets, including schools, recreational facilities, and residences used by United States diplomatic personnel and their dependents.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7006. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before enactment of this Act by Congress: *Provided*, That up to $25,000 may be made available to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980 (Public Law 96–533; 22 U.S.C. 2151a note).

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 7007. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance, and guarantees of the Export-Import Bank or its agents.

COUPS D'ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'état or decree or, after the date of enactment of this Act, a coup d'état or decree in which the military

plays a decisive role: *Provided*, That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER OF FUNDS AUTHORITY

SEC. 7009. (a) DEPARTMENT OF STATE AND UNITED STATES AGENCY FOR GLOBAL MEDIA.—

(1) DEPARTMENT OF STATE.—

(A) IN GENERAL.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading ''Representation Expenses''.

(B) EMBASSY SECURITY.—Funds appropriated under the headings ''Diplomatic Programs'', including for Worldwide Security Protection, ''Embassy Security, Construction, and Maintenance'', and ''Emergencies in the Diplomatic and Consular Service'' in this Act may be transferred to, and merged with, funds appropriated under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Accountability Review Board, for emergency evacuations, or to prevent or respond to security situations and requirements, following consultation with, and subject to the regular notification procedures of, such Committees: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available in this Act and under any other provision of law.

(2) UNITED STATES AGENCY FOR GLOBAL MEDIA.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Agency for Global Media under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(3) TREATMENT AS REPROGRAMMING.—Any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) LIMITATION ON TRANSFERS OF FUNDS BETWEEN AGENCIES.—

(1) IN GENERAL.—None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

(2) ALLOCATION AND TRANSFERS.—Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961, and section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254).

(3) NOTIFICATION.—Any agreement entered into by the United States Agency for International Development or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Global Health Programs'', ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided*, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(c) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—

(1) LIMITATION.—Amounts transferred pursuant to section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254) may only be transferred from funds made available under title III of this Act, and such amounts shall not exceed $50,000,000: *Provided*, That any such transfers shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further*, That the Secretary of State, the Administrator of the United States Agency for International Development, and the Chief Executive Officer of the United States International Development Finance Corporation (the Corporation), as appropriate, shall ensure that the programs funded by such transfers are coordinated with, and complement, foreign assistance programs implemented by the Department of State and USAID: *Provided further*, That no funds transferred pursuant to such authority may be used by the Corporation to post personnel abroad or for activities described in section 1421(c) of such Act.

(2) DEVELOPMENT CREDIT AUTHORITY ACCOUNT.—Funds transferred from the Development Credit Authority program account of the United States Agency for International Development to the Corporate Capital Account of the United States International Development Finance Corporation pursuant to section 1434(i) of the BUILD Act of 2018 (division F of Public Law 115–254) shall be transferred to, and merged with, such account, and may thereafter be deemed to meet any minimum funding requirements attributed for at the time of deposit into the Development Credit Authority program account.

(d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—None of the funds made available under titles II through V of this Act may be obligated under an appropriations account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) AUDIT OF INTER-AGENCY TRANSFERS OF FUNDS.—Any agreement for the transfer or allocation of funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961, or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds and report to the Department of State or USAID, as appropriate, upon completion of such audits: *Provided*, That such audits shall be transmitted to the Committees on Appropriations by the Department of State or USAID, as appropriate: *Provided further*, That funds transferred under such authority may be made available for the cost of such audits.

(f) TRANSFER OF OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM FUNDS.—Funds appropriated by this Act under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'' that are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 may be transferred to, and merged with, such funds appropriated under such headings: *Provided*, That such transfer authority may only be exercised to address contingencies: *Provided further*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act of 1961: *Provided further*, That such transfer authority shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the funds made available by this Act may be used for first-class travel by employees of United States Government departments and agencies funded by this Act in contravention of section 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

(b) COMPUTER NETWORKS.—None of the funds made available by this Act for the operating expenses of any United States Government department or agency may be used to establish or maintain a computer network for use by such department or agency unless such network has filters designed to block access to sexually explicit websites: *Provided*, That nothing in this subsection shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency, or any other entity carrying out the following activities: criminal investigations, prosecutions, and adjudications; administrative discipline; and the monitoring of such websites undertaken as part of official business.

(c) PROHIBITION ON PROMOTION OF TOBACCO.—None of the funds made available by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

(d) EMAIL SERVERS OUTSIDE THE .GOV DOMAIN.—None of the funds appropriated by this Act under the headings ''Diplomatic Programs'' and ''Capital Investment Fund'' in title I, and ''Operating Expenses'' and ''Capital Investment Fund'' in title II that are made available to the Department of State and the United States Agency for International Development may be made available to support the use or establishment of email accounts or email servers created outside the .gov domain or not fitted for

automated records management as part of a Federal government records management program in contravention of the Presidential and Federal Records Act Amendments of 2014 (Public Law 113–187).

(e) REPRESENTATION AND ENTERTAINMENT EXPENSES.—Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests, and—

(1) are primarily for fostering relations outside of the Executive Branch;

(2) are principally for meals and events of a protocol nature;

(3) are not for employee-only events; and

(4) do not include activities that are substantially of a recreational character.

(f) LIMITATIONS ON ENTERTAINMENT EXPENSES.—None of the funds appropriated or otherwise made available by this Act under the headings ''International Military Education and Training'' or ''Foreign Military Financing Program'' for Informational Program activities or under the headings ''Global Health Programs'', ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events, theatrical and musical productions, and amusement parks.

AVAILABILITY OF FUNDS

SEC. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided by this Act: *Provided*, That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act (22 U.S.C. 2763), and funds made available for ''United States International Development Finance Corporation'' and under the heading ''Assistance for Europe, Eurasia and Central Asia'' shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially allocated or obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That the Secretary of State shall provide a report to the Committees on Appropriations not later than October 31, 2020, detailing by account and source year, the use of this authority during the previous fiscal year.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 7012. No part of any appropriation provided under titles III through VI in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultation with the Committees on Appropriations, that assistance for such country is in the national interest of the United States.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 7013. (a) PROHIBITION ON TAXATION.—None of the funds appropriated under titles III through VI of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State and the Administrator of the United States Agency for International Development shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) NOTIFICATION AND REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2020 on funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs by a foreign government or entity against United States assistance programs, either directly or through grantees, contractors, and subcontractors, shall be withheld from obligation from funds appropriated for assistance for fiscal year 2021 and for prior fiscal years and allocated for the central government of such country or for the West Bank and Gaza program, as applicable, if, not later than September 30, 2021, such taxes have not been reimbursed: *Provided*, That the Secretary of State shall report to the Committees on Appropriations by such date on the foreign governments and entities that have not reimbursed such taxes, including any amount of funds withheld pursuant to this subsection.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each foreign government or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) DETERMINATIONS.—

(1) IN GENERAL.—The provisions of this section shall not apply to any foreign government or entity that assesses such taxes if the Secretary of State reports to the Committees on Appropriations that—

(A) such foreign government or entity has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) CONSULTATION.—The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any foreign government or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue and update rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section:

(1) BILATERAL AGREEMENT.—The term ''bilateral agreement'' refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

(2) TAXES AND TAXATION.—The term ''taxes and taxation'' shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff.

(h) REPORT.—Not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the heads of other relevant agencies of the United States Government, shall submit a report to the Committees on Appropriations on the requirements contained under this section in House Report 116–78.

RESERVATIONS OF FUNDS

SEC. 7014. (a) REPROGRAMMING.—Funds appropriated under titles III through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) EXTENSION OF AVAILABILITY.—In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Department of State or the United States Agency for International Development that are specifically designated for particular programs or activities by this or any other Act may be extended for an additional fiscal year if the Secretary of State or the USAID Administrator, as appropriate, determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: *Provided*, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) OTHER ACTS.—Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: *Provided*, That specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

NOTIFICATION REQUIREMENTS

SEC. 7015. (a) NOTIFICATION OF CHANGES IN PROGRAMS, PROJECTS, AND ACTIVITIES.—None of the funds made available in titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs to the departments and agencies funded by this Act that remain available for obligation in fiscal year 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows

or other offsetting collections, or made available by transfer, to the departments and agencies funded by this Act, shall be available for obligation to—

(1) create new programs;

(2) suspend or eliminate a program, project, or activity;

(3) close, suspend, open, or reopen a mission or post;

(4) create, close, reorganize, downsize, or rename bureaus, centers, or offices; or

(5) contract out or privatize any functions or activities presently performed by Federal employees;

unless previously justified to the Committees on Appropriations or such Committees are notified 15 days in advance of such obligation.

(b) NOTIFICATION OF REPROGRAMMING OF FUNDS.—None of the funds provided under titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, to the departments and agencies funded under titles I and II of this Act that remain available for obligation in fiscal year 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the department and agency funded under title I of this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less, that—

(1) augments or changes existing programs, projects, or activities;

(2) relocates an existing office or employees;

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

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

unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) NOTIFICATION REQUIREMENT.—None of the funds made available by this Act under the headings ''Global Health Programs'', ''Development Assistance'', ''International Organizations and Programs'', ''Trade and Development Agency'', ''International Narcotics Control and Law Enforcement'', ''Economic Support Fund'', ''Democracy Fund'', ''Assistance for Europe, Eurasia and Central Asia'', ''Peacekeeping Operations'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Millennium Challenge Corporation'', ''Foreign Military Financing Program'', ''International Military Education and Training'', ''United States International Development Finance Corporation'', and ''Peace Corps'', shall be available for obligation for programs, projects, activities, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance of such obligation: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for a program, project, or activity for which funds are appropriated under titles III through VI of this Act of less than 10 percent of the amount previously justified to Congress for obligation for such program, project, or activity for the current fiscal year: *Provided further*, That any notification submitted pursuant to subsection (f) of this section shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority.

(d) DEPARTMENT OF DEFENSE PROGRAMS AND FUNDING NOTIFICATIONS.—

(1) PROGRAMS.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to support or continue any program initially funded under any authority of title 10, United States Code, or any Act making or authorizing appropriations for the Department of Defense, unless the Secretary of State, in consultation with the Secretary of Defense and in accordance with the regular notification procedures of the Committees on Appropriations, submits a justification to such Committees that includes a description of, and the estimated costs associated with, the support or continuation of such program.

(2) FUNDING.—Notwithstanding any other provision of law, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) NOTIFICATION ON EXCESS DEFENSE ARTICLES.—Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

(e) WAIVER.—The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided*, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(f) COUNTRY NOTIFICATION REQUIREMENTS.—None of the funds appropriated under titles III through VI of this Act may be obligated or expended for assistance for Afghanistan, Bahrain, Burma, Cambodia, Colombia, Cuba, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Nicaragua, Pakistan, Philippines, the Russian Federation, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and Zimbabwe except as provided through the regular notification procedures of the Committees on Appropriations.

(g) TRUST FUNDS.—Funds appropriated or otherwise made available in title III of this Act and prior Acts making funds available for the Department of State, foreign operations, and related programs that are made available for a trust fund held by an international financial institution shall be subject to the regular notification procedures of the Committees on Appropriations and such notification shall include the information specified under this section in House Report 116–78.

(h) OTHER PROGRAM NOTIFICATION REQUIREMENT.—

(1) DIPLOMATIC PROGRAMS.—Funds appropriated under title I of this Act under the heading ''Diplomatic Programs'' that are made available for lateral entry into the Foreign Service shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(2) OTHER PROGRAMS.—Funds appropriated by this Act that are made available for the following programs and activities shall be subject to the regular notification procedures of the Committees on Appropriations:

(A) the Global Engagement Center, except that the Secretary of State shall consult with the appropriate congressional committees prior to submitting such notification;

(B) the Power Africa initiative, or any successor program;

(C) community-based police assistance conducted pursuant to the authority of section 7035(a)(1) of this Act;

(D) the Relief and Recovery Fund and the Global Fragility Fund, if enacted into law;

(E) the Indo-Pacific Strategy and the Countering Chinese Influence Fund;

(F) the Global Security Contingency Fund;

(G) the Countering Russian Influence Fund;

(H) programs to end modern slavery; and

(I) the Women's Global Development and Prosperity Fund.

(i) WITHHOLDING OF FUNDS.—Funds appropriated by this Act under titles III and IV that are withheld from obligation or otherwise not programmed as a result of application of a provision of law in this or any other Act shall, if reprogrammed, be subject to the regular notification procedures of the Committees on Appropriations.

(j) FOREIGN ASSISTANCE REVIEW OR REALIGNMENT.—Programmatic, funding, and organizational changes resulting from implementation of any foreign assistance review or realignment shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That such notifications may be submitted in classified form, if necessary.

DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND RELATED CYBERSECURITY PROTECTIONS

SEC. 7016. (a) DOCUMENT REQUESTS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Department of State and the United States Agency for International Development.

(b) RECORDS MANAGEMENT AND RELATED CYBERSECURITY PROTECTIONS.—The Secretary of State and USAID Administrator shall—

(1) regularly review and update the policies, directives, and oversight necessary to comply with Federal statutes, regulations, and presidential executive orders and memoranda concerning the preservation of all records made or received in the conduct of official business, including record emails, instant messaging, and other online tools;

(2) use funds appropriated by this Act under the headings ''Diplomatic Programs'' and ''Capital Investment Fund'' in title I, and ''Operating Expenses'' and ''Capital Investment Fund'' in title II, as appropriate, to improve Federal records management pursuant to the Federal Records Act (44 U.S.C. Chapters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;

(3) direct departing employees, including senior officials, that all Federal records generated by such employees belong to the Federal Government;

(4) improve the response time for identifying and retrieving Federal records, including requests made pursuant to section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''); and

(5) strengthen cybersecurity measures to mitigate vulnerabilities, including those resulting from the use of personal email accounts or servers outside the .gov domain, improve the process to identify and remove inactive user accounts, update and enforce guidance related to the control of national security information, and implement the recommendations of the applicable reports of the cognizant Office of Inspector General.

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

SEC. 7017. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program or policy.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 7018. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

ALLOCATIONS AND REPORTS

SEC. 7019. (a) ALLOCATION TABLES.—Subject to subsection (b), funds appropriated by this Act under titles III through V shall be made available at not less than the amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That such designated amounts for foreign countries and international organizations shall serve as the amounts for such countries and international organizations transmitted to Congress in the report required by section 653(a) of the Foreign Assistance Act of 1961, and shall be made available for such foreign countries and international organizations notwithstanding the date of the transmission of such report.

(b) AUTHORIZED DEVIATIONS BELOW MINIMUM LEVELS.—Unless otherwise provided for by this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as applicable, may deviate by not more than 10 percent below the minimum amounts specifically designated in the respective tables in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That deviations pursuant to this subsection shall be subject to prior consultation with the Committees on Appropriations.

(c) LIMITATION.—For specifically designated amounts that are included, pursuant to subsection (a), in the report required by section 653(a) of the Foreign Assistance Act of 1961, deviations authorized by subsection (b) may only take place after submission of such report.

(d) EXCEPTIONS.—

(1) Subsections (a) and (b) shall not apply to—

(A) amounts designated for ''International Military Education and Training'' in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);

(B) funds for which the initial period of availability has expired; and

(C) amounts designated by this Act as minimum funding requirements.

(2) The authority in subsection (b) to deviate below amounts designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) shall not apply to the table included under the heading ''Global Health Programs'' in such statement.

(3) With respect to the amounts designated for ''Global Programs'' in the table under the heading ''Economic Support Fund'' included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), subsection (b) shall be applied by substituting ''5 percent'' for ''10 percent''.

(e) REPORTS.—The Secretary of State, USAID Administrator, and other designated officials, as appropriate, shall submit the reports required, in the manner described, in House Report 116–78, Senate Report 116–126, and the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), unless directed otherwise in such explanatory statement.

(f) CLARIFICATION.—Funds appropriated by this Act and the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6) under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance'' shall not be included for purposes of meeting amounts designated for countries in this Act or the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or such prior Act or accompanying joint explanatory statement, unless such headings are specifically designated as the source of funds.

MULTI-YEAR PLEDGES

SEC. 7020. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge meets the requirements enumerated under this section in House Report 116–78.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) PROHIBITION.—None of the funds appropriated or otherwise made available under titles III through VI of this Act may be made available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 1754(c) of the Export Reform Control Act of 2018 (50 U.S.C. 4813(c)): *Provided*, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: *Provided further*, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) DETERMINATION.—Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President determines that to do so is important to the national interest of the United States.

(3) REPORT.—Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interest.

(b) BILATERAL ASSISTANCE.—

(1) LIMITATIONS.—Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

(A) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) WAIVER.—The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: *Provided*, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading ''Trade and Development Agency'', may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act ''program, project, and activity'' shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''Foreign Military Financing Program'' accounts, ''program, project, and activity'' shall also be considered to include country, regional, and central program level funding within each such account, and for the development assistance accounts of the United States Agency for International Development, ''program, project, and activity'' shall also be considered to include central, country, regional, and program level funding, either as—

(1) justified to Congress; or

(2) allocated by the Executive Branch in accordance with the report required by section 653(a) of the Foreign Assistance Act of 1961 or as modified pursuant to section 7019 of this Act.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION, AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act: *Provided*, That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) WORLD MARKETS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the United States International Development Finance Corporation shall be obligated or expended to finance any loan, any assistance, or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations: *Provided further*, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) EXPORTS.—None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

(2) research activities intended primarily to benefit United States producers;

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

SEPARATE ACCOUNTS

SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

(1) AGREEMENTS.—If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) IN GENERAL.—If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by such assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of paragraph (1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'': *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2020, restrictions contained in this or any other Act with respect to assistance for a

country shall not be construed to restrict assistance under the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

LOCAL COMPETITION

SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO COMPETITION FOR LOCAL ENTITIES.—Funds appropriated by this Act that are made available to the United States Agency for International Development may only be made available for limited competitions through local entities if—

(1) prior to the determination to limit competition to local entities, USAID has—

(A) assessed the level of local capacity to effectively implement, manage, and account for programs included in such competition; and

(B) documented the written results of the assessment and decisions made; and

(2) prior to making an award after limiting competition to local entities—

(A) each successful local entity has been determined to be responsible in accordance with USAID guidelines; and

(B) effective monitoring and evaluation systems are in place to ensure that award funding is used for its intended purposes; and

(3) no level of acceptable fraud is assumed.

(b) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect during fiscal year 2020.

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) EVALUATIONS AND REPORT.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice of the United States to encourage such institution to adopt and implement a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 25 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution's goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2019 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

(b) SAFEGUARDS.—

(1) STANDARD.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development and the International Development Association to use the voice and vote of the United States to oppose any loan, grant, policy, or strategy if such institution has adopted and is implementing any social or environmental safeguard relevant to such loan, grant, policy, or strategy that provides less protection than World Bank safeguards in effect on September 30, 2015.

(2) ACCOUNTABILITY, STANDARDS, AND BEST PRACTICES.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose loans or other financing for projects unless such projects—

(A) provide for accountability and transparency, including the collection, verification, and publication of beneficial ownership information related to extractive industries and on-site monitoring during the life of the project;

(B) will be developed and carried out in accordance with best practices regarding environmental conservation, cultural protection, and empowerment of local populations, including free, prior and informed consent of affected indigenous communities;

(C) do not provide incentives for, or facilitate, forced displacement; and

(D) do not partner with or otherwise involve enterprises owned or controlled by the armed forces.

(c) COMPENSATION.—None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) HUMAN RIGHTS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to promote human rights due diligence and risk management, as appropriate, in connection with any loan, grant, policy, or strategy of such institution in accordance with the requirements specified under this subsection in Senate Report 116–126: *Provided*, That prior to voting on any such loan, grant, policy, or strategy the executive director shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, if the executive director has reason to believe that such loan, grant, policy, or strategy could result in forced displacement or other violation of human rights.

(e) FRAUD AND CORRUPTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice of the United States to include in loan, grant, and other financing agreements improvements in borrowing countries' financial management and judicial capacity to investigate, prosecute, and punish fraud and corruption.

(f) BENEFICIAL OWNERSHIP INFORMATION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice of the United States to encourage such institution to collect, verify, and publish, to the maximum extent practicable, beneficial ownership information (excluding proprietary information) for any corporation or limited liability company, other than a publicly listed company, that receives funds from any such financial institution: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2019 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

(g) WHISTLEBLOWER PROTECTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice of the United States to encourage each such institution to effectively implement and enforce policies and procedures which meet or exceed best practices in the United States for the protection of whistleblowers from retaliation, including—

(1) protection against retaliation for internal and lawful public disclosure;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

(4) access to binding independent adjudicative bodies, including shared cost and selection external arbitration; and

(5) results that eliminate the effects of proven retaliation, including provision for the restoration of prior employment.

INSECURE COMMUNICATIONS NETWORKS

SEC. 7030. Funds appropriated by this Act shall be made available for programs to—

(1) advance the adoption of secure, next-generation communications networks and services, including 5G, and cybersecurity policies, in countries receiving assistance under this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs;

(2) counter the establishment of insecure communications networks and services, including 5G, promoted by the People's Republic of China and other state-backed enterprises that are subject to undue or extrajudicial control by their country of origin; and

(3) provide policy and technical training to information communication technology professionals in countries receiving assistance under this Act, as appropriate.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) REQUIREMENTS.—Funds appropriated by this Act may be made available for direct government-to-government assistance only if the requirements included in section 7031(a)(1)(A) through (E) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6) are fully met.

(2) CONSULTATION AND NOTIFICATION.—In addition to the requirements in paragraph (1), funds may only be made available for direct government-to-government assistance subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): *Provided further*, That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) SUSPENSION OF ASSISTANCE.—The Administrator of the United States Agency for International Development or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of

such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

(4) SUBMISSION OF INFORMATION.—The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2021 congressional budget justification materials, amounts planned for assistance described in paragraph (1) by country, proposed funding amount, source of funds, and type of assistance.

(5) DEBT SERVICE PAYMENT PROHIBITION.—None of the funds made available by this Act may be used by the government of any foreign country for debt service payments owed by any country to any international financial institution.

(b) NATIONAL BUDGET AND CONTRACT TRANSPARENCY.—

(1) MINIMUM REQUIREMENTS OF FISCAL TRANSPARENCY.—The Secretary of State shall continue to update and strengthen the ''minimum requirements of fiscal transparency'' for each government receiving assistance appropriated by this Act, as identified in the report required by section 7031(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(2) DETERMINATION AND REPORT.—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make or update any determination of ''significant progress'' or ''no significant progress'' in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual ''Fiscal Transparency Report'' to be posted on the Department of State website: *Provided*, That such report shall include the elements included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(3) ASSISTANCE.—Not less than $5,000,000 of the funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency: *Provided*, That such sums shall be in addition to funds otherwise available for such purposes: *Provided further*, That a description of the uses of such funds shall be included in the annual ''Fiscal Transparency Report'' required by paragraph (2).

(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

(1) INELIGIBILITY.—(A) Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved, directly or indirectly, in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights shall be ineligible for entry into the United States.

(B) The Secretary shall also publicly or privately designate or identify the officials of foreign governments and their immediate family members about whom the Secretary has such credible information without regard to whether the individual has applied for a visa.

(2) EXCEPTION.—Individuals shall not be ineligible for entry into the United States pursuant to paragraph (1) if such entry would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: *Provided*, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) WAIVER.—The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) REPORT.—Not later than 30 days after enactment of this Act, and every 90 days thereafter, the Secretary of State shall submit a report, including a classified annex if necessary, to the appropriate congressional committees and the Committees on the Judiciary describing the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

(5) POSTING OF REPORT.—Any unclassified portion of the report required under paragraph (4) shall be posted on the Department of State website.

(6) CLARIFICATION.—For purposes of paragraphs (1), (4), and (5), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall not be considered confidential.

(d) EXTRACTION OF NATURAL RESOURCES.—

(1) ASSISTANCE.—Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2052) and the amendments made by such section, and to prevent the sale of conflict diamonds, and provide technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(2) PUBLIC DISCLOSURE AND INDEPENDENT AUDITS.—(A) The Secretary of the Treasury shall instruct the executive director of each international financial institution that it is the policy of the United States to use the voice and vote of the United States to oppose any assistance by such institutions (including any loan, credit, grant, or guarantee) to any country for the extraction and export of a natural resource if the government of such country has in place laws, regulations, or procedures to prevent or limit the public disclosure of company payments as required by United States law, and unless such government has adopted laws, regulations, or procedures in the sector in which assistance is being considered to meet the standards included under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(B) The requirements of subparagraph (A) shall not apply to assistance for the purpose of building the capacity of such government to meet the requirements of this subparagraph.

(e) FOREIGN ASSISTANCE WEBSITE.—Funds appropriated by this Act under titles I and II, and funds made available for any independent agency in title III, as appropriate, shall be made available to support the provision of additional information on United States Government foreign assistance on the Department of State foreign assistance website: *Provided*, That all Federal agencies funded under this Act shall provide such information on foreign assistance, upon request and in a timely manner, to the Department of State: *Provided further*, That not later than 60 days after enactment of this Act, the Secretary of State and USAID Administrator shall report to the Committees on Appropriations on the process and timeline required to consolidate data from USAID's ''Foreign Aid Explorer'' and ''ForeignAssistance.gov'', in accordance with the requirements specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

DEMOCRACY PROGRAMS

SEC. 7032. (a) FUNDING.—

(1) IN GENERAL.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''Democracy Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''International Narcotics Control and Law Enforcement'', not less than $2,400,000,000 shall be made available for democracy programs.

(2) PROGRAMS.—Of the funds made available for democracy programs under the headings ''Economic Support Fund'' and ''Assistance for Europe, Eurasia and Central Asia'' pursuant to paragraph (1), not less than $102,040,000 shall be made available to the Bureau of Democracy, Human Rights, and Labor, Department of State, at not less than the amounts specified for certain countries and regional programs designated in the table under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(b) AUTHORITIES.—

(1) AVAILABILITY.—Funds made available by this Act for democracy programs pursuant to subsection (a) and under the heading ''National Endowment for Democracy'' may be made available notwithstanding any other provision of law, and with regard to the National Endowment for Democracy (NED), any regulation.

(2) BENEFICIARIES.—Funds made available by this Act for the NED are made available pursuant to the authority of the National Endowment for Democracy Act (title V of Public Law 98–164), including all decisions regarding the selection of beneficiaries.

(c) DEFINITION OF DEMOCRACY PROGRAMS.—For purposes of funds appropriated by this Act, the term ''democracy programs'' means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states and institutions that are responsive and accountable to citizens.

(d) PROGRAM PRIORITIZATION.—Funds made available pursuant to this section that are made available for programs to strengthen government institutions shall be prioritized for those institutions that demonstrate a commitment to democracy and the rule of law.

(e) RESTRICTION ON PRIOR APPROVAL.—With respect to the provision of assistance for democracy programs in this Act, the organizations implementing such assistance, the specific nature of that assistance, and the participants in such programs shall not be subject to the prior approval by the government of any foreign country: *Provided*, That the

Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(f) CONTINUATION OF CURRENT PRACTICES.—The United States Agency for International Development shall continue to implement civil society and political competition and consensus building programs abroad with funds appropriated by this Act in a manner that recognizes the unique benefits of grants and cooperative agreements in implementing such programs.

(g) INFORMING THE NATIONAL ENDOWMENT FOR DEMOCRACY.—The Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall regularly inform the National Endowment for Democracy of democracy programs that are planned and supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(h) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND JOURNALISTS.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''Democracy Fund'', not less than $20,000,000 shall be made available to support and protect civil society activists and journalists who have been threatened, harassed, or attacked, including journalists affiliated with the United States Agency for Global Media, consistent with the action plan submitted pursuant to, and on the same terms and conditions of, section 7032(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141).

(i) INTERNATIONAL FREEDOM OF EXPRESSION.—

(1) OPERATIONS.—Funds appropriated by this Act under the heading ''Diplomatic Programs'' shall be made available for the Bureau of Democracy, Human Rights, and Labor, Department of State, for the costs of administering programs designed to promote and defend freedom of expression and the independence of the media in countries where such freedom and independence are restricted or denied.

(2) ASSISTANCE.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $10,000,000 shall be made available for programs that promote and defend freedom of expression and the independence of the media abroad: *Provided*, That such funds are in addition to funds otherwise made available by this Act for such purposes, and are intended to complement emergency and safety programs for civil society, including journalists and media outlets at risk: *Provided further*, That such funds shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

INTERNATIONAL RELIGIOUS FREEDOM

SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM OFFICE.—Funds appropriated by this Act under the heading ''Diplomatic Programs'' shall be made available for the Office of International Religious Freedom, Department of State, including for support staff at not less than the amounts specified for such office in the table under such heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(b) ASSISTANCE.—Funds appropriated by this Act under the headings ''Democracy Fund'', ''Economic Support Fund'', and ''International Broadcasting Operations'' shall be made available for international religious freedom programs and funds appropriated by this Act under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance'' shall be made available for humanitarian assistance for vulnerable and persecuted religious minorities: *Provided*, That funds made available by this Act under the headings ''Economic Support Fund'' and ''Democracy Fund'' pursuant to this section shall be the responsibility of the Ambassador-at-Large for International Religious Freedom, in consultation with other relevant United States Government officials, and shall be subject to prior consultation with the Committees on Appropriations.

(c) AUTHORITY.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ''Economic Support Fund'' may be made available notwithstanding any other provision of law for assistance for ethnic and religious minorities in Iraq and Syria.

(d) DESIGNATION OF NON-STATE ACTORS.—Section 7033(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public 115–31) shall continue in effect during fiscal year 2020.

SPECIAL PROVISIONS

SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated in titles III and VI of this Act that are made available for victims of war, displaced children, displaced Burmese, and to combat trafficking in persons and assist victims of such trafficking, may be made available notwithstanding any other provision of law.

(b) FORENSIC ASSISTANCE.—

(1) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $12,500,000 shall be made available for forensic anthropology assistance related to the exhumation and identification of victims of war crimes, crimes against humanity, and genocide, which shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State: *Provided*, That such funds shall be in addition to funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for assistance for countries.

(2) Of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'', not less than $8,000,000 shall be made available for DNA forensic technology programs to combat human trafficking in Central America and Mexico.

(c) ATROCITIES PREVENTION.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'', not less than $5,000,000 shall be made available for programs to prevent atrocities, including to implement recommendations of the Atrocities Prevention Board: *Provided*, That funds made available pursuant to this subsection are in addition to amounts otherwise made available for such purposes: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) WORLD FOOD PROGRAMME.—Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development, from this or any other Act, may be made available as a general contribution to the World Food Programme, notwithstanding any other provision of law.

(e) DIRECTIVES AND AUTHORITIES.—

(1) RESEARCH AND TRAINING.—Funds appropriated by this Act under the heading ''Assistance for Europe, Eurasia and Central Asia'' shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501 et seq.).

(2) GENOCIDE VICTIMS MEMORIAL SITES.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Economic Support Fund'' and ''Assistance for Europe, Eurasia and Central Asia'' may be made available as contributions to establish and maintain memorial sites of genocide, subject to the regular notification procedures of the Committees on Appropriations.

(3) PRIVATE SECTOR PARTNERSHIPS.—Of the funds appropriated by this Act under the headings ''Development Assistance'' and ''Economic Support Fund'' that are made available for private sector partnerships, up to $50,000,000 may remain available until September 30, 2022: *Provided*, That funds made available pursuant to this paragraph may only be made available following prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(4) ADDITIONAL AUTHORITIES.—Of the amounts made available by title I of this Act under the heading ''Diplomatic Programs'', up to $500,000 may be made available for grants pursuant to section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d), including to facilitate collaboration with indigenous communities, and up to $1,000,000 may be made available for grants to carry out the activities of the Cultural Antiquities Task Force.

(5) INNOVATION.—The USAID Administrator may use funds appropriated by this Act under title III to make innovation incentive awards in accordance with the terms and conditions of section 7034(e)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6): *Provided*, That each individual award may not exceed $100,000: *Provided further*, That no more than 15 such awards may be made during fiscal year 2020.

(6) EXCHANGE VISITOR PROGRAM.—None of the funds made available by this Act may be used to modify the Exchange Visitor Program administered by the Department of State to implement the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87–256; 22 U.S.C. 2451 et seq.), except through the formal rulemaking process pursuant to the Administrative Procedure Act (5 U.S.C. 551 et seq.) and notwithstanding the exceptions to such rulemaking process in such Act: *Provided*, That funds made available for such purpose shall only be made available after consultation with, and subject to the regular notification procedures of, the Committees on Appropriations, regarding how any proposed modification would affect the public diplomacy goals of, and the estimated economic impact on, the United States: *Provided further*, That such consultation shall take place not later than 30 days prior to the publication in the Federal Register of any regulatory action modifying the Exchange Visitor Program.

(f) PARTNER VETTING.—Prior to initiating a partner vetting program, or making significant changes to the scope of an existing partner vetting program, the Secretary of State and USAID Administrator, as appropriate, shall consult with the Committees on Appropriations: *Provided*, That the Secretary and the Administrator shall provide a direct

vetting option for prime awardees in any partner vetting program initiated or significantly modified after the date of enactment of this Act, unless the Secretary of State or USAID Administrator, as applicable, informs the Committees on Appropriations on a case-by-case basis that a direct vetting option is not feasible for such program.

(g) CONTINGENCIES.—During fiscal year 2020, the President may use up to $125,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(h) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State should withhold funds appropriated under title III of this Act for assistance for the central government of any country that is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: *Provided*, That the Secretary shall report to the Committees on Appropriations within 15 days of withholding funds under this subsection.

(i) TRANSFER OF FUNDS FOR EXTRAORDINARY PROTECTION.—The Secretary of State may transfer to, and merge with, funds under the heading ''Protection of Foreign Missions and Officials'' unobligated balances of expired funds appropriated under the heading ''Diplomatic Programs'' for fiscal year 2020, except for funds designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, at no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated: *Provided*, That not more than $50,000,000 may be transferred.

(j) AUTHORITY.—Funds made available by this Act under the heading ''Economic Support Fund'' to counter extremism may be made available notwithstanding any other provision of law restricting assistance to foreign countries, except sections 502B, 620A, and 620M of the Foreign Assistance Act of 1961: *Provided*, That the use of the authority of this subsection shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations.

(k) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.—The Secretary of State shall implement section 203(a)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457): *Provided*, That in addition to suspension on the basis of an unpaid default or final civil judgment directly or indirectly related to human trafficking against the employer or a family member assigned to an embassy, suspension on this basis should also apply to an employer or family member assigned to any diplomatic mission, or any international organization: *Provided further*, That the Secretary of State should assist in obtaining payment of final court judgments awarded to A–3 and G–5 visa holders, including encouraging the sending states to provide compensation directly to victims: *Provided further*, That the Secretary shall include in the Trafficking in Persons annual report a concise summary of each trafficking case involving an A–3 or G–5 visa holder that meets one or more of the following criteria: (1) a final court judgment (including a default judgment) issued against a current or former employee of such diplomatic mission or international organization; (2) the issuance of a T-visa to the victim; or (3) a request by the Department of State to the sending state that immunity of individual diplomats or family members be waived to permit criminal prosecution.

(l) EXTENSION OF AUTHORITIES.—

(1) PASSPORT FEES.—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting ''September 30, 2020'' for ''September 30, 2010''.

(2) INCENTIVES FOR CRITICAL POSTS.—The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2020.

(3) USAID CIVIL SERVICE ANNUITANT WAIVER.—Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting ''September 30, 2020'' for ''October 1, 2010'' in subparagraph (B).

(4) OVERSEAS PAY COMPARABILITY AND LIMITATION.—(A) Subject to the limitation described in subparagraph (B), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2020.

(B) The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(5) CATEGORICAL ELIGIBILITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(A) in section 599D (8 U.S.C. 1157 note)—

(i) in subsection (b)(3), by striking ''and 2019'' and inserting ''2019, and 2020''; and

(ii) in subsection (e), by striking ''2019'' each place it appears and inserting ''2020''; and

(B) in section 599E(b)(2) (8 U.S.C. 1255 note), by striking ''2019'' and inserting ''2020''.

(6) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212) shall remain in effect through September 30, 2020, and may be used to facilitate the assignment of persons for oversight of programs in Syria, South Sudan, Yemen, Somalia, and Venezuela.

(7) ACCOUNTABILITY REVIEW BOARDS.—The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan through September 30, 2020, except that the notification and reporting requirements contained in such section shall include the Committees on Appropriations.

(8) SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION COMPETITIVE STATUS.—Notwithstanding any other provision of law, any employee of the Special Inspector General for Afghanistan Reconstruction (SIGAR) who completes at least 12 months of continuous service after enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

(9) TRANSFER OF BALANCES.—Section 7081(h) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) shall continue in effect during fiscal year 2020.

(10) DEPARTMENT OF STATE INSPECTOR GENERAL WAIVER AUTHORITY.—The Inspector General of the Department of State may waive the provisions of subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) on a case-by-case basis for an annuitant reemployed by the Inspector General on a temporary basis, subject to the same constraints and in the same manner by which the Secretary of State may exercise such waiver authority pursuant to subsection (g) of such section.

(11) AFGHAN ALLIES.—Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(A) in the heading, striking ''2015, 2016, AND 2017'' and inserting ''2015 THROUGH 2020'';

(B) in the matter preceding clause (i), by striking ''18,500'' and inserting ''22,500''; and

(C) in clauses (i) and (ii), by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

(m) MONITORING AND EVALUATION.—Funds appropriated by this Act that are made available for monitoring and evaluation of assistance under the headings ''Development Assistance'', ''International Disaster Assistance'', and ''Migration and Refugee Assistance'' shall, as appropriate, be made available for the regular collection of feedback obtained directly from beneficiaries on the quality and relevance of such assistance: *Provided*, That the Department of State and USAID shall establish, and post on their respective websites, updated procedures for implementing partners that receive funds under such headings for regularly collecting and responding to such feedback, including guidelines for the reporting on actions taken in response to the feedback received: *Provided further*, That the Department of State and USAID shall regularly conduct oversight to ensure that such feedback is regularly collected and used by implementing partners to maximize the cost-effectiveness and utility of such assistance.

(n) HIV/AIDS WORKING CAPITAL FUND.—Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–447) may be made available for pharmaceuticals and other products for child survival, malaria, and tuberculosis to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: *Provided*, That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 2005 (Public Law 108–447) shall be exercised by the Assistant Administrator for Global Health, USAID, with respect to funds deposited for such non-HIV/AIDS pharmaceuticals and other products, and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall include in the congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(o) LOANS, CONSULTATION, AND NOTIFICATION.—

(1) LOAN GUARANTEES.—Funds appropriated under the headings ''Economic Support Fund'' and ''Assistance for Europe, Eurasia and Central Asia'' by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Egypt, Jordan, Tunisia, and Ukraine, which are authorized to be provided: *Provided*, That amounts made available under this paragraph for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country.

(2) DESIGNATION REQUIREMENT.—Funds made available pursuant to paragraph (1) from prior Acts making appropriations for the Department of State, foreign operations, and related programs that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

(3) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to the authorities of this subsection shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations.

(p) LOCAL WORKS.—

(1) FUNDING.—Of the funds appropriated by this Act under the headings ''Development Assistance'' and ''Economic Support Fund'', not less than $50,000,000 shall be made available for Local Works pursuant to section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), which may remain available until September 30, 2024.

(2) ELIGIBLE ENTITIES.—For the purposes of section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), ''eligible entities'' shall be defined as small local, international, and United States-based nongovernmental organizations, educational institutions, and other small entities that have received less than a total of $5,000,000 from USAID over the previous 5 fiscal years: *Provided*, That departments or centers of such educational institutions may be considered individually in determining such eligibility.

(q) WESTERN HEMISPHERE DRUG POLICY COMMISSION.—Up to $499,000 of the funds appropriated under the heading ''Western Hemisphere Drug Policy Commission, Salaries and Expenses'' of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6) shall remain available for obligation until September 30, 2021, notwithstanding the period of availability under such heading.

(r) DEFINITIONS.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Unless otherwise defined in this Act, for purposes of this Act the term ''appropriate congressional committees'' means the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

(2) FUNDS APPROPRIATED BY THIS ACT AND PRIOR ACTS.—Unless otherwise defined in this Act, for purposes of this Act the term ''funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs'' means funds that remain available for obligation, and have not expired.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—In this Act ''international financial institutions'' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the International Fund for Agricultural Development, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

(4) SOUTHERN KORDOFAN.—Any reference to Southern Kordofan in this or any other Act making appropriations for the Department of State, foreign operations, and related programs shall for this fiscal year, and each fiscal year thereafter, be deemed to include portions of Western Kordofan that were previously part of Southern Kordofan prior to the 2013 division of Southern Kordofan.

(5) USAID.—In this Act, the term ''USAID'' means the United States Agency for International Development.

(6) SPEND PLAN.—In this Act, the term ''spend plan'' means a plan for the uses of funds appropriated for a particular entity, country, program, purpose, or account and which shall include, at a minimum, a description of—

(A) realistic and sustainable goals, criteria for measuring progress, and a timeline for achieving such goals;

(B) amounts and sources of funds by account;

(C) how such funds will complement other ongoing or planned programs; and

(D) implementing partners, to the maximum extent practicable.

(7) SUCCESSOR OPERATING UNIT.—Any reference to a particular USAID operating unit or office in this or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be deemed to include any successor operating unit or office performing the same or similar functions.

LAW ENFORCEMENT AND SECURITY

SEC. 7035. (a) ASSISTANCE.—

(1) COMMUNITY-BASED POLICE ASSISTANCE.—Funds made available under titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(2) COUNTERTERRORISM PARTNERSHIPS FUND.—Funds appropriated by this Act under the heading ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be made available for the Counterterrorism Partnerships Fund for programs in areas liberated from, under the influence of, or adversely affected by, the Islamic State of Iraq and Syria or other terrorist organizations: *Provided*, That such areas shall include the Kurdistan Region of Iraq: *Provided further*, That prior to the obligation of funds made available pursuant to this paragraph, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such funds: *Provided further*, That funds made available pursuant to this paragraph shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(3) COMBAT CASUALTY CARE.—(A) Consistent with the objectives of the Foreign Assistance Act of 1961 and the Arms Export Control Act, funds appropriated by this Act under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'' shall be made available for combat casualty training and equipment.

(B) The Secretary of State shall offer combat casualty care training and equipment as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'': *Provided*, That the requirement of this subparagraph shall apply to a country in conflict, unless the Secretary determines that such country has in place, to the maximum extent practicable, functioning combat casualty care treatment and equipment that meets or exceeds the standards recommended by the Committee on Tactical Combat Casualty Care: *Provided further*, That any such training and equipment for combat casualty care shall be made available through an open and competitive process.

(4) TRAINING RELATED TO INTERNATIONAL HUMANITARIAN LAW.—The Secretary of State shall offer training related to the requirements of international humanitarian law as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'': *Provided*, That the requirement of this paragraph shall not apply to a country that is a member of the North Atlantic Treaty Organization (NATO), is a major non-NATO ally designated by section 517(b) of the Foreign Assistance Act of 1961, or is complying with international humanitarian law: *Provided further*, That any such training shall be made available through an open and competitive process.

(5) SECURITY FORCE PROFESSIONALIZATION.—Funds appropriated by this Act under the headings ''International Narcotics Control and Law Enforcement'' and ''Peacekeeping Operations'' shall be made available to increase the capacity of foreign military and law enforcement personnel to operate in accordance with appropriate standards relating to human rights and the protection of civilians in the manner specified under this section in Senate Report 116–126, following consultation with the Committees on Appropriations: *Provided*, That funds made available pursuant to this paragraph shall be made available through an open and competitive process.

(6) GLOBAL SECURITY CONTINGENCY FUND.—Notwithstanding any other provision of this Act, up to $7,500,000 from funds appropriated by this Act under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'' may be transferred to, and merged with, funds previously made available under the heading ''Global Security Contingency Fund'', subject to the regular notification procedures of the Committees on Appropriations.

(7) INTERNATIONAL PRISON CONDITIONS.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', and ''International Narcotics Control and Law Enforcement'', not less than $7,500,000 shall be made available for assistance to eliminate inhumane conditions in foreign prisons and other detention facilities, notwithstanding section 660 of the Foreign Assistance Act of 1961: *Provided*, That the Secretary of State and the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of such funds prior to obligation and not later than 60 days after enactment of this Act: *Provided further*, That such funds shall be in addition to funds otherwise made available by this Act for such purpose.

(b) AUTHORITIES.—

(1) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-

national entity emerging from instability, as well as a nation emerging from instability.

(2) DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION.—Section 7034(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2020.

(3) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

(A) Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''of this section'' and all that follows through the period at the end and inserting ''of this section after September 30, 2021.''.

(B) Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''and 2020'' and inserting ''2020, and 2021''.

(4) COMMERCIAL LEASING OF DEFENSE ARTICLES.—Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act (22 U.S.C. 2763) may be used to provide financing to Israel, Egypt, the North Atlantic Treaty Organization (NATO), and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

(5) SPECIAL DEFENSE ACQUISITION FUND.—Not to exceed $900,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act (22 U.S.C. 2795(c)(2)) for the purposes of the Special Defense Acquisition Fund (the Fund), to remain available for obligation until September 30, 2022: *Provided*, That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

(6) PUBLIC DISCLOSURE.—For the purposes of funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for units of foreign security forces, the term ''to the maximum extent practicable'' in section 620M(d)(7) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) means that the identity of such units shall be made publicly available unless the Secretary of State, on a case-by-case basis, determines and reports to the appropriate congressional committees that disclosure would endanger the safety of human sources or reveal sensitive intelligence sources and methods, or that non-disclosure is in the national security interest of the United States: *Provided*, That any such determination shall include a detailed justification, and may be submitted in classified form.

(7) DUTY TO INFORM.—If assistance to a foreign security force is provided in a manner in which the recipient unit or units cannot be identified prior to the transfer of assistance, the Secretary of State shall provide a list of units prohibited from receiving such assistance pursuant to section 620M of the Foreign Assistance Act of 1961 to the recipient government.

(c) LIMITATIONS.—

(1) CHILD SOLDIERS.—Funds appropriated by this Act should not be used to support any military training or operations that include child soldiers.

(2) LANDMINES AND CLUSTER MUNITIONS.—

(A) LANDMINES.—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.

(B) CLUSTER MUNITIONS.—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(i) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments, and the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

(ii) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

(3) CROWD CONTROL ITEMS.—Funds appropriated by this Act should not be used for tear gas, small arms, light weapons, ammunition, or other items for crowd control purposes for foreign security forces that use excessive force to repress peaceful expression, association, or assembly in countries that the Secretary of State determines are undemocratic or are undergoing democratic transitions.

(d) REPORTS.—

(1) SECURITY ASSISTANCE REPORT.—Not later than 120 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on funds obligated and expended during fiscal year 2019, by country and purpose of assistance, under the headings ''Peacekeeping Operations'', ''International Military Education and Training'', and ''Foreign Military Financing Program''.

(2) ANNUAL FOREIGN MILITARY TRAINING REPORT.—For the purposes of implementing section 656 of the Foreign Assistance Act of 1961, the term ''military training provided to foreign military personnel by the Department of Defense and the Department of State'' shall be deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated by section 517(b) of such Act (22 U.S.C. 2321k(b)) as a major non-North Atlantic Treaty Organization ally.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 7036. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

PALESTINIAN STATEHOOD

SEC. 7037. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated under titles III through VI of this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel; and

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if the President determines that it is important to the national security interest of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act (''Limitation on Assistance for the Palestinian Authority'').

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 7038. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

ASSISTANCE FOR THE WEST BANK AND GAZA

SEC. 7039. (a) OVERSIGHT.—For fiscal year 2020, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading ''Economic Support Fund'' for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity's governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: *Provided*, That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) RECOGNITION OF ACTS OF TERRORISM.—None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for—

(A) the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism; and

(B) any educational institution located in the West Bank or Gaza that is named after an individual who the Secretary of State determines has committed an act of terrorism.

(2) SECURITY ASSISTANCE AND REPORTING REQUIREMENT.—Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) OVERSIGHT BY THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and sub-grantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act, up to $1,000,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, investigations, and other activities in furtherance of the requirements of this subsection: *Provided*, That such funds are in addition to funds otherwise available for such purposes.

(e) COMPTROLLER GENERAL OF THE UNITED STATES AUDIT.—Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including all funds provided as cash transfer assistance, in fiscal year 2020 under the heading ''Economic Support Fund'', and such audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c); and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) NOTIFICATION PROCEDURES.—Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interest of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: *Provided*, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas and over which Hamas exercises undue influence.

(2) Notwithstanding the limitation of paragraph (1), assistance may be provided to a power-sharing government only if the President certifies and reports to the Committees on Appropriations that such government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended.

(3) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act of 1961, as added by the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446) with respect to this subsection.

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: *Provided*, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds appropriated by this Act that are available for assistance for Egypt may be made available notwithstanding any other provision of law restricting assistance for Egypt, except for this subsection and section 620M of the Foreign Assistance Act of 1961, and may only be made available for assistance for the Government of Egypt if the Secretary of State certifies and reports to the Committees on Appropriations that such government is—

(A) sustaining the strategic relationship with the United States; and

(B) meeting its obligations under the 1979 Egypt-Israel Peace Treaty.

(2) ECONOMIC SUPPORT FUND.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $125,000,000 shall be made available for assistance for Egypt, of which not less than $40,000,000 should be made available for higher education programs, including not less than $15,000,000 for scholarships for Egyptian students with high financial need to attend not-for-profit institutions of higher education in Egypt that are currently accredited by a regional accrediting agency recognized by the United States Department of Education, or meets standards equivalent to those required for United States institutional accreditation by a regional accrediting agency recognized by such Department: *Provided*, That such funds shall be made available for democracy programs, and for development programs in the Sinai: *Provided further*, That such funds may not be made available for cash transfer assistance or budget support unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Egypt is taking consistent and effective steps to stabilize the economy and implement market-based economic reforms.

(3) FOREIGN MILITARY FINANCING PROGRAM.—(A) Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', $1,300,000,000, to remain available until September 30, 2021, should be made available for assistance for Egypt: *Provided*, That such funds may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations, and the uses of any interest earned on such funds shall be subject to the regular notification procedures of the Committees on

Appropriations: *Provided further*, That $300,000,000 of such funds shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Egypt is taking sustained and effective steps to—

(i) strengthen the rule of law, democratic institutions, and human rights in Egypt, including to protect religious minorities and the rights of women, which are in addition to steps taken during the previous calendar year for such purposes;

(ii) implement reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations, human rights defenders, and the media to function without interference;

(iii) release political prisoners and provide detainees with due process of law;

(iv) hold Egyptian security forces accountable, including officers credibly alleged to have violated human rights;

(v) investigate and prosecute cases of extrajudicial killings and forced disappearances; and

(vi) provide regular access for United States officials to monitor such assistance in areas where the assistance is used:

Provided further, That the certification requirement of this paragraph shall not apply to funds appropriated by this Act under such heading for counterterrorism, border security, and nonproliferation programs for Egypt.

(B) The Secretary of State may waive the certification requirement in subparagraph (A) if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national security interest of the United States, and submits a report to such Committees containing a detailed justification for the use of such waiver and the reasons why any of the requirements of subparagraph (A) cannot be met: *Provided*, That the report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(4) REPORT.—Not later than 30 days after enactment of this Act, and every 60 days thereafter, the Secretary of State shall submit a report to the appropriate congressional committees describing and assessing the actions taken by the Government of Egypt during the previous 60 days to fairly compensate April Corley for injuries and losses sustained as a result of the attack on her tour group by the Egyptian military on September 13, 2015, and progress in resolving her case: *Provided*, That if the Secretary reports that no progress has been made in the previous 60 days, the report shall include the reasons for the lack of progress.

(b) IRAN.—

(1) FUNDING.—Funds appropriated by this Act under the headings ''Diplomatic Programs'', ''Economic Support Fund'', and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be made available for the programs and activities described under this section in House Report 116–78.

(2) REPORTS.—

(A) SEMI-ANNUAL REPORT.—The Secretary of State shall submit to the Committees on Appropriations the semi-annual report required by section 135(d)(4) of the Atomic Energy Act of 1954 (42 U.S.C. 2160e(d)(4)), as added by section 2 of the Iran Nuclear Agreement Review Act of 2015 (Public Law 114–17).

(B) SANCTIONS REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on—

(i) the status of United States bilateral sanctions on Iran;

(ii) the reimposition and renewed enforcement of secondary sanctions; and

(iii) the impact such sanctions have had on Iran's destabilizing activities throughout the Middle East.

(c) IRAQ.—

(1) PURPOSES.—Funds appropriated under titles III and IV of this Act shall be made available for assistance for Iraq for—

(A) bilateral economic assistance and international security assistance, including in the Kurdistan Region of Iraq and for the Marla Ruzicka Iraqi War Victims Fund;

(B) stabilization assistance, including in Anbar Province;

(C) humanitarian assistance, including in the Kurdistan Region of Iraq; and

(D) programs to protect and assist religious and ethnic minority populations in Iraq, including as described under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(2) UNITED STATES CONSULATE GENERAL BASRAH.—Any change in the status of operations at United States Consulate General Basrah, including the return of Consulate property located adjacent to the Basrah International Airport to the Government of Iraq, shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations.

(3) BASING RIGHTS AGREEMENT.—None of the funds appropriated or otherwise made available by this Act may be used by the Government of the United States to enter into a permanent basing rights agreement between the United States and Iraq.

(d) JORDAN.—

(1) ASSISTANCE APPROPRIATED BY THIS ACT.—Of the funds appropriated by this Act under titles III and IV, not less than $1,525,000,000 shall be made available for assistance for Jordan, of which: not less than $1,082,400,000 shall be made available under the heading ''Economic Support Fund'', of which not less than $745,100,000 shall be made available for budget support for the Government of Jordan; and not less than $425,000,000 shall be made available under the heading ''Foreign Military Financing Program''.

(2) ASSISTANCE APPROPRIATED BY PRIOR ACTS.—Of the funds appropriated under the heading ''Economic Support Fund'' in prior Acts making appropriations for the Department of State, foreign operations, and related programs, not less than $125,000,000 shall be made available for assistance for Jordan, of which $100,000,000 shall be made available for budget support for the Government of Jordan and $25,000,000 shall be made available for programs to increase electricity transmission to neighboring countries, including Iraq: *Provided*, That such funds are in addition to amounts otherwise made available for such purposes.

(e) LEBANON.—

(1) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available for assistance for Lebanon: *Provided*, That such funds made available under the heading ''Economic Support Fund'' may be made available notwithstanding section 1224 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2346 note).

(2) SECURITY ASSISTANCE.—

(A) Funds appropriated by this Act under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' that are made available for assistance for Lebanon may be made available for programs and equipment for the Lebanese Internal Security Forces (ISF) and the Lebanese Armed Forces (LAF) to address security and stability requirements in areas affected by conflict in Syria, following consultation with the appropriate congressional committees.

(B) Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' that are made available for assistance for Lebanon may only be made available for programs to—

(i) professionalize the LAF to mitigate internal and external threats from non-state actors, including Hizballah;

(ii) strengthen border security and combat terrorism, including training and equipping the LAF to secure the borders of Lebanon and address security and stability requirements in areas affected by conflict in Syria, interdicting arms shipments, and preventing the use of Lebanon as a safe haven for terrorist groups; and

(iii) implement United Nations Security Council Resolution 1701:

Provided, That prior to obligating funds made available by this subparagraph for assistance for the LAF, the Secretary of State shall submit to the Committees on Appropriations a spend plan, including actions to be taken to ensure equipment provided to the LAF is used only for the intended purposes, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2020: *Provided further*, That any notification submitted pursuant to such section shall include any funds specifically intended for lethal military equipment.

(3) LIMITATION.—None of the funds appropriated by this Act may be made available for the ISF or the LAF if the ISF or the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(f) LIBYA.—

(1) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available for stabilization assistance for Libya, including support for a United Nations-facilitated political process and border security: *Provided*, That the limitation on the uses of funds for certain infrastructure projects in section 7041(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76) shall apply to such funds.

(2) CERTIFICATION.—Prior to the initial obligation of funds made available by this Act for assistance for Libya, the Secretary of State shall certify and report to the Committees on Appropriations that all practicable steps have been taken to ensure that mechanisms are in place for monitoring, oversight, and control of such funds.

(g) MOROCCO.—

(1) AVAILABILITY AND CONSULTATION REQUIREMENT.—Funds appropriated under title III of this Act shall be made available for assistance for the Western Sahara: *Provided*, That not later than 90 days after enactment of this Act and prior to the obligation of such funds, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall consult with the Committees on Appropriations on the proposed uses of such funds.

(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' that are available for assistance for Morocco may only be used for the purposes requested in the Congressional Budget Justification, Foreign Operations, Fiscal Year 2017.

(h) SAUDI ARABIA.—

(1) INTERNATIONAL MILITARY EDUCATION AND TRAINING.—None of the funds appropriated by this Act under the heading ''International Military Education and Training'' may be made available for assistance for the Government of Saudi Arabia.

(2) EXPORT-IMPORT BANK.—None of the funds appropriated or otherwise made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs should be obligated or expended by the Export-Import Bank of the United States to guarantee, insure, or extend (or participate in the extension of) credit in connection with the export of nuclear technology, equipment, fuel, materials, or other nuclear technology-related goods or services to Saudi Arabia unless the Government of Saudi Arabia—

(A) has in effect a nuclear cooperation agreement pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153);

(B) has committed to renounce uranium enrichment and reprocessing on its territory under that agreement; and

(C) has signed and implemented an Additional Protocol to its Comprehensive Safeguards Agreement with the International Atomic Energy Agency.

(i) SYRIA.—

(1) NON-LETHAL ASSISTANCE.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', and ''Peacekeeping Operations'', not less than $40,000,000 shall be made available, notwithstanding any other provision of law, for non-lethal stabilization assistance for Syria, of which not less than $7,000,000 shall be made available for emergency medical and rescue response and chemical weapons use investigations.

(2) LIMITATIONS.—Funds made available pursuant to paragraph (1) of this subsection—

(A) may not be made available for a project or activity that supports or otherwise legitimizes the Government of Iran, foreign terrorist organizations (as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)), or a proxy of Iran in Syria;

(B) may not be made available for activities that further the strategic objectives of the Government of the Russian Federation that the Secretary of State determines may threaten or undermine United States national security interests; and

(C) should not be used in areas of Syria controlled by a government led by Bashar al-Assad or associated forces.

(3) MONITORING AND OVERSIGHT.—Prior to the obligation of any funds appropriated by this Act and made available for assistance for Syria, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such assistance inside Syria.

(4) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(j) TUNISIA.—

(1) ASSISTANCE APPROPRIATED BY THIS ACT.—Of the funds appropriated under titles III and IV of this Act, not less than $191,400,000 shall be made available for assistance for Tunisia.

(2) ASSISTANCE APPROPRIATED BY PRIOR ACTS.—Of the funds appropriated under the heading ''Economic Support Fund'' in prior Acts making appropriations for the Department of State, foreign operations, and related programs, not less than $50,000,000 shall be made available for assistance for Tunisia: *Provided*, That such funds are in addition to amounts otherwise made available for such purposes.

(k) WEST BANK AND GAZA.—

(1) REPORT ON ASSISTANCE.—Prior to the initial obligation of funds made available by this Act under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on Appropriations that the purpose of such assistance is to—

(A) advance Middle East peace;

(B) improve security in the region;

(C) continue support for transparent and accountable government institutions;

(D) promote a private sector economy; or

(E) address urgent humanitarian needs.

(2) LIMITATIONS.—

(A)(i) None of the funds appropriated under the heading ''Economic Support Fund'' in this Act may be made available for assistance for the Palestinian Authority, if after the date of enactment of this Act—

(I) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(II) the Palestinians initiate an International Criminal Court (ICC) judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(ii) The Secretary of State may waive the restriction in clause (i) of this subparagraph resulting from the application of subclause (I) of such clause if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(B)(i) The President may waive the provisions of section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204) if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the appropriate congressional committees that the Palestinians have not, after the date of enactment of this Act—

(I) obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians; and

(II) initiated or actively supported an ICC investigation against Israeli nationals for alleged crimes against Palestinians.

(ii) Not less than 90 days after the President is unable to make the certification pursuant to clause (i) of this subparagraph, the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: *Provided*, That any waiver of the provisions of section 1003 of Public Law 100–204 under clause (i) of this subparagraph or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(iii) Any waiver pursuant to this subparagraph shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(3) REDUCTION.—The Secretary of State shall reduce the amount of assistance made available by this Act under the heading ''Economic Support Fund'' for the Palestinian Authority by an amount the Secretary determines is equivalent to the amount expended by the Palestinian Authority, the Palestine Liberation Organization, and any successor or affiliated organizations with such entities as payments for acts of terrorism by individuals who are imprisoned after being fairly tried and convicted for acts of terrorism and by individuals who died committing acts of terrorism during the previous calendar year: *Provided*, That the Secretary shall report to the Committees on Appropriations on the amount reduced for fiscal year 2020 prior to the obligation of funds for the Palestinian Authority.

(4) PRIVATE SECTOR PARTNERSHIP PROGRAMS.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for private sector partnership programs for the West Bank and Gaza if such funds are authorized: *Provided*, That funds made available pursuant to this paragraph shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(5) SECURITY REPORT.—The reporting requirements in section 1404 of the Supplemental Appropriations Act, 2008 (Public Law 110–252) shall apply to funds made available by this Act, including a description of modifications, if any, to the security strategy of the Palestinian Authority.

(6) INCITEMENT REPORT.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing steps taken by the Palestinian Authority to counter incitement of violence against Israelis and to promote peace and coexistence with Israel.

(l) YEMEN.—Funds appropriated under title III of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be made available for stabilization assistance for Yemen.

AFRICA

SEC. 7042. (a) AFRICAN GREAT LAKES REGION ASSISTANCE RESTRICTION.—Funds appropriated by this Act under the heading ''International Military Education and Training'' for the central government of a country in the African Great Lakes region may be made available only for Expanded International Military Education and Training and professional military education until the Secretary of State determines and reports to the Committees on Appropriations that such government is not facilitating or otherwise participating in destabilizing activities in a neighboring country, including aiding and abetting armed groups.

(b) CAMEROON.—Funds appropriated under title IV of this Act that are made available for assistance for the armed forces of Cameroon, including the Rapid Intervention Battalion, may only be made available to counter regional terrorism, including Boko Haram and other Islamic State affiliates, participate in international peacekeeping operations, and for military education and maritime security programs.

(c) CENTRAL AFRICAN REPUBLIC.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $3,000,000 shall be made available for a contribution to the Special Criminal Court in Central African Republic.

(d) DEMOCRATIC REPUBLIC OF THE CONGO.—Funds appropriated by this Act under titles III and IV shall be made available for assistance for the Democratic Republic of the Congo for stabilization, global health, and bilateral economic assistance, including in

areas affected by, and at risk from, the Ebola virus disease.

(e) LAKE CHAD BASIN COUNTRIES.—Funds appropriated under titles III and IV of this Act shall be made available, following consultation with the Committees on Appropriations, for assistance for Cameroon, Chad, Niger, and Nigeria for—

(1) democracy, development, and health programs;

(2) assistance for individuals targeted by foreign terrorist and other extremist organizations, including Boko Haram, consistent with the provisions of section 7059 of this Act;

(3) assistance for individuals displaced by violent conflict; and

(4) counterterrorism programs.

(f) MALAWI.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $60,000,000 shall be made available for assistance for Malawi, of which up to $10,000,000 shall be made available for higher education programs.

(g) SAHEL STABILIZATION AND SECURITY.—Funds appropriated under titles III and IV of this Act shall be made available for stabilization, health, development, and security programs in the countries of the Sahel region.

(h) SOUTH SUDAN.—

(1) ASSISTANCE.—Of the funds appropriated under title III of this Act that are made available for assistance for South Sudan, not less than $15,000,000 shall be made available for democracy programs and not less than $8,000,000 shall be made available for conflict mitigation and reconciliation programs.

(2) LIMITATION ON ASSISTANCE FOR THE CENTRAL GOVERNMENT.—Funds appropriated by this Act that are made available for assistance for the central Government of South Sudan may only be made available, following consultation with the Committees on Appropriations, for—

(A) humanitarian assistance;

(B) health programs, including to prevent, detect, and respond to the Ebola virus disease;

(C) assistance to support South Sudan peace negotiations or to advance or implement a peace agreement; and

(D) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement and mutual arrangements related to such agreement:

Provided, That prior to the initial obligation of funds made available pursuant to subparagraphs (C) and (D), the Secretary of State shall consult with the Committees on Appropriations on the intended uses of such funds and steps taken by such government to advance or implement a peace agreement.

(i) SUDAN.—

(1) LIMITATIONS ON ASSISTANCE AND LOANS.—(A) Notwithstanding any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(B) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(2) EXCLUSIONS.—The limitations of paragraph (1) shall not apply to—

(A) humanitarian assistance;

(B) assistance for democracy, health, agriculture, economic growth, and education programs;

(C) assistance for the Darfur region, Southern Kordofan State, Blue Nile State, other marginalized areas and populations in Sudan, and Abyei; and

(D) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement, mutual arrangements related to post-referendum issues associated with such Agreement, or any other viable peace agreement in Sudan.

(3) CONSULTATION.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for any new program or activity in Sudan shall be subject to prior consultation with the appropriate congressional committees.

(j) ZIMBABWE.—

(1) INSTRUCTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loan or grant to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that the rule of law has been restored, including respect for ownership and title to property, and freedoms of expression, association, and assembly.

(2) LIMITATION.—None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State certifies and reports as required in paragraph (1).

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) BURMA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—(A) Of the funds appropriated under title III of this Act, not less than $131,450,000 shall be made available for assistance for Burma: *Provided*, That such funds may be made available notwithstanding any other provision of law and following consultation with the appropriate congressional committees: *Provided further*, That such funds shall be made available for programs to promote ethnic and religious tolerance and to combat gender-based violence, including in Kachin, Karen, Rakhine, and Shan states: *Provided further*, That such funds may be made available for ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and peace, which may include support to representatives of ethnic armed groups for this purpose.

(B) Funds appropriated under title III of this Act for assistance for Burma shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading ''Migration and Refugee Assistance'': *Provided*, That such funds may be available for programs to support the return of Kachin, Karen, Rohingya, Shan, and other refugees and internally displaced persons to their locations of origin or preference in Burma only if such returns are voluntary and consistent with international law.

(C) Funds appropriated under title III of this Act for assistance for Burma that are made available for assistance for the Government of Burma to support the implementation of Nationwide Ceasefire Agreement conferences, committees, and other procedures may only be made available if the Secretary of State reports to the Committees on Appropriations that such conferences, committees, and procedures are directed toward a sustainable peace and the Government of Burma is implementing its commitments under such Agreement.

(2) INTERNATIONAL SECURITY ASSISTANCE.—None of the funds appropriated by this Act under the headings ''International Military Education and Training'' and ''Foreign Military Financing Program'' may be made available for assistance for Burma: *Provided*, That the Department of State may continue consultations with the armed forces of Burma only on human rights and disaster response in a manner consistent with the prior fiscal year, and following consultation with the appropriate congressional committees.

(3) LIMITATIONS.—None of the funds appropriated under title III of this Act for assistance for Burma may be made available to any organization or entity controlled by the armed forces of Burma, or to any individual or organization that advocates violence against ethnic or religious groups or individuals in Burma, as determined by the Secretary of State for programs administered by the Department of State and USAID or the President of the National Endowment for Democracy (NED) for programs administered by NED.

(4) CONSULTATION.—Any new program or activity in Burma initiated in fiscal year 2020 shall be subject to prior consultation with the appropriate congressional committees.

(b) CAMBODIA.—

(1) ASSISTANCE.—Of the funds appropriated under title III of this Act, not less than $82,505,000 shall be made available for assistance for Cambodia.

(2) CERTIFICATION AND EXCEPTIONS.—

(A) CERTIFICATION.—None of the funds appropriated by this Act that are made available for assistance for the Government of Cambodia may be obligated or expended unless the Secretary of State certifies and reports to the Committees on Appropriations that such Government is taking effective steps to—

(i) strengthen regional security and stability, particularly regarding territorial disputes in the South China Sea and the enforcement of international sanctions with respect to North Korea;

(ii) assert its sovereignty against interference by the People's Republic of China, including by verifiably maintaining the neutrality of Ream Naval Base, other military installations in Cambodia, and dual use facilities such as the Dara Sakor development project; and

(iii) respect the rights, freedoms, and responsibilities enshrined in the Constitution of the Kingdom of Cambodia as enacted in 1993.

(B) EXCEPTIONS.—The certification required by subparagraph (A) shall not apply to funds appropriated by this Act and made available for democracy, health, education, and environment programs, programs to strengthen the sovereignty of Cambodia, and programs to educate and inform the people of Cambodia of the influence efforts of the People's Republic of China in Cambodia.

(3) USES OF FUNDS.—Funds appropriated under title III of this Act for assistance for Cambodia shall be made available for—

(A) research and education programs associated with the Khmer Rouge in Cambodia; and

(B) programs in the Khmer language to monitor, map, and publicize the efforts by the People's Republic of China to expand its influence in Cambodia, including in Sihanoukville, Bavet, Poipet, Koh Kong, and areas bordering Vietnam.

(c) INDO-PACIFIC STRATEGY AND THE ASIA REASSURANCE INITIATIVE ACT OF 2018.—

(1) ASSISTANCE.—Of the funds appropriated under titles III and IV of this Act, not less than $1,482,000,000 shall be made available to support the implementation of the Indo-Pacific Strategy and the Asia Reassurance Initiative Act of 2018 (Public Law 115–409).

(2) COUNTERING CHINESE INFLUENCE FUND.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', and ''Foreign Military Financing Program'', not less than $300,000,000 shall be made available for a Countering Chinese Influence Fund to counter the influence of the People's Republic of China globally, which shall be subject to prior consultation with the Committees on Appropriations: *Provided*, That such funds are in addition to amounts otherwise made available for such purposes: *Provided further*, That such funds appropriated under such headings may be transferred to, and merged with, funds appropriated under such headings: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to the regular notification procedures of the Committees on Appropriations.

(3) RESTRICTION ON USES OF FUNDS.—None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for any project or activity that directly supports or promotes—

(A) the Belt and Road Initiative or any dual-use infrastructure projects of the People's Republic of China; and

(B) the use of technology, including biotechnology, digital, telecommunications, and cyber, developed by the People's Republic of China unless the Secretary of State, in consultation with the USAID Administrator and the Chief Executive Officer of the United States International Development Finance Corporation, as appropriate, determines that such use does not adversely impact the national security of the United States.

(d) LAOS.—Of the funds appropriated under title III of this Act, not less than $34,280,000 shall be made available for assistance for Laos.

(e) NORTH KOREA.—

(1) CYBERSECURITY.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for assistance for the central government of a country the Secretary of State determines and reports to the appropriate congressional committees engages in significant transactions contributing materially to the malicious cyber-intrusion capabilities of the Government of North Korea: *Provided*, That the Secretary of State shall submit the report required by section 209 of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114–122; 22 U.S.C. 9229) to the Committees on Appropriations: *Provided further*, That the Secretary of State may waive the application of the restriction in this paragraph with respect to assistance for the central government of a country if the Secretary determines and reports to the appropriate congressional committees that to do so is important to the national security interest of the United States, including a description of such interest served.

(2) BROADCASTS.—Funds appropriated by this Act under the heading ''International Broadcasting Operations'' shall be made available to maintain broadcasting hours into North Korea at levels not less than the prior fiscal year.

(3) HUMAN RIGHTS PROMOTION AND LIMITATION ON USE OF FUNDS.—(A) Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''Democracy Fund'' shall be made available for the promotion of human rights in North Korea: *Provided*, That the authority of section 7032(b)(1) of this Act shall apply to such funds.

(B) None of the funds made available by this Act under the heading ''Economic Support Fund'' may be made available for assistance for the Government of North Korea.

(f) PEOPLE'S REPUBLIC OF CHINA.—

(1) LIMITATION ON USE OF FUNDS.—None of the funds appropriated under the heading ''Diplomatic Programs'' in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China (PRC) unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action.

(2) PEOPLE'S LIBERATION ARMY.—The terms and requirements of section 620(h) of the Foreign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People's Liberation Army (PLA) of the PRC, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: *Provided*, That none of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(3) UNITED STATES-CHINA FRIENDSHIP VOLUNTEER PROGRAM.—Not later than 90 days after enactment of this Act and following consultation with the heads of other relevant Federal agencies, the Director of the Peace Corps shall submit a report to the appropriate congressional committees on the United States-China Friendship Volunteer Program, including a description of program coordination, implementation, and oversight, and the goals and objectives served: *Provided*, That the Director shall also consult with the Committees on Appropriations on such report.

(4) HONG KONG.—

(A) DEMOCRACY PROGRAMS.—Of the funds appropriated by this Act under the heading ''Democracy Fund'' for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State, not less than $1,500,000 shall be made available for democracy programs for Hong Kong, including legal and other support for democracy activists.

(B) REPORT.—Funds appropriated under title I of this Act shall be made available to prepare and submit to Congress the report required by section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731), which shall also include a description of—

(i) efforts by the Hong Kong authorities and the Government of the People's Republic of China to prevent free assembly and communications by the people of Hong Kong;

(ii) the technical surveillance equipment and methods used by the Hong Kong authorities and the Government of the People's Republic of China to monitor the movement and communications of the Hong Kong population;

(iii) the application of social and political control tools developed by the Government of the People's Republic of China and used by such Government and the Hong Kong authorities in Hong Kong;

(iv) the disinformation and political influence campaigns conducted by the Government of the People's Republic of China in Hong Kong and overseas with respect to the situation in Hong Kong; and

(v) the mission and activities of the People's Armed Police, the People's Liberation Army, the Ministries of Public Security and State Security in Beijing, the Government of the People's Republic of China, and other Chinese security forces in Hong Kong, including their respective roles in human rights abuses against the people of Hong Kong.

(g) PHILIPPINES.—None of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'' may be made available for counternarcotics assistance for the Philippines, except for drug demand reduction, maritime law enforcement, or transnational interdiction.

(h) TIBET.—

(1) FINANCING OF PROJECTS IN TIBET.—The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing of projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) PROGRAMS FOR TIBETAN COMMUNITIES.—(A) Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $8,000,000 shall be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities in the Tibet Autonomous Region and in other Tibetan communities in China.

(B) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $6,000,000 shall be made available for programs to promote and preserve Tibetan culture and language in the refugee and diaspora Tibetan communities, development, and the resilience of Tibetan communities and the Central Tibetan Administration in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: *Provided*, That such funds are in addition to amounts made available in subparagraph (A) for programs inside Tibet.

(C) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $3,000,000 shall be made available for programs to strengthen the capacity of the Central Tibetan Administration: *Provided*, That such funds shall be administered by the United States Agency for International Development.

(i) VIETNAM.—Of the funds appropriated under titles III and IV of this Act, not less than $159,634,000 shall be made available for assistance for Vietnam, of which not less than—

(1) $13,000,000 shall be made available for health and disability programs in areas sprayed with Agent Orange and contaminated with dioxin, to assist individuals with severe upper or lower body mobility impairment or cognitive or developmental disabilities;

(2) $20,000,000 shall be made available, notwithstanding any other provision of law, for activities related to the remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes; and

(3) $1,500,000 shall be made available for a war legacy reconciliation program.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) FUNDING AND LIMITATIONS.—Funds appropriated by this Act under the headings

''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' that are made available for assistance for Afghanistan—

(A) shall be made available to implement the South Asia Strategy, the Revised Strategy for United States Engagement in Afghanistan, and the United States Agency for International Development Country Development Cooperation Strategy for Afghanistan;

(B) shall be made available to continue support for institutions of higher education in Kabul, Afghanistan that are accessible to both women and men in a coeducational environment, including for the costs for operations and security for such institutions;

(C) shall be made available for programs that protect and strengthen the rights of Afghan women and girls and promote the political and economic empowerment of women including their meaningful inclusion in political processes: *Provided*, That such assistance to promote the economic empowerment of women shall be made available as grants to Afghan organizations, to the maximum extent practicable; and

(D) may not be made available for any program, project, or activity pursuant to section 7044(a)(1)(C) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6).

(2) AFGHAN WOMEN.—

(A) IN GENERAL.—The Secretary of State shall promote the meaningful participation of Afghan women in ongoing peace and reconciliation processes in Afghanistan in a manner consistent with the Women, Peace, and Security Act of 2017 (Public Law 115–68), including advocacy for the inclusion of Afghan women leaders in ongoing and future dialogue and negotiations and efforts to ensure that any peace agreement reached with the Taliban protects the rights of women and girls and ensures their freedom of movement, rights to education and work, and access to healthcare and legal representation.

(B) ASSISTANCE.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ''Economic Support Fund'' shall be made available for an endowment pursuant to paragraph (3)(A)(iv) of this subsection for an institution of higher education in Kabul, Afghanistan that is accessible to both women and men in a coeducational environment: *Provided*, That such endowment shall be established in partnership with a United States-based American higher education institution that will serve on its board of trustees: *Provided further*, That prior to the obligation of funds for such an endowment, the Administrator of the United States Agency for International Development shall submit a report to the Committees on Appropriations describing the governance structure, including a proposed board of trustees, and financial safeguards, including regular audit and reporting requirements, in any endowment agreement: *Provided further*, That the USAID Administrator shall provide a report on the expenditure of funds generated from such an endowment to the Committees on Appropriations on an annual basis.

(3) AUTHORITIES.—

(A) Funds appropriated by this Act under titles III through VI that are made available for assistance for Afghanistan may be made available—

(i) notwithstanding section 7012 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961;

(ii) for reconciliation programs and disarmament, demobilization, and reintegration activities for former combatants who have renounced violence against the Government of Afghanistan, including in accordance with section 7046(a)(2)(B)(ii) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74);

(iii) for an endowment to empower women and girls; and

(iv) for an endowment for higher education.

(B) Section 7046(a)(2)(A) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall apply to funds appropriated by this Act for assistance for Afghanistan.

(C) Of the funds appropriated by this Act under the heading ''Diplomatic Programs'', up to $3,000,000 may be transferred to any other appropriation of any department or agency of the United States Government, upon the concurrence of the head of such department or agency, to support operations in, and assistance for, Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: *Provided*, That any such transfer shall be subject to the regular notification procedures of the Committees on Appropriations.

(4) AGREEMENT AND CERTIFICATION.—Funds appropriated by this Act shall be made available for the following purposes—

(A) the submission to the appropriate congressional committees by the President of a copy of any agreement or arrangement between the Government of the United States and the Taliban relating to the United States presence in Afghanistan or Taliban commitments on the future of Afghanistan, which shall be submitted not later than 30 days after finalizing such an agreement or arrangement; and

(B) the submission to the appropriate congressional committees of a joint certification by the Secretary of State and Secretary of Defense that such agreement or arrangement will further the objective of setting conditions for the long-term defeat of al Qaeda and Islamic State and will not make the United States more vulnerable to terrorist attacks originating from Afghanistan or supported by terrorist elements in Afghanistan.

(5) BASING RIGHTS AGREEMENT.—None of the funds made available by this Act may be used by the United States Government to enter into a permanent basing rights agreement between the United States and Afghanistan.

(b) BANGLADESH.—Of the funds appropriated under titles III and IV of this Act, not less than $198,323,000 shall be made available for assistance for Bangladesh, of which—

(1) not less than $23,500,000 shall be made available to address the needs of communities impacted by refugees from Burma;

(2) not less than $10,000,000 shall be made available for programs to protect freedom of expression and due process of law; and

(3) not less than $23,300,000 shall be made available for democracy programs, of which not less than $2,000,000 shall be made available for such programs for the Rohingya community in Bangladesh.

(c) NEPAL.—

(1) ASSISTANCE.—Of the funds appropriated under titles III and IV of this Act, not less than $130,265,000 shall be made available for assistance for Nepal, including for earthquake recovery and reconstruction programs and democracy programs.

(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' shall only be made available for humanitarian and disaster relief and reconstruction activities in Nepal, and in support of international peacekeeping operations: *Provided*, That such funds may only be made available for any additional uses if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the laws of war, and the Nepal Army is cooperating fully with civilian judicial authorities in such cases.

(d) PAKISTAN.—

(1) TERMS AND CONDITIONS.—The terms and conditions of section 7044(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6) shall continue in effect during fiscal year 2020.

(2) ASSISTANCE.—Of the funds appropriated under title III of this Act that are made available for assistance for Pakistan, not less than $15,000,000 shall be made available for democracy programs and not less than $10,000,000 shall be made available for gender programs.

(e) SRI LANKA.—

(1) ASSISTANCE.—Funds appropriated under title III of this Act shall be made available for assistance for Sri Lanka for democracy and economic development programs, particularly in areas recovering from ethnic and religious conflict: *Provided*, That such funds shall be made available for programs to assist in the identification and resolution of cases of missing persons.

(2) CERTIFICATION.—Funds appropriated by this Act for assistance for the central Government of Sri Lanka, except for funds made available for humanitarian assistance, victims of trauma, and technical assistance to promote fiscal transparency and sovereignty, may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that such Government is taking effective and consistent steps to—

(A) respect and uphold the rights and freedoms of the people of Sri Lanka regardless of ethnicity and religious belief, including by investigating violations of human rights and holding perpetrators of such violations accountable;

(B) assert its sovereignty against interference by the People's Republic of China; and

(C) promote reconciliation between ethnic and religious groups arising from past conflict in Sri Lanka, including by addressing land confiscation and ownership issues, resolving cases of missing persons, and reducing the presence of the armed forces in former conflict zones.

(3) INTERNATIONAL SECURITY ASSISTANCE.—Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', not to exceed $500,000 may be made available for assistance for Sri Lanka: *Provided*, That such funds may be made available only for programs to support humanitarian and disaster response preparedness and maritime security, including professionalization and training for the navy and coast guard: *Provided further*, That funds made available under the heading ''Peacekeeping Operations'' may only be made available subject to the regular notification procedures of the Committees on Appropriations.

(f) REGIONAL PROGRAMS.—Funds appropriated by this Act shall be made available for assistance for Afghanistan, Pakistan, and other countries in South and Central Asia to significantly increase the recruitment, training, and retention of women in the judiciary, police, and other security forces, and to train judicial and security personnel in such countries to prevent and address gender-based violence, human trafficking, and other practices that disproportionately harm women and girls.

LATIN AMERICA AND THE CARIBBEAN

SEC. 7045. (a) CENTRAL AMERICA.—

(1) ASSISTANCE.—

(A) FISCAL YEAR 2020.—Of the funds appropriated by this Act under titles III and IV, not less than $519,885,000 should be made available for assistance for Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama, including through the Central America Regional Security Initiative: *Provided*, That such assistance shall be prioritized for programs and activities that addresses the key factors that contribute to the migration of unaccompanied, undocumented minors to the United States and such funds shall be made available for global health, humanitarian, development, democracy, border security, and law enforcement programs for such countries, including for programs to reduce violence against women and girls and to combat corruption, and for support of commissions against corruption and impunity, as appropriate: *Provided further*, That not less than $45,000,000 shall be for support of offices of Attorneys General and of other entities and activities to combat corruption and impunity in such countries.

(B) FISCAL YEAR 2019.—Of the funds appropriated under titles III and IV of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6), not less than $527,600,000 should be made available for assistance for Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama, including through the Central America Regional Security Initiative: *Provided*, That such funds shall be made available subject to the conditions in paragraph (2) of this subsection and notwithstanding paragraphs (1) and (2) of section 7045(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6).

(2) NORTHERN TRIANGLE.—

(A) LIMITATION ON ASSISTANCE TO CERTAIN CENTRAL GOVERNMENTS.—Of the funds made available pursuant to paragraph (1) under the heading ''Economic Support Fund'' and under title IV of this Act that are made available for assistance for each of the central governments of El Salvador, Guatemala, and Honduras, 50 percent may only be obligated after the Secretary of State certifies and reports to the appropriate congressional committees that such government is—

(i) combating corruption and impunity, including prosecuting corrupt government officials;

(ii) implementing reforms, policies, and programs to increase transparency and strengthen public institutions;

(iii) protecting the rights of civil society, opposition political parties, and the independence of the media;

(iv) providing effective and accountable law enforcement and security for its citizens, and upholding due process of law;

(v) implementing policies to reduce poverty and promote equitable economic growth and opportunity;

(vi) supporting the independence of the judiciary and of electoral institutions;

(vii) improving border security;

(viii) combating human smuggling and trafficking and countering the activities of criminal gangs, drug traffickers, and transnational criminal organizations; and

(ix) informing its citizens of the dangers of the journey to the southwest border of the United States.

(B) REPROGRAMMING.—If the Secretary is unable to make the certification required by subparagraph (A) for one or more of the governments, such assistance for such central government shall be reprogrammed for assistance for other countries in Latin America and the Caribbean, notwithstanding the minimum funding requirements of this subsection and of section 7019 of this Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations.

(C) EXCEPTIONS.—The limitation of subparagraph (A) shall not apply to funds appropriated by this Act that are made available for—

(i) the Mission to Support the Fight Against Corruption and Impunity in Honduras, the International Commission Against Impunity in El Salvador, and support of offices of Attorneys General and of other entities and activities related to combating corruption and impunity;

(ii) programs to combat gender-based violence;

(iii) humanitarian assistance; and

(iv) food security programs.

(b) COLOMBIA.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under titles III and IV, not less than $448,253,000 shall be made available for assistance for Colombia: *Provided*, That such funds shall be made available for the programs and activities described under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(2) WITHHOLDING OF FUNDS.—

(A) COUNTERNARCOTICS.—Of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'' and made available for assistance for Colombia, 20 percent may be obligated only after the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Colombia is continuing to implement a national whole-of-government counternarcotics strategy intended to reduce by 50 percent cocaine production and coca cultivation levels in Colombia by 2023.

(B) HUMAN RIGHTS.—Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'' and made available for assistance for Colombia, 20 percent may be obligated only after the Secretary of State certifies and reports to the Committees on Appropriations that—

(i) the Special Jurisdiction for Peace and other judicial authorities are taking effective steps to hold accountable perpetrators of gross violations of human rights in a manner consistent with international law, including for command responsibility, and sentence them to deprivation of liberty;

(ii) the Government of Colombia is taking effective steps to prevent attacks against human rights defenders and other civil society activists, trade unionists, and journalists, and judicial authorities are prosecuting those responsible for such attacks; and

(iii) senior military officers responsible for ordering, committing, and covering up cases of false positives are being held accountable, including removal from active duty if found guilty through criminal or disciplinary proceedings.

(3) EXCEPTIONS.—The limitations of paragraph (2) shall not apply to funds made available for aviation instruction and maintenance, and maritime and riverine security programs.

(4) AUTHORITY.—Aircraft supported by funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs and made available for assistance for Colombia may be used to transport personnel and supplies involved in drug eradication and interdiction, including security for such activities, and to provide transport in support of alternative development programs and investigations by civilian judicial authorities.

(5) LIMITATION.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Colombia may be made available for payment of reparations to conflict victims or compensation to demobilized combatants associated with a peace agreement between the Government of Colombia and illegal armed groups.

(c) HAITI.—

(1) CERTIFICATION.—Funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for Haiti may not be made available for assistance for the central Government of Haiti unless the Secretary of State certifies and reports to the Committees on Appropriations that such government is taking effective steps, which are steps taken since the certification and report submitted during the prior year, if applicable, to—

(A) strengthen the rule of law in Haiti, including by—

(i) selecting judges in a transparent manner based on merit;

(ii) reducing pre-trial detention;

(iii) respecting the independence of the judiciary; and

(iv) improving governance by implementing reforms to increase transparency and accountability, including through the penal and criminal codes;

(B) combat corruption, including by implementing the anti-corruption law enacted in 2014 and prosecuting corrupt officials;

(C) increase government revenues, including by implementing tax reforms, and increasing expenditures on public services; and

(D) resolve commercial disputes between United States entities and the Government of Haiti.

(2) HAITIAN COAST GUARD.—The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

(3) LIMITATION.—None of the funds made available by this Act may be used to provide assistance to the armed forces of Haiti.

(d) THE CARIBBEAN.—Of the funds appropriated by this Act under titles III and IV, not less than $60,000,000 shall be made available for the Caribbean Basin Security Initiative.

(e) VENEZUELA.—

(1) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $30,000,000 shall be made available for democracy programs for Venezuela.

(2) Funds appropriated under title III of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be made available for assistance for communities in countries supporting or otherwise impacted by refugees from Venezuela, including Colombia, Peru, Ecuador, Curacao, and Trinidad and Tobago: *Provided*, That such amounts are in addition to funds otherwise made available for assistance for such countries, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

EUROPE AND EURASIA

SEC. 7046. (a) ASSISTANCE.—

(1) GEORGIA.—Of the funds appropriated by this Act under titles III and IV, not less than $132,025,000 shall be made available for assistance for Georgia.

(2) UKRAINE.—Of the funds appropriated by this Act under titles III and IV, not less than $448,000,000 shall be made available for assistance for Ukraine.

(b) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for a government of an Independent State of the former Soviet Union if such government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That except as otherwise provided in section 7047(a) of this Act, funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States: *Provided further*, That prior to executing the authority contained in the previous proviso, the Secretary of State shall consult with the Committees on Appropriations on how such assistance supports the national security interest of the United States.

(c) SECTION 907 OF THE FREEDOM SUPPORT ACT.—Section 907 of the FREEDOM Support Act (22 U.S.C. 5812 note) shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act (22 U.S.C. 5851 et seq.) and section 1424 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2333) or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961;

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the United States International Development Finance Corporation as authorized by the BUILD Act of 2018 (division F of Public Law 115–254);

(5) any financing provided under the Export-Import Bank Act of 1945 (Public Law 79–173); or

(6) humanitarian assistance.

(d) TURKEY.—None of the funds made available by this Act may be used to facilitate or support the sale of defense articles or defense services to the Turkish Presidential Protection Directorate (TPPD) under Chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) unless the Secretary of State determines and reports to the appropriate congressional committees that members of the TPPD that are named in the July 17, 2017, indictment by the Superior Court of the District of Columbia, and against whom there are pending charges, have returned to the United States to stand trial in connection with the offenses contained in such indictment or have otherwise been brought to justice: *Provided*, That the limitation in this paragraph shall not apply to the use of funds made available by this Act for border security purposes, for North Atlantic Treaty Organization or coalition operations, or to enhance the protection of United States officials and facilities in Turkey.

COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

SEC. 7047. (a) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b) ANNEXATION OF CRIMEA.—

(1) PROHIBITION.—None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea or other territory in Ukraine: *Provided*, That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to such Committees that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) LIMITATION.—None of the funds appropriated by this Act may be made available for—

(A) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea or other territory in Ukraine;

(B) the facilitation, financing, or guarantee of United States Government investments in Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such activity includes the participation of Russian Government officials, or other Russian owned or controlled financial entities; or

(C) assistance for Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such assistance includes the participation of Russian Government officials, or other Russian owned or controlled financial entities.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to use the voice and vote of the United States to oppose any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(4) DURATION.—The requirements and limitations of this subsection shall cease to be in effect if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Ukraine has reestablished sovereignty over Crimea and other territory in Ukraine under the control of Russian-backed separatists.

(c) OCCUPATION OF THE GEORGIAN TERRITORIES OF ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

(1) PROHIBITION.—None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has recognized the independence of, or has established diplomatic relations with, the Russian Federation occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia: *Provided*, That the Secretary shall publish on the Department of State website a list of any such central governments in a timely manner: *Provided further*, That the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) LIMITATION.—None of the funds appropriated by this Act may be made available to support the Russian Federation occupation of the Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to use the voice and vote of the United States to oppose any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty and territorial integrity of Georgia.

(d) COUNTERING RUSSIAN INFLUENCE FUND.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under the headings ''Assistance for Europe, Eurasia and Central Asia'', ''International Narcotics Control and Law Enforcement'', ''International Military Education and Training'', and ''Foreign Military Financing Program'', not less than $290,000,000 shall be made available to carry out the purposes of the Countering Russian Influence Fund, as authorized by section 254 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44; 22 U.S.C. 9543) and notwithstanding the country limitation in subsection (b) of such section, and programs to enhance the capacity of law enforcement and security forces in countries in Europe, Eurasia, and Central Asia and strengthen security cooperation between such countries and the United States and the North Atlantic Treaty Organization, as appropriate.

(2) ECONOMICS AND TRADE.—Funds appropriated by this Act and made available for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements and trade agreements with the European Union, and to reduce their vulnerability to external economic and political pressure from the Russian Federation.

(e) DEMOCRACY PROGRAMS.—Funds appropriated by this Act shall be made available to support democracy programs in the Russian Federation and other countries in Europe, Eurasia, and Central Asia, including to promote Internet freedom: *Provided*, That not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a comprehensive, multiyear strategy for the promotion of democracy in such countries.

UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNTABILITY.—

(1) WITHHOLDING OF FUNDS.—Of the funds appropriated under the heading ''Contributions to International Organizations'' in title I and ''International Organizations and Programs'' in title V of this Act that are available for contributions to the United Nations (including the Department of Peacekeeping Operations), any United Nations agency, or the Organization of American States, 15 percent may not be obligated for such organization, department, or agency until the Secretary of State determines and reports to the Committees on Appropriations that the organization, department, or agency is—

(A) posting on a publicly available website, consistent with privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agency, and providing the United States Government with necessary access to such financial and performance audits;

(B) effectively implementing and enforcing policies and procedures which meet or exceed best practices in the United States for the protection of whistleblowers from retaliation, including—

(i) protection against retaliation for internal and lawful public disclosures;

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

(iv) access to binding independent adjudicative bodies, including shared cost and selection external arbitration; and

(v) results that eliminate the effects of proven retaliation, including provision for the restoration of prior employment; and

(C) effectively implementing and enforcing policies and procedures on the appropriate use of travel funds, including restrictions on first class and business class travel.

(2) WAIVER.—The restrictions imposed by or pursuant to paragraph (1) may be waived

on a case- by-case basis if the Secretary of State determines and reports to the Committees on Appropriations that such waiver is necessary to avert or respond to a humanitarian crisis.

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) RESTRICTIONS ON UNITED STATES DELEGATIONS.—None of the funds made available by this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such agency, body, or commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 1754(c) of the Export Reform Control Act of 2018 (50 U.S.C. 4813(c)), supports international terrorism.

(2) RESTRICTIONS ON CONTRIBUTIONS.—None of the funds made available by this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 1754(c) of the Export Reform Control Act of 2018 (50 U.S.C. 4813(c)), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) WAIVER.—The Secretary of State may waive the restriction in this subsection if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national interest of the United States, including a description of the national interest served.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—None of the funds appropriated by this Act may be made available in support of the United Nations Human Rights Council unless the Secretary of State determines and reports to the Committees on Appropriations that participation in the Council is important to the national interest of the United States and that such Council is taking significant steps to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council: *Provided*, That such report shall include a description of the national interest served and the steps taken to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council: *Provided further*, That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2020, on the resolutions considered in the United Nations Human Rights Council during the previous 12 months, and on steps taken to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—Prior to the initial obligation of funds for the United Nations Relief and Works Agency (UNRWA), the Secretary of State shall report to the Committees on Appropriations, in writing, on whether UNRWA is—

(1) utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

(2) acting promptly to address any staff or beneficiary violation of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) implementing procedures to maintain the neutrality of its facilities, including implementing a no-weapons policy, and conducting regular inspections of its installations, to ensure they are only used for humanitarian or other appropriate purposes;

(4) taking necessary and appropriate measures to ensure it is operating in compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961 and continuing regular reporting to the Department of State on actions it has taken to ensure conformance with such conditions;

(5) taking steps to ensure the content of all educational materials currently taught in UNRWA-administered schools and summer camps is consistent with the values of human rights, dignity, and tolerance and does not induce incitement;

(6) not engaging in operations with financial institutions or related entities in violation of relevant United States law, and is taking steps to improve the financial transparency of the organization; and

(7) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing in a timely fashion the Board's recommendations.

(e) PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

(f) REPORT.—Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amount of funds available for obligation or expenditure in fiscal year 2020 for contributions to any organization, department, agency, or program within the United Nations system or any international program that are withheld from obligation or expenditure due to any provision of law: *Provided*, That the Secretary shall update such report each time additional funds are withheld by operation of any provision of law: *Provided further*, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(g) SEXUAL EXPLOITATION AND ABUSE IN PEACEKEEPING OPERATIONS.—The Secretary of State should withhold assistance to any unit of the security forces of a foreign country if the Secretary has credible information that such unit has engaged in sexual exploitation or abuse, including while serving in a United Nations peacekeeping operation, until the Secretary determines that the government of such country is taking effective steps to hold the responsible members of such unit accountable and to prevent future incidents: *Provided*, That the Secretary shall promptly notify the government of each country subject to any withholding of assistance pursuant to this paragraph, and shall notify the appropriate congressional committees of such withholding not later than 10 days after a determination to withhold such assistance is made: *Provided further*, That the Secretary shall, to the maximum extent practicable, assist such government in bringing the responsible members of such unit to justice.

(h) ADDITIONAL AVAILABILITY.—Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated by this Act which are returned or not made available due to the implementation of subsection (a), the third proviso under the heading ''Contributions for International Peacekeeping Activities'' in title I of this Act, or section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)), shall remain available for obligation until September 30, 2021: *Provided*, That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

(i) NATIONAL SECURITY INTEREST WITHHOLDING.—

(1) WITHHOLDING.—The Secretary of State shall withhold 5 percent of the funds appropriated by this Act under the heading ''Contributions to International Organizations'' for a specialized agency or other entity of the United Nations if the Secretary, in consultation with the United States Ambassador to the United Nations, determines and reports to the Committees on Appropriations that such agency or entity has taken an official action that is against the national security interest of the United States or an ally of the United States, including Israel.

(2) RELEASE OF FUNDS.—The Secretary of State, in consultation with the United States Ambassador to the United Nations, may release funds withheld pursuant to paragraph (1) if the Secretary determines and reports to the Committees on Appropriations that such agency or entity is taking steps to address the action that resulted in the withholding of such funds.

(3) REPROGRAMMING.—Should the Secretary of State be unable to make a determination pursuant to paragraph (2) regarding the release of withheld funds, such funds may be reprogrammed for other purposes under the heading ''Contributions to International Organizations''.

(4) WAIVER.—The Secretary of State, following consultation with the Committees on Appropriations, may waive the requirements of this subsection if the Secretary determines that to do so in the national interest.

WAR CRIMES TRIBUNALS

SEC. 7049. (a) If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further*, That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

(b) None of the funds appropriated by this Act may be made available for a United States contribution to the International Criminal Court: *Provided*, That funds may be made available for technical assistance, training, assistance for victims, protection of witnesses, and law enforcement support related to international investigations, apprehensions, prosecutions, and adjudications of genocide, crimes against humanity, and war crimes: *Provided further*, That the previous proviso shall not apply to investigations, apprehensions, or prosecutions of American service members and other United States citizens or nationals, or nationals of the North Atlantic Treaty Organization (NATO) or major non-NATO allies initially

designated pursuant to section 517(b) of the Foreign Assistance Act of 1961.

GLOBAL INTERNET FREEDOM

SEC. 7050. (a) FUNDING.—Of the funds available for obligation during fiscal year 2020 under the headings ''International Broadcasting Operations'', ''Economic Support Fund'', ''Democracy Fund'', and ''Assistance for Europe, Eurasia and Central Asia'', not less than $65,500,000 shall be made available for programs to promote Internet freedom globally: *Provided*, That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interest of the United States: *Provided further*, That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) REQUIREMENTS.—

(1) DEPARTMENT OF STATE AND UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Funds appropriated by this Act under the headings ''Economic Support Fund'', ''Democracy Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' that are made available pursuant to subsection (a) shall be—

(A) coordinated with other democracy programs funded by this Act under such headings, and shall be incorporated into country assistance and democracy promotion strategies, as appropriate;

(B) for programs to implement the May 2011, International Strategy for Cyberspace, the Department of State International Cyberspace Policy Strategy required by section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114–113), and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8754);

(C) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists;

(D) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship techniques used by authoritarian governments; and maintenance of the technological advantage of the United States Government over such censorship techniques: *Provided*, That the Secretary of State, in consultation with the Chief Executive Officer (CEO) of the United States Agency for Global Media (USAGM), shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to assess the effectiveness of such technologies; and

(E) made available only after the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, concurs that such funds are allocated consistent with—

(i) the strategies referenced in subparagraph (B) of this paragraph;

(ii) best practices regarding security for, and oversight of, Internet freedom programs; and

(iii) sufficient resources and support for the development and maintenance of anti-censorship technology and tools.

(2) UNITED STATES AGENCY FOR GLOBAL MEDIA.—Funds appropriated by this Act under the heading ''International Broadcasting Operations'' that are made available pursuant to subsection (a) shall be—

(A) made available only for tools and techniques to securely develop and distribute USAGM digital content, facilitate audience access to such content on websites that are censored, coordinate the distribution of USAGM digital content to targeted regional audiences, and to promote and distribute such tools and techniques, including digital security techniques;

(B) coordinated with programs funded by this Act under the heading ''International Broadcasting Operations'', and shall be incorporated into country broadcasting strategies, as appropriate;

(C) coordinated by the USAGM CEO to provide Internet circumvention tools and techniques for audiences in countries that are strategic priorities for the USAGM and in a manner consistent with the USAGM Internet freedom strategy; and

(D) made available for the research and development of new tools or techniques authorized in subparagraph (A) only after the USAGM CEO, in consultation with the Secretary of State and other relevant United States Government departments and agencies, evaluates the risks and benefits of such new tools or techniques, and establishes safeguards to minimize the use of such new tools or techniques for illicit purposes.

(c) COORDINATION AND SPEND PLANS.—After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State and the USAGM CEO shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes: *Provided*, That the Department of State spend plan shall include funding for all such programs for all relevant Department of State and the United States Agency for International Development offices and bureaus.

(d) SECURITY AUDITS.—Funds made available pursuant to this section to promote Internet freedom globally may only be made available to support technologies that undergo comprehensive security audits conducted by the Bureau of Democracy, Human Rights, and Labor, Department of State to ensure that such technology is secure and has not been compromised in a manner detrimental to the interest of the United States or to individuals and organizations benefiting from programs supported by such funds: *Provided*, That the security auditing procedures used by such Bureau shall be reviewed and updated periodically to reflect current industry security standards.

(e) SURGE.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', up to $2,500,000 may be made available to surge Internet freedom programs in closed societies if the Secretary of State determines and reports to the appropriate congressional committees that such use of funds is in the national interest: *Provided*, That such funds are in addition to amounts made available for such purposes: *Provided further*, That such funds may be transferred to, and merged with, funds appropriated by this Act under the heading ''International Broadcasting Operations'' following consultation with, and the regular notification procedures of, the Committees on Appropriations.

TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

SEC. 7051. (a) LIMITATION.—None of the funds made available by this Act may be used to support or justify the use of torture and other cruel, inhuman, or degrading treatment or punishment by any official or contract employee of the United States Government.

(b) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961 and following consultation with the Committees on Appropriations, for assistance to eliminate torture and other cruel, inhuman, or degrading treatment or punishment by foreign police, military or other security forces in countries receiving assistance from funds appropriated by this Act.

AIRCRAFT TRANSFER, COORDINATION, AND USE

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Diplomatic Programs'', ''International Narcotics Control and Law Enforcement'', ''Andean Counterdrug Initiative'', and ''Andean Counterdrug Programs'' may be used for any other program and in any region.

(b) PROPERTY DISPOSAL.—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: *Provided*, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) AIRCRAFT COORDINATION.—

(1) AUTHORITY.—The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate Chief of Mission: *Provided*, That notwithstanding section 7063(b) of this Act, such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: *Provided further*, That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis: *Provided further*, That funds received by the Department of State in connection with the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Working Capital Fund of the Department and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

(2) SCOPE.—The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

(d) AIRCRAFT OPERATIONS AND MAINTENANCE.—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act shall be borne by the recipient country.

PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN GOVERNMENTS

SEC. 7053. The terms and conditions of section 7055 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law

111–117) shall apply to this Act: *Provided*, That the date ''September 30, 2009'' in subsection (f)(2)(B) of such section shall be deemed to be ''September 30, 2019''.

INTERNATIONAL MONETARY FUND

SEC. 7054. (a) EXTENSIONS.—The terms and conditions of sections 7086(b) (1) and (2) and 7090(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall apply to this Act.

(b) REPAYMENT.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private or multilateral creditors.

EXTRADITION

SEC. 7055. (a) LIMITATION.—None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings ''International Disaster Assistance'', ''Complex Crises Fund'', ''International Narcotics Control and Law Enforcement'', ''Migration and Refugee Assistance'', ''United States Emergency Refugee and Migration Assistance Fund'', and ''Nonproliferation, Anti-terrorism, Demining and Related Assistance'') for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.

(b) CLARIFICATION.—Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

(c) WAIVER.—The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Committees on Appropriations that such waiver is important to the national interest of the United States.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7056. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers' rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act (19 U.S.C. 2467(4)(D) and (E)) should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

(4) for the enforcement of any rule, regulation, policy, or guidelines implemented pursuant to the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013, when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any coal-fired or other power-generation project the purpose of which is to—

(A) provide affordable electricity in International Development Association (IDA)-eligible countries and IDA-blend countries; and

(B) increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

UNITED NATIONS POPULATION FUND

SEC. 7057. (a) CONTRIBUTION.—Of the funds made available under the heading ''International Organizations and Programs'' in this Act for fiscal year 2020, $32,500,000 shall be made available for the United Nations Population Fund (UNFPA).

(b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the ''Global Health Programs'' account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available by this Act may be used by UNFPA for a country program in the People's Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds made available by this Act for UNFPA may not be made available unless—

(1) UNFPA maintains funds made available by this Act in an account separate from other accounts of UNFPA and does not commingle such funds with other sums; and

(2) UNFPA does not fund abortions.

(e) REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR WITHHOLDING OF FUNDS.—

(1) Not later than 4 months after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations indicating the amount of funds that UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that UNFPA plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under the heading ''Global Health Programs'' and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: *Provided*, That of the funds appropriated under title III of this Act, not less than $575,000,000 should be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

(b) INFECTIOUS DISEASE OUTBREAKS.—

(1) EXTRAORDINARY MEASURES.—If the Secretary of State determines and reports to the Committees on Appropriations that an international infectious disease outbreak is sustained, severe, and is spreading internationally, or that it is in the national interest to respond to a Public Health Emergency of International Concern, funds appropriated by this Act under the headings ''Global Health Programs'', ''Development Assistance'', ''International Disaster Assistance'', ''Complex Crises Fund'', ''Economic Support Fund'', ''Democracy Fund'', ''Assistance for Europe, Eurasia and Central Asia'', ''Migration and Refugee Assistance'', and ''Millennium Challenge Corporation'' may be made available to combat such infectious disease or public health emergency, and may be transferred to, and merged with, funds appropriated under such headings for the purposes of this paragraph.

(2) EMERGENCY RESERVE FUND.—Up to $10,000,000 of the funds made available under the heading ''Global Health Programs'' may be made available for the Emergency Reserve Fund established pursuant to section 7058(c)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31): *Provided*, That such funds shall be made available under the same terms and conditions of such section.

(3) EBOLA VIRUS DISEASE.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ''International Disaster Assistance'' that are made available to respond to the Ebola virus disease outbreak in the Democratic Republic of the Congo, including in countries affected by, or at risk of being affected by, such outbreak, shall be the responsibility of the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, or successor official responsible for USAID Ebola response.

(4) CONSULTATION AND NOTIFICATION.—Funds made available by this subsection shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations.

GENDER EQUALITY

SEC. 7059. (a) WOMEN'S EMPOWERMENT.—

(1) GENDER EQUALITY.—Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.

(2) WOMEN'S ECONOMIC EMPOWERMENT.—Funds appropriated by this Act are available to implement the Women's Entrepreneurship and Economic Empowerment Act of 2018 (Public Law 115–428): *Provided*, That the Secretary of State and the Administrator of the United States Agency for International Development, as appropriate, shall consult with the Committees on Appropriations on the implementation of such Act.

(3) WOMEN'S GLOBAL DEVELOPMENT AND PROSPERITY FUND.—Of the funds appropriated under title III of this Act, up to $100,000,000 may be made available for the Women's Global Development and Prosperity Fund.

(b) WOMEN'S LEADERSHIP.—Of the funds appropriated by title III of this Act, not less than $50,000,000 shall be made available for programs specifically designed to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation

in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

(c) GENDER-BASED VIOLENCE.—

(1) Of the funds appropriated under titles III and IV of this Act, not less than $165,000,000 shall be made available to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and nonconflict settings.

(2) Funds appropriated under titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(d) WOMEN, PEACE, AND SECURITY.—Funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''International Narcotics Control and Law Enforcement'' should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

(e) WOMEN AND GIRLS AT RISK FROM EXTREMISM AND CONFLICT.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $15,000,000 shall be made available to support women and girls who are at risk from extremism and conflict, and for the activities described in section 7059(e)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141): *Provided*, That such funds are in addition to amounts otherwise made available by this Act for such purposes, and shall be made available following consultation with, and the regular notification procedures of, the Committees on Appropriations.

SECTOR ALLOCATIONS

SEC. 7060. (a) BASIC EDUCATION AND HIGHER EDUCATION.—

(1) BASIC EDUCATION.—(A) Of the funds appropriated under title III of this Act, not less than $875,000,000 shall be made available for assistance for basic education, and such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries: *Provided*, That such funds shall also be used for secondary education activities: *Provided further*, That the Administrator of the United States Agency for International Development, following consultation with the Committees on Appropriations, may reprogram such funds between countries: *Provided further*, That funds made available under the headings ''Development Assistance'' and ''Economic Support Fund'' for the support of non-state schools in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be subject to the regular notification procedures of the Committees on Appropriations.

(B) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than $125,000,000 shall be made available for contributions to multilateral partnerships that support education.

(2) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $235,000,000 shall be made available for assistance for higher education: *Provided*, That such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries, and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of such amount, not less than $35,000,000 shall be made available for new and ongoing partnerships between higher education institutions in the United States and developing countries focused on building the capacity of higher education institutions and systems in developing countries: *Provided further*, That not later than 45 days after enactment of this Act, the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of funds for such partnerships.

(b) DEVELOPMENT PROGRAMS.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $17,000,000 shall be made available for cooperative development programs of USAID and not less than $30,000,000 shall be made available for the American Schools and Hospitals Abroad program.

(c) ENVIRONMENT PROGRAMS.—

(1)(A) Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, except for the provisions of this subsection, to support environment programs.

(B) Funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(2)(A) Of the funds appropriated under title III of this Act, not less than $315,000,000 shall be made available for biodiversity conservation programs.

(B) Not less than $100,664,000 of the funds appropriated under titles III and IV of this Act shall be made available to combat the transnational threat of wildlife poaching and trafficking.

(C) None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the appropriate congressional committees that to do so is in the national security interest of the United States.

(D) Funds appropriated by this Act for biodiversity programs shall not be used to support the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forests as of December 30, 2013, and the Secretary of the Treasury shall instruct the United States executive directors of each international financial institutions (IFI) to use the voice and vote of the United States to oppose any financing of any such activity.

(3) The Secretary of the Treasury shall instruct the United States executive director of each IFI that it is the policy of the United States to use the voice and vote of the United States, in relation to any loan, grant, strategy, or policy of such institution, regarding the construction of any large dam consistent with the criteria set forth in Senate Report 114–79, while also considering whether the project involves important foreign policy objectives.

(4) Of the funds appropriated under title III of this Act, not less than $135,000,000 shall be made available for sustainable landscapes programs.

(5) Of the funds appropriated under title III of this Act, not less than $177,000,000 shall be made available for adaptation programs.

(6) Of the funds appropriated under title III of this Act, not less than $179,000,000 shall be made available for renewable energy programs.

(d) FOOD SECURITY AND AGRICULTURAL DEVELOPMENT.—Of the funds appropriated by title III of this Act, not less than $1,005,600,000 shall be made available for food security and agricultural development programs to carry out the purposes of the Global Food Security Act of 2016 (Public Law 114–195): *Provided*, That funds may be made available for a contribution as authorized by section 3202 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by section 3310 of the Agriculture Improvement Act of 2018 (Public Law 115–334).

(e) MICRO, SMALL, AND MEDIUM-SIZED ENTERPRISES.—Of the funds appropriated by this Act, not less than $265,000,000 shall be made available to support the development of, and access to financing for, micro, small, and medium-sized enterprises that benefit the poor, especially women.

(f) PROGRAMS TO COMBAT TRAFFICKING IN PERSONS.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''International Narcotics Control and Law Enforcement'', not less than $67,000,000 shall be made available for activities to combat trafficking in persons internationally, of which not less than $45,000,000 shall be from funds made available under the heading ''International Narcotics Control and Law Enforcement'': *Provided*, That funds appropriated by this Act that are made available for programs to end modern slavery shall be in addition to funds made available by this subsection to combat trafficking in persons.

(g) RECONCILIATION PROGRAMS.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $30,000,000 shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil strife and war, including between Israelis and Palestinians living in the West Bank and Gaza: *Provided*, That the USAID Administrator shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the uses of such funds, and such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That to the maximum extent practicable, such funds shall be matched by sources other than the United States Government: *Provided further*, That such funds shall be administered by the Office of Conflict Management and Mitigation, USAID.

(h) WATER AND SANITATION.—Of the funds appropriated by this Act, not less than $450,000,000 shall be made available for water supply and sanitation projects pursuant to section 136 of the Foreign Assistance Act of 1961, of which not less than $225,000,000 shall be for programs in sub-Saharan Africa, and of which not less than $15,000,000 shall be made available to support initiatives by local communities in developing countries to build and maintain safe latrines.

BUDGET DOCUMENTS

SEC. 7061. (a) OPERATING PLANS.—Not later than 45 days after enactment of this Act, each department, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this

Act, including the Inter-American Foundation and the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2020, that provides details of the uses of such funds at the program, project, and activity level: *Provided*, That such plans shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the department or agency; and a clear, concise, and informative description/justification: *Provided further*, That operating plans that include changes in levels of funding for programs, projects, and activities specified in the congressional budget justification, in this Act, or amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), as applicable, shall be subject to the notification and reprogramming requirements of section 7015 of this Act.

(b) SPEND PLANS.—

(1) Not later than 90 days after enactment of this Act, the Secretary of State or Administrator of the United States Agency for International Development, as appropriate, shall submit to the Committees on Appropriations a spend plan for funds made available by this Act, for—

(A) assistance for Afghanistan, Iraq, Lebanon, Pakistan, Colombia, and countries in Central America;

(B) assistance made available pursuant to section 7047(d) of this Act to counter Russian influence and aggression, except that such plan shall be on a country-by-country basis;

(C) assistance made available pursuant to section 7059 of this Act;

(D) the Indo-Pacific Strategy;

(E) democracy programs, Power Africa, and sectors enumerated in subsections (a), (c), (d), (e), (f), (g) and (h) of section 7060 of this Act;

(F) funds provided under the heading ''International Narcotics Control and Law Enforcement'' for International Organized Crime and for Cybercrime and Intellectual Property Rights: *Provided*, That the spend plans shall include bilateral and global programs funded under such heading along with a brief description of the activities planned for each country; and

(G) the regional security initiatives described under this heading in Senate Report 116–126.

(2) Not later than 90 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the heading ''Department of the Treasury, International Affairs Technical Assistance'' in title III.

(c) SPENDING REPORT.—Not later than 45 days after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a detailed report on spending of funds made available during fiscal year 2019 under the heading ''Development Credit Authority''.

(d) CLARIFICATION.—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(e) CONGRESSIONAL BUDGET JUSTIFICATION.—

(1) SUBMISSION.—The congressional budget justification for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President's budget for fiscal year 2021: *Provided*, That the appendices for such justification shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter.

(2) MULTI-YEAR AVAILABILITY OF CERTAIN FUNDS.—The Secretary of State and the USAID Administrator shall include in the congressional budget justification a detailed justification for multi-year availability for any funds requested under the headings ''Diplomatic Programs'' and ''Operating Expenses''.

REORGANIZATION

SEC. 7062. (a) OVERSIGHT.—

(1) PRIOR CONSULTATION AND NOTIFICATION.—Funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may not be used to implement a reorganization, redesign, or other plan described in paragraph (2) by the Department of State, the United States Agency for International Development, or any other Federal department, agency, or organization funded by this Act without prior consultation by the head of such department, agency, or organization with the appropriate congressional committees: *Provided*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That any such notification submitted to such Committees shall include a detailed justification for any proposed action, including the information specified under section 7073 of the joint explanatory statement accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6): *Provided further*, That congressional notifications submitted in prior fiscal years pursuant to similar provisions of law in prior Acts making appropriations for the Department of State, foreign operations, and related programs may be deemed to meet the notification requirements of this section.

(2) DESCRIPTION OF ACTIVITIES.—Pursuant to paragraph (1), a reorganization, redesign, or other plan shall include any action to—

(A) expand, eliminate, consolidate, or downsize covered departments, agencies, or organizations, including bureaus and offices within or between such departments, agencies, or organizations, including the transfer to other agencies of the authorities and responsibilities of such bureaus and offices;

(B) expand, eliminate, consolidate, or downsize the United States official presence overseas, including at bilateral, regional, and multilateral diplomatic facilities and other platforms; or

(C) expand or reduce the size of the permanent Civil Service, Foreign Service, eligible family member, and locally employed staff workforce of the Department of State and USAID from the levels specified in sections 7063(d)(1) and 7064(i)(1) of this Act.

(b) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—

(1) USAID REORGANIZATION.—Not later than 30 days after enactment of this Act, and quarterly thereafter until September 30, 2021, the USAID Administrator shall submit a report to the appropriate congressional committees on the status of USAID's reorganization in the manner described in House Report 116–78.

(2) BUREAU OF POPULATION, REFUGEES, AND MIGRATION, DEPARTMENT OF STATE.—None of the funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may be used to downsize, downgrade, consolidate, close, move, or relocate the Bureau of Population, Refugees, and Migration, Department of State, or any activities of such Bureau, to another Federal agency.

(3) ADMINISTRATION OF FUNDS.—Funds made available by this Act—

(A) under the heading ''Migration and Refugee Assistance'' shall be administered by the Assistant Secretary for Population, Refugees, and Migration, Department of State, and this responsibility shall not be delegated; and

(B) that are made available for the Office of Global Women's Issues shall be administered by the United States Ambassador-at-Large for Global Women's Issues, Department of State, and this responsibility shall not be delegated.

DEPARTMENT OF STATE MANAGEMENT

SEC. 7063. (a) FINANCIAL SYSTEMS IMPROVEMENT.—Funds appropriated by this Act for the operations of the Department of State under the headings ''Diplomatic Programs'' and ''Capital Investment Fund'' shall be made available to implement the recommendations contained in the Foreign Assistance Data Review Findings Report (FADR) and the Office of Inspector General (OIG) report entitled ''Department Financial Systems Are Insufficient to Track and Report on Foreign Assistance Funds'': *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an update to the plan required under section 7006 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) for implementing the FADR and OIG recommendations: *Provided further*, That such funds may not be obligated for enhancements to, or expansions of, the Budget System Modernization Financial System, Central Resource Management System, Joint Financial Management System, or Foreign Assistance Coordination and Tracking System until such updated plan is submitted to the Committees on Appropriations: *Provided further*, That such funds may not be obligated for new, or expansion of existing, ad hoc electronic systems to track commitments, obligations, or expenditures of funds unless the Secretary of State, following consultation with the Chief Information Officer of the Department of State, has reviewed and certified that such new system or expansion is consistent with the FADR and OIG recommendations.

(b) WORKING CAPITAL FUND.—Funds appropriated by this Act or otherwise made available to the Department of State for payments to the Working Capital Fund may only be used for the service centers included in the Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2020: *Provided*, That the amounts for such service centers shall be the amounts included in such budget justification, except as provided in section 7015(b) of this Act: *Provided further*, That Federal agency components shall be charged only for their direct usage of each Working Capital Fund service: *Provided further*, That prior to increasing the percentage charged to Department of State bureaus and offices for procurement-related activities, the Secretary of State shall include the proposed increase in the Department of State budget justification or, at least 60 days prior to the increase, provide the Committees on Appropriations a justification for such increase, including a detailed assessment of the cost and benefit of the services provided by the procurement fee: *Provided further*, That Federal agency components may only pay for Working Capital Fund services that

are consistent with the purpose and authorities of such components: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service.

(c) CERTIFICATION.—

(1) COMPLIANCE.—Not later than 45 days after the initial obligation of funds appropriated under titles III and IV of this Act that are made available to a Department of State bureau or office with responsibility for the management and oversight of such funds, the Secretary of State shall certify and report to the Committees on Appropriations, on an individual bureau or office basis, that such bureau or office is in compliance with Department and Federal financial and grants management policies, procedures, and regulations, as applicable.

(2) CONSIDERATIONS.—When making a certification required by paragraph (1), the Secretary of State shall consider the capacity of a bureau or office to—

(A) account for the obligated funds at the country and program level, as appropriate;

(B) identify risks and develop mitigation and monitoring plans;

(C) establish performance measures and indicators;

(D) review activities and performance; and

(E) assess final results and reconcile finances.

(3) PLAN.—If the Secretary of State is unable to make a certification required by paragraph (1), the Secretary shall submit a plan and timeline detailing the steps to be taken to bring such bureau or office into compliance.

(d) PERSONNEL LEVELS.—

(1) Funds made available by this Act are made available to support the permanent Foreign Service and Civil Service staff levels of the Department of State at not less than the hiring targets established in the fiscal year 2019 operating plan.

(2) Not later than 60 days after enactment of this Act, and every 60 days thereafter until September 30, 2021, the Secretary of State shall report to the appropriate congressional committees on the on-board personnel levels, hiring, and attrition of the Civil Service, Foreign Service, eligible family member, and locally employed staff workforce of the Department of State, on an operating unit-by-operating unit basis: *Provided*, That such report shall also include a hiring plan, including timelines, for maintaining the agency-wide, on-board Foreign Service and Civil Service at not less than the levels specified in paragraph (1).

(e) INFORMATION TECHNOLOGY PLATFORM.—

(1) None of the funds appropriated in title I of this Act under the heading ''Administration of Foreign Affairs'' may be made available for a new major information technology (IT) investment without the concurrence of the Chief Information Officer, Department of State.

(2) None of the funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used by an agency to submit a project proposal to the Technology Modernization Board for funding from the Technology Modernization Fund unless, not later than 15 days in advance of submitting the project proposal to the Board, the head of the agency—

(A) notifies the Committees on Appropriations of the proposed submission of the project proposal; and

(B) submits to the Committees on Appropriations a copy of the project proposal.

(3) None of the funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used by an agency to carry out a project that is approved by the Board unless the head of the agency—

(A) submits to the Committees on Appropriations a copy of the approved project proposal, including the terms of reimbursement of funding received for the project; and

(B) agrees to submit to the Committees on Appropriations a copy of each report relating to the project that the head of the agency submits to the Board.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

SEC. 7064. (a) AUTHORITY.—Up to $100,000,000 of the funds made available in title III of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', may be used by the United States Agency for International Development to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980 (22 U.S.C. 3948 and 3949).

(b) RESTRICTION.—The authority to hire individuals contained in subsection (a) shall expire on September 30, 2021.

(c) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which the responsibilities of such individual primarily relate: *Provided*, That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading ''Operating Expenses''.

(d) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(e) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(f) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That not more than 15 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made available only for personal services contractors assigned to the Office of Food for Peace.

(g) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(h) SENIOR FOREIGN SERVICE LIMITED APPOINTMENTS.—Individuals hired pursuant to the authority provided by section 7059(o) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(i) PERSONNEL LEVELS.—

(1) Funds made available by this Act under the heading ''Operating Expenses'' are made available to support 1,850 permanent Foreign Service Officers and 1,600 permanent Civil Service staff.

(2) Not later than 60 days after enactment of this Act, and every 60 days thereafter until September 30, 2021, the USAID Administrator shall report to the appropriate congressional committees on the on-board personnel levels, hiring, and attrition of the Civil Service, Foreign Service, and foreign service national workforce of USAID, on an operating unit-by-operating unit basis: *Provided*, That such report shall also include a hiring plan, including timelines, for maintaining the agency-wide, on-board Foreign Service Officers and Civil Service staff at not less than the levels specified in paragraph (1).

STABILIZATION AND DEVELOPMENT IN REGIONS IMPACTED BY EXTREMISM AND CONFLICT

SEC. 7065. (a) RELIEF AND RECOVERY FUND.—

(1) FUNDS AND TRANSFER AUTHORITY.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Peacekeeping Operations'', and ''Foreign Military Financing Program'', not less than $200,000,000 shall be made available for the Relief and Recovery Fund for assistance for areas liberated or at risk from, or under the control of, the Islamic State of Iraq and Syria, other terrorist organizations, or violent extremist organizations, including for stabilization assistance for vulnerable ethnic and religious minority communities affected by conflict: *Provided*, That unless specifically designated in this Act or in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) for assistance for countries, such funds are in addition to amounts otherwise made available for such purposes: *Provided further*, That such funds appropriated under such headings may be transferred to, and merged with, funds appropriated under such headings: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to the regular notification procedures of the Committees on Appropriations.

(2) TRANSITIONAL JUSTICE.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' that are made available for the Relief and Recovery Fund, not less than $10,000,000 shall be made available for programs to promote accountability for genocide, crimes against humanity, and war crimes, including in Iraq and Syria, which shall be in addition to any other funds made available by this Act for such purposes: *Provided*, That such programs shall include components to develop local investigative and judicial skills,

and to collect and preserve evidence and maintain the chain of custody of evidence, including for use in prosecutions, and may include the establishment of, and assistance for, transitional justice mechanisms: *Provided further*, That such funds shall be administered by the Special Coordinator for the Office of Global Criminal Justice, Department of State: *Provided further*, That funds made available by this paragraph shall be made available on an open and competitive basis.

(b) COUNTERING VIOLENT EXTREMISM IN ASIA.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $2,500,000 shall be made available for programs to counter violent extremism in Asia, including within the Buddhist community: *Provided*, That such funds are in addition to funds otherwise made available by this Act for such purposes.

(c) GLOBAL COMMUNITY ENGAGEMENT AND RESILIENCE FUND.—Of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ''Economic Support Fund'', $5,000,000 shall be made available to the Global Community Engagement and Resilience Fund (GCERF), including as a contribution: *Provided*, That any such funds made available for the GCERF shall be made available on a cost-matching basis from sources other than the United States Government, to the maximum extent practicable, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) GLOBAL CONCESSIONAL FINANCING FACILITY.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', $25,000,000 shall be made available for the Global Concessional Financing Facility of the World Bank to provide financing to support refugees and host communities: *Provided*, That such funds shall be in addition to funds allocated for bilateral assistance in the report required by section 653(a) of the Foreign Assistance Act of 1961, and may only be made available subject to prior to consultation with the Committees on Appropriations.

DISABILITY PROGRAMS

SEC. 7066. (a) ASSISTANCE.—Funds appropriated by this Act under the heading ''Development Assistance'' shall be made available for programs and activities administered by the United States Agency for International Development to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation.

(b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUPPORT.—Of the funds made available pursuant to this section, 5 percent may be used by USAID for management, oversight, and technical support.

DEBT-FOR-DEVELOPMENT

SEC. 7067. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

ENTERPRISE FUNDS

SEC. 7068. (a) NOTIFICATION.—None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the appropriate congressional committees are notified at least 15 days in advance.

(b) DISTRIBUTION OF ASSETS PLAN.—Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate congressional committees a plan for the distribution of the assets of the Enterprise Fund.

(c) TRANSITION OR OPERATING PLAN.—Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the appropriate congressional committees.

RESCISSIONS

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 7069. (a) ECONOMIC SUPPORT FUND.—

(1) Of the unobligated balances available under the Economic Support Fund, identified by Treasury Appropriation Fund Symbol 72 X 1037, $32,000,000 are rescinded.

(2) Of the unobligated and unexpended balances available to the President for bilateral economic assistance under the heading ''Economic Support Fund'' from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $200,000,000 shall be deobligated, as appropriate, and shall be rescinded.

(3) For the purposes of this subsection, no amounts may be rescinded from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE.—Of the unobligated balances from amounts available under the heading ''Embassy Security, Construction, and Maintenance'' in title II of the Security Assistance Appropriations Act, 2017 (division B of Public Law 114–254), $242,462,000 are rescinded: *Provided*, That such funds that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

(c) COMPLEX CRISES FUND.—Of the unobligated balances from amounts made available under title VIII in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ''Complex Crises Fund'', $40,000,000 are rescinded: *Provided*, That such funds that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

(d) EXPORT-IMPORT BANK OF THE UNITED STATES.—Of the unobligated balances available under the heading ''Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation'' for tied-aid grants from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $64,282,000 are rescinded.

This division may be cited as the ''Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020''.

DIVISION H—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $115,490,000, of which not to exceed $3,100,000 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 $21,000,000 shall be available for the Office of the General Counsel; not to exceed $10,500,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $15,000,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,650,000 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, $21,000,000, of which $14,218,000 shall remain available until expended for (1) $5,000,000 for new competitive grants under section 5505 of title 49, United States Code, for Tier I University Transportation Centers, (2) $1,000,000 for the establishment of an emergency planning transportation data initiative to conduct research and develop models for data integration of geo-located weather and roadways information for emergency and other severe weather conditions to improve public safety and emergency evacuation and response capabilities, (3) $1,000,000 for the Secretary of Transportation to enter into an agreement 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, and (4) $5,000,000 for the establishment of a Highly Automated

Systems Safety Center of Excellence as required in section 105 of this Act: *Provided*, That such amounts are in addition to amounts previously provided for Tier I University Transportation Centers: *Provided further*, That such amounts for additional Tier I University Transportation Centers under this heading are provided notwithstanding section 5505(c)(4)(A) of title 49, United States Code: *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; port infrastructure investments (including inland port infrastructure and land ports of entry); and projects investing in surface transportation facilities that are located on tribal land and for which title or maintenance responsibility is vested in the Federal Government: *Provided further*, That of the amount made available under this heading, the Secretary shall use an amount not less than $15,000,000 for the planning, preparation or design of projects eligible for funding under this heading: *Provided further*, That grants awarded under the previous proviso shall not be subject to a minimum grant size: *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, or sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $5,000,000 and not greater than $25,000,000: *Provided further*, That not more than 10 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That an award under this heading is an urban award if it is to a project located within or on the boundary of an Urbanized Area (UA), as designated by the U.S. Census Bureau, that had a population greater than 200,000 in the 2010 Census: *Provided further*, That for the purpose of determining if an award for planning, preparation or design is an urban award, the project location is the location of the project being planned, prepared or designed: *Provided further*, That each award under this heading that is not an urban award is a rural award: *Provided further*, That of the funds awarded under this heading, not more than 50 percent shall be awarded as urban awards and rural awards, respectively: *Provided further*, That for rural awards, 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 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 none of the funds provided in the previous proviso may be used to hire additional personnel: *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. 423) 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, $10,879,000, to remain available until expended: *Provided*, That of such amount, $1,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $319,793,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

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, $162,000,000, 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 section 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 section 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. No later than May 1, 2020, the Secretary shall announce the selection of all projects to receive awards for all competitive grants provided in Public Law 116–6 under the headings: ''Federal Railroad Administration—Federal–State Partnership for State of Good Repair'', ''Federal Railroad Administration—Consolidated Rail Infrastructure and Safety Improvements'', ''Federal Railroad Administration—Restoration and Enhancement'', ''Federal Railroad Administration—Magnetic Levitation Technology Deployment Program'', and ''Maritime Administration—Port Infrastructure Development Program''.

SEC. 105. (a) The Secretary shall establish 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, assessing, and validating the safety of automated technologies.

(b) The Highly Automated Systems Safety Center of Excellence shall—

(1) serve as a central location within the Department of Transportation for expertise in automation and human factors, computer science, data analytics, machine learning, sensors, and other technologies involving automated systems;

(2) collaborate with and provide support on highly automated systems to 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 of the Department of Transportation and other Federal agencies.

(c) Employees of the Highly Automated Systems Safety Center of Excellence, in conjunction with the relevant Operating Administrations of the Department of Transportation, shall review, assess, and validate highly automated systems to ensure their safety.

(d) The Highly Automated Systems Safety Center of Excellence shall not supersede laws or regulations granting certification authorities to Operating Administrations of the Department of Transportation.

(e) 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.

SEC. 106. None of the funds made available by this Act shall be used to terminate the Intelligent Transportation System Program Advisory Committee established under section 5305(h) of SAFETEA–LU (23 U.S.C. 512 note; Public Law 109–59).

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, $10,630,000,000, to remain available until September 30, 2021, of which $10,519,000,000 shall be derived from the Airport and Airway Trust Fund: *Provided*, That of the sums appropriated under this heading—

(1) not less than $1,404,096,000 shall be available for aviation safety activities;

(2) $7,970,734,000 shall be available for air traffic organization activities;

(3) $26,040,000 shall be available for commercial space transportation activities;

(4) $800,646,000 shall be available for finance and management activities;

(5) $61,538,000 shall be available for NextGen and operations planning activities;

(6) $118,642,000 shall be available for security and hazardous materials safety; and

(7) $248,304,000 shall be available for staff offices:

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 $170,000,000 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.

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, $3,045,000,000, of which $515,000,000 shall remain available until September 30, 2021, $2,409,473,000 shall remain available until September 30, 2022, and $120,527,000 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 not later than 60 days after 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, $192,665,000, 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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That not to exceed 10 percent of any funding level specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) may be transferred to any other funding level specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated 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 multiphased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $116,500,000 shall be available for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $39,224,000 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, $400,000,000, 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.

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 noncommercial flights of that owner or operator.

SEC. 118. None of the funds in this Act shall be available for salaries and expenses of more than nine 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 No. 13642.

SEC. 119A. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119C. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants as long as the Federal Aviation Administration has received an application from the airport, and as long as the Administrator determines such tower is eligible using the factors set forth in Federal Aviation Administration published establishment criteria.

SEC. 119D. None of the funds made available by this Act may be used to open, close, redesignate as a lesser office, or reorganize a regional office, the aeronautical center, or technical center unless the Administrator submits a request for the reprogramming of funds under section 405 of this Act.

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 $2,166,140,392: *Provided*, That the funds 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: (1) ''Federal-aid Highways'' under chapter 1 of title 23, United States Code; or (2) the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240, and shall not affect the distribution or amount of funds provided in any other Act: *Provided further*, That section 1101(b) of Public Law 114–94 shall apply to funds made available under this heading: *Provided further*, That of the funds made available under this heading—

(1) $781,140,392 shall be for activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code;

(2) $1,150,000,000 shall be for a bridge replacement and rehabilitation program;

(3) $100,000,000 shall be for necessary expenses for construction of the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240;

(4) $3,500,000 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;

(5) $1,500,000 shall be for activities eligible under the Territorial Highway Program, as described in section 165(c)(6) of title 23, United States Code;

(6) $70,000,000 shall be for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act;

(7) $50,000,000 shall be for competitive grants for activities described in section 130(a) of title 23, United States Code;

(8) $5,000,000 shall be for the Regional Infrastructure Accelerator Demonstration Program authorized under section 1441 of the FAST Act; and

(9) $5,000,000 shall be for a National Road Network Pilot Program for the Federal Highway Administration to create a national level, geo-spatial dataset that uses data already collected under the Highway Performance Monitoring System:

Provided further, That for the purposes of funds made available under this heading for activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code, the term ''State'' means any of the 50 States or the District of Columbia: *Provided further*, That the funds made available under this heading for activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code, shall be suballocated in the manner described in section 133(d) of such title, except that the set-aside described in section 133(h) of such title shall not apply to funds made available under this heading: *Provided further*, That the funds made available under this heading for activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code, 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 for activities eligible under sections 133(b)(1) and 133(b)(4) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code, 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 title 23, United States Code, 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 for the purposes of funds made available under this heading for a bridge replacement and rehabilitation program, (1) the term ''State'' means any of the 50 States or the District of Columbia, and (2) the term ''qualifying State'' means any State in which the percentage of total deck area of bridges classified as in poor condition in such State is at least 5 percent: *Provided further*, That, of the funds made available under this heading for a bridge replacement and rehabilitation program, the Secretary shall reserve $6,000,000 for each State that does not meet the definition of a qualifying State: *Provided further*, That, after making the reservations under the preceding proviso, the Secretary shall distribute the remaining funds made available under this heading for a bridge replacement and rehabilitation program to each qualifying State by the proportion that the percentage of total deck area of bridges classified as in poor condition in such qualifying State bears to the sum of the percentages of total deck area of bridges classified as in poor condition in all qualifying States: *Provided further*, That for the bridge replacement and rehabilitation program:

(1) no qualifying State shall receive more than $50,000,000;

(2) each State shall receive an amount not less than $6,000,000; and

(3) after calculating the distribution of funds pursuant to the preceding proviso, any amount in excess of $50,000,000 shall be redistributed equally among each State that does not meet the definition of a qualifying State: *Provided further*, That the funds made available under this heading for a bridge replacement and rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads: *Provided further*, That for purposes of this heading for the bridge replacement and rehabilitation program, the Secretary shall calculate the percentages of total deck area of bridges (including the percentages of total deck area classified as in poor condition) based on the National Bridge Inventory as of December 31, 2018: *Provided further*, That the funds made available under this heading for a bridge replacement and rehabilitation program shall be administered as if apportioned under

chapter 1 of title 23, United States Code, and shall remain available through September 30, 2023: *Provided further*, That the funds made available under this heading, in paragraph (7) in the third proviso, shall be available for projects eligible under section 130(a) of title 23, 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 and for which the National Transportation Safety Board issued an accident report: *Provided further*, That the funds made available under this heading, in paragraph (7) of the third proviso, shall be administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That for the purposes of funds made available under this heading for construction of the Appalachian Development Highway System, the term ''Appalachian State'' means a State that contains 1 or more counties (including any political subdivision located within the area) in the Appalachian region as defined in section 14102(a) of title 40, United States Code: *Provided further*, That funds made available under this heading for construction of the Appalachian Development Highway System shall remain available until expended: *Provided further*, That a project carried out with funds made available under this heading for construction of the Appalachian Development Highway System shall be carried out in the same manner as a project under section 14501 of title 40, United States Code: *Provided further*, That subject to the following proviso, funds made available under this heading for construction of the Appalachian Development Highway System shall be apportioned to Appalachian States according to the percentages derived from the 2012 Appalachian Development Highway System Cost-to-Complete Estimate, adopted in Appalachian Regional Commission Resolution Number 736, and confirmed as each Appalachian State's relative share of the estimated remaining need to complete the Appalachian Development Highway System, adjusted to exclude those corridors that such States have no current plans to complete, as reported in the 2013 Appalachian Development Highway System Completion Report: *Provided further*, That the Secretary shall adjust apportionments made under the preceding proviso so that no Appalachian State shall be apportioned an amount in excess of 30 percent of the amount made available for construction of the Appalachian Development Highway System under this heading: *Provided further*, That the Secretary shall consult with the Appalachian Regional Commission in making adjustments under the preceding two provisos: *Provided further*, That the Federal share of the costs for which an expenditure is made for construction of the Appalachian Development Highway System under this heading shall be up to 100 percent: *Provided further*, That amounts provided under this heading in paragraphs (7), (8), and (9) shall remain available until expended.

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 provided 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 25 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, each fiscal year, 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) for a fiscal year not later than the day before the beginning of such 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, and of which $35,334,000, to remain available for obligation until September 30, 2022, is for information management.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

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, $391,135,561, 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 $391,135,561 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) $45,900,000 shall be available for the high priority activities program, of which $1,000,000 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety 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; and

(4) $3,335,561 shall be made available for commercial motor vehicle operators grants, of which $2,335,561 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public Law 109–59), or other appropriations or authorization Acts.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 131. None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United

States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

SEC. 132. 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, as recommended by GAO–19–264.

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, $194,000,000, of which $40,000,000 shall remain available through September 30, 2021.

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 research, $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: *Provided further*, That amounts for behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls are in addition to any other funds provided for those purposes for fiscal year 2020 in this Act.

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. 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—

(1) 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

(2) 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. 143. 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, $224,198,000, of which $20,000,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $40,600,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority shall exist as long as any such direct loan or loan guarantee is outstanding.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

For necessary expenses related to Federal-State Partnership for State of Good Repair Grants as authorized by section 24911 of title 49, United States Code, $200,000,000, 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 180 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 1 year of 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, $325,000,000, to remain available until expended: *Provided*, 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 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 of the sums appropriated under this heading, $45,000,000 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 for amounts available under this heading eligible recipients under section 22907(b) of title 49, United States

Code, shall include 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 issue the Notice of Funding Opportunity that encompasses funds provided under this heading in this Act no later than 120 days after enactment of this Act and announce the selection of projects to receive awards for such funds no later than 300 days after the enactment of this Act: *Provided further*, That the Notice of Funding Opportunity under the previous proviso shall require application submissions 60 days after the publishing of such Notice.

MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT PROGRAM

For necessary expenses related to the deployment of magnetic levitation transportation projects, consistent with language in section 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), $2,000,000, to remain available until expended.

RESTORATION AND ENHANCEMENT

For necessary expenses related to Restoration and Enhancement Grants, as authorized by section 24408 of title 49, United States Code, $2,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the funds provided under this heading to fund the costs of award and project management and oversight.

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: *Provided further*, That of the amounts made available under this heading and the ''National Network Grants to the National Railroad Passenger Corporation'' heading, $100,000,000 shall be made available to fund the replacement of the single-level passenger cars used on Northeast Corridor, State Supported Corridor, and Long Distance routes.

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), $1,300,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to an additional $2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under section 24712 of title 49, United States Code: *Provided further*, That at least $50,000,000 of the amount provided under this heading shall be available for the development, installation and operation of railroad safety technology, including the implementation of a positive train control system, on State-supported routes as defined under section 24102(13) of title 49, United States Code, on which positive train control systems are not required by law or regulation: *Provided further*, That none of the funds provided under this heading shall be used by Amtrak to give notice under subsection (a) or (b) of section 24706 of title 49, United States Code, with respect to long-distance routes (as defined in section 24102 of title 49, United States Code) on which Amtrak is the sole operator on a host railroad's line and a positive train control system is not required by law or regulation, or, except in an emergency or during maintenance or construction outages impacting such routes, to otherwise discontinue, reduce the frequency of, suspend, or substantially alter the route of rail service on any portion of such route operated in fiscal year 2018, including implementation of service permitted by section 24305(a)(3)(A) of title 49, United States Code, in lieu of rail service.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act, a summary of all overtime payments incurred by the Corporation for 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 total number of Amtrak Police Department uniformed officers patrolling on board passenger trains or at stations, facilities or rights-of-way below the staffing level on May 1, 2019.

SEC. 152. It is the sense of Congress that—

(1) long-distance passenger rail routes provide much-needed transportation access for 4,700,000 riders in 325 communities in 40 States and are particularly important in rural areas; and

(2) long-distance passenger rail routes and services should be sustained to ensure connectivity throughout the National Network (as defined in section 24102 of title 49, United States Code).

SEC. 153. None of the funds made available by this Act may be used by the National Railroad Passenger Corporation in contravention of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.).

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, low or no emission grants under section 5339(c) of such title, formula grants to rural areas under section 5311 of such title, high density state apportionments under section 5340(d) of such title, the demonstration and deployment of innovative mobility solutions as authorized under section 5312 of such title, bus testing facilities under sections 5312 and 5318 of such title, and for grants to areas of persistent poverty, $510,000,000, to remain available until expended: *Provided*, That of the sums provided under this heading—

(1) $338,000,000 shall be available for the buses and bus facilities competitive grants as authorized under section 5339 of such title, of which $168,000,000 shall be available for the buses and bus facilities formula grants as authorized under section 5339(a) of such title, and $170,000,000 shall be available for buses and bus facilities competitive grants as authorized under section 5339(b) of such title;

(2) $75,000,000 shall be available for the low or no emission grants as authorized under section 5339(c) of such title: *Provided*, That the minimum grant award shall be not less than $750,000;

(3) $40,000,000 shall be available for formula grants for rural areas as authorized under section 5311 of such title;

(4) $40,000,000 shall be available for the high density state apportionments as authorized under section 5340(d) of such title;

(5) Notwithstanding section 5318(a) of such title, $3,000,000 shall be available for the operation and maintenance of bus testing facilities by institutions of higher education selected pursuant to section 5312(h): *Provided*, 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;

(6) $5,500,000 shall be available for the demonstration and deployment of innovative mobility solutions as authorized under section 5312 of such title; and

(7) $8,500,000 shall be available for competitive grants to eligible entities to assist areas of persistent poverty: *Provided*, 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 5-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 under paragraph (7) of 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 though 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, $1,978,000,000, to remain available until September 30, 2023: *Provided*, That of the amounts made available under this heading, $1,681,300,000 shall be allocated by December 31, 2021: *Provided further*, That of the amounts made available under this heading, $1,458,000,000 shall be available for projects authorized under section 5309(d) of title 49, United States Code, $300,000,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code, $100,000,000 shall be available for projects authorized under section 5309(h) of title 49, United States Code, and $100,000,000 shall be available for projects authorized under section 3005(b) of the Fixing America's Surface Transportation Act: *Provided further*, That the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and of section 3005(b) of the Fixing America's Surface Transportation Act: *Provided further*, That projects that receive a grant agreement under the Expedited Project Delivery for Capital Investment Grants Pilot Program under section 3005(b) of the Fixing America's Surface Transportation Act shall be deemed eligible for funding provided for projects under section 5309 of title 49, United States Code, without further evaluation or rating under such section: *Provided further*, That such funding shall not exceed the Federal share under section 3005(b).

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 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, 2023, 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, 2019, 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. No funds in this or any other Act shall be used to adjust apportionments or withhold funds from apportionments pursuant to 26 U.S.C. 9503(e)(4).

SEC. 164. An eligible recipient of a grant under section 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 section 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.

SEC. 165. None of the funds made available in this or any other Act shall be used to impede or hinder project advancement or approval for any project seeking a Federal contribution from the capital investment grant program of greater than 40 percent of project costs as authorized under 49 U.S.C. 5309.

SEC. 166. None of the funds made available under this Act may be used for the implementation or furtherance of new policies detailed in the ''Dear Colleague'' letter distributed by the Federal Transit Administration to capital investment grant program project sponsors on June 29, 2018.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities on those portions of the Saint Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $38,000,000, 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, $152,589,000: *Provided*, That of the sums appropriated under this heading—

(1) $80,216,000 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, and equipment 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) $9,775,000, 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 paragraphs (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 and obligated balances not yet expended from previous appropriations under this heading 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 as the appropriations for ''Maritime Administration—State Maritime Academy Operations''.

STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support and training activities for State Maritime Academies, $342,280,000: *Provided*, That of the sums appropriated under this heading—

(1) $30,080,000, to remain available until expended, shall be for maintenance, repair, life extension, marine insurance, and capacity improvement of National Defense Reserve Fleet training ships in support of State Maritime Academies, of which $8,080,000, 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, inland river ports, or Great Lakes ports: *Provided further*, That of the amounts made available under this heading, no less than $200,000,000 shall be 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 designed to improve the safety, efficiency, or reliability of the movement of goods into, out of, around, or within a port and located—

(1) within the boundary of a port, or

(2) outside the boundary of a port, and directly related to port operations, or to an intermodal connection to a port:

Provided further, That project awards eligible under this heading shall be only for—

(1) port gate improvements;

(2) road improvements both within and connecting to the port;

(3) rail improvements both within and connecting to the port;

(4) berth improvements (including docks, wharves, piers and dredging incidental to the improvement project);

(5) fixed landside improvements in support of cargo operations (such as silos, elevators, conveyors, container terminals, Ro/Ro structures including parking garages necessary for intermodal freight transfer, warehouses including refrigerated facilities, lay-down areas, transit sheds, and other such facilities);

(6) utilities necessary for safe operations (including lighting, stormwater, and other such improvements that are incidental to a larger infrastructure project); or

(7) a combination of activities described above:

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 for grants awarded under this heading, the minimum grant size shall be $1,000,000: *Provided further*, That for grant awards less than $10,000,000, the Secretary shall prioritize ports that handled less than 10,000,000 short tons in 2017, as identified by the U.S. Army Corps of Engineers: *Provided further*, That for grant awards less than $10,000,000, the Secretary may increase the Federal share of costs above 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.

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, $24,215,000, of which $1,500,000 shall remain available until September 30, 2022: *Provided*, 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, of which $11,000,000 shall 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 Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $94,600,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the Department's, or its operating administrations', missions.

(c) Any unmanned aircraft system purchased or procured by the Department prior to the enactment of this Act shall be deemed authorized.

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 183. None of the funds in this Act shall be available for salaries and expenses of more than 125 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. (a) None of the funds provided in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the Department or its modal administrations: *Provided*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

(b) In addition to the notification required in subsection (a), none of the funds made available in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, cooperative agreement or discretionary grant unless the Secretary of Transportation provides the House and Senate Committees on Appropriations a comprehensive list of all such loans, loan guarantees, lines of credit, cooperative agreement or discretionary grants that will be announced not less the 3 full business days before such announcement: *Provided*, That the Department shall provide the list required in this subsection prior to the notification required in subsection (a): *Provided further*, That the requirement to provide a list in this subsection does not apply to any ''quick release'' of funds from the emergency relief program: *Provided further*, That no list shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any prior Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments: *Provided*, That amounts made available in this Act shall be available until expended; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2010 and Improper Payments Elimination and Recovery Improvement Act of 2012, and Fraud Reduction and Data Analytics Act of 2015: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to depositing such recovery in the Treasury, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'' has the same meaning as that provided in section 2(e)(2) of Public Law 111–204.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 190. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 191. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the

knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

SEC. 192. 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. 193. The Secretary of Transportation shall coordinate with the Secretary of Homeland Security to ensure that best practices for Industrial Control Systems Procurement are up-to-date and shall ensure that systems procured with funds provided under this title were procured using such practices.

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, $14,217,000, to remain available until September 30, 2021: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $563,378,000, to remain available until September 30, 2021: *Provided*, That of the sums appropriated under this heading—

(1) $73,562,000 shall be available for the Office of the Chief Financial Officer;

(2) $103,916,000 shall be available for the Office of the General Counsel, of which not less than $18,700,000 shall be for the Departmental Enforcement Center;

(3) $206,849,000 shall be available for the Office of Administration;

(4) $39,827,000 shall be available for the Office of the Chief Human Capital Officer;

(5) $57,861,000 shall be available for the Office of Field Policy and Management;

(6) $19,445,000 shall be available for the Office of the Chief Procurement Officer;

(7) $4,242,000 shall be available for the Office of Departmental Equal Employment Opportunity; and

(8) $57,676,000 shall be available for the Office of the Chief Information Officer:

Provided further, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress: *Provided further*, That none of the funds made available under this heading for the Office of the Chief Financial Officer for the financial transformation initiative shall be available for obligation until after the Secretary has published all mitigation allocations made available under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' in Public Law 115–123 and the necessary administrative requirements pursuant to section 1102 of Public Law 116–20: *Provided further*, That only after the terms and conditions of the previous proviso have been met, not more than 10 percent of the funds made available under this heading for the Office of the 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 OFFICES

For necessary salaries and expenses for Program Offices, $847,000,000, to remain available until September 30, 2021: *Provided*, That of the sums appropriated under this heading—

(1) $227,000,000 shall be available for the Office of Public and Indian Housing;

(2) $124,000,000 shall be available for the Office of Community Planning and Development;

(3) $384,000,000 shall be available for the Office of Housing, of which not less than $12,300,000 shall be for the Office of Recapitalization;

(4) $28,000,000 shall be available for the Office of Policy Development and Research;

(5) $75,000,000 shall be available for the Office of Fair Housing and Equal Opportunity; and

(6) $9,000,000 shall be available for the Office of Lead Hazard Control and Healthy Homes.

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 only for Federal shared services used by offices and agencies of the Department, and for any such portion of any office or agency's printing, records management, space renovation, furniture, or supply services the Secretary has determined shall be provided through the Fund, and the operational expenses of the Fund: *Provided*, That amounts within the Fund shall not be available to provide services not specifically authorized under this heading: *Provided further*, That upon a determination by the Secretary that any other service (or portion thereof) authorized under this heading shall be provided through the Fund, amounts made available in this title for salaries and expenses under the headings ''Executive Offices'', ''Administrative Support Offices'', ''Program Offices'', and ''Government National Mortgage Association'', for such services shall be transferred to the Fund, to remain available until expended: *Provided further*, That the Secretary shall notify the House and Senate Committees on Appropriations of its plans for executing such transfers at least fifteen (15) days in advance of such transfers: *Provided further*, That the Secretary 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.

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, $19,874,050,000, 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) $21,502,000,000 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 none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 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 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 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 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; (5) 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; 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) $75,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, up to $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) $1,977,000,000 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 $1,947,000,000 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(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $229,050,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further*, That upon turnover, section 811 special purpose vouchers funded under this heading in this or prior Acts, or under any other heading in prior Acts, shall be provided to non-elderly persons with disabilities;

(5) $1,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD–VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD–VASH program: *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: *Provided further*, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD–VASH program: *Provided further*, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further*, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: *Provided further*, That the Secretary may reallocate, as determined by the Secretary, amounts returned or recaptured from awards under prior Acts;

(6) $40,000,000 for incremental rental voucher assistance for use through a supported

housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 203 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) $25,000,000 shall be made available for the family unification program as authorized under section 8(x) of the Act: *Provided*, That the amounts made available under this paragraph are provided as follows:

(A) $5,000,000 shall be for new incremental voucher assistance: *Provided*, That the assistance made available under this subparagraph shall continue to remain available for family unification upon turnover; and

(B) $20,000,000 shall be for new incremental voucher assistance to assist eligible youth as defined by such section 8(x)(2)(B): *Provided*, That assistance made available under this subparagraph shall continue to remain available for such eligible youth upon turnover: *Provided further*, That of the total amount made available under this subparagraph, up to $10,000,000 shall be available on a noncompetitive basis to public housing agencies that partner with public child welfare agencies to identify such eligible youth, that request such assistance to timely assist such eligible youth, and that meet any other criteria as specified by the Secretary: *Provided further*, That the Secretary shall review utilization of the assistance made available under the previous proviso, at an interval to be determined by the Secretary, and unutilized voucher assistance that is no longer needed shall be recaptured by the Secretary and reallocated pursuant to the previous proviso:

Provided further, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program, or made available and competitively selected under this paragraph, 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 specified program or eligible youth, as applicable;

(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'') $2,869,893,812, to remain available until September 30, 2023: *Provided*, That 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: *Provided further*, That of the total amount made available under this heading, up to $14,000,000 shall be to support ongoing public housing financial and physical assessment activities: *Provided further*, That of the total amount made available under this heading, up to $1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed $64,650,000 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, of which $34,650,000 shall be available for public housing agencies under administrative and judicial receiverships or under the control of a Federal monitor: *Provided further*, That of the amount made available under the previous proviso, not less than $10,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2021, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures: *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: *Provided further*, That of the total amount provided under this heading, $45,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards and other housing-related hazards including carbon monoxide and mold in public housing: *Provided further*, That of the amounts available under the previous proviso, no less than $25,000,000 shall be for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Provided further*, That for purposes of environmental review, a grant under the previous two provisos 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: *Provided further*, That for funds made available under the previous three provisos, the Secretary shall allow a PHA to apply for up to 20 percent of the funds made available under the first two provisos and prioritize need when awarding grants.

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)), $4,549,000,000, to remain

available until September 30, 2021: *Provided*, That of the total amount available under this heading, $25,000,000 shall be available to the Secretary to allocate pursuant to a need-based application process notwithstanding section 203 of this title and not subject to the Operating Fund formula at part 990 of title 24, Code of Federal Regulations to public housing agencies that experience financial insolvency, as determined by the Secretary: *Provided further*, That after all such insolvency needs are met, the Secretary may distribute any remaining funds to all public housing agencies on a pro-rata basis pursuant to the Operating Fund formula at part 990 of title 24, Code of Federal Regulations.

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, $175,000,000, to remain available until September 30, 2022: *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 $87,500,000 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 90 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, $130,000,000: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $80,000,000 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.

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, $825,000,000, to remain available until September 30, 2024, unless otherwise specified: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $646,000,000 shall be available 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 will notify grantees of their formula allocation within 60 days of the date of enactment of this Act;

(2) $2,000,000 shall be available 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 available 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 ''Program Offices—Public and Indian Housing'' for necessary costs of administering and overseeing the obligation and expenditure of this additional amount and of additional amounts provided in prior years, to remain available until September 30, 2025: *Provided further*, That any funds transferred pursuant to the previous proviso in prior Acts may also be used for the purposes described in the previous proviso;

(4) $70,000,000 shall be available 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 $4,000,000 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 available 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 amounts made available under this paragraph may be used, contracted, or competed as determined by the Secretary: *Provided further*, That notwithstanding the provisions of the Federal Grant and Cooperative 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 rulemaking 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): *Provided further*, That of the funds made available under this paragraph, not more than $1,000,000 shall be available to support utilization, outreach, and capacity building with tribes and tribal housing organizations for the Tribal HUD-VASH program.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $1,100,000, 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 an additional $500,000, to remain available until expended, shall be available for administrative contract expenses including management processes to carry out the loan guarantee program: *Provided further*, That the Secretary may 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 for any unobligated balances (including amounts of uncommitted limitation) remaining from amounts made available under this heading in Public Law 115–31, Public Law 115–141, and Public Law 116–6, and for any recaptures occurring in fiscal year 2019 or in future fiscal years of amounts made available under this heading in prior fiscal years, the second proviso of each such heading shall be applied as if ''these funds are available to'' was struck and ''the Secretary may'' was inserted in its place.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $2,000,000, to remain available until September 30, 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), $3,425,000,000, 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 of the total amount provided under this heading, $25,000,000 shall be for activities authorized under section 8071 of the SUPPORT for Patients and Communities Act (Public Law 115–271): *Provided further*, That the funds allocated pursuant to the previous proviso shall not adversely affect the amount of any formula assistance received by a State under this heading: *Provided further*, That the Secretary shall allocate the funds for such activities based on the percentages shown in Table 1 of the Notice establishing the funding formula published in 84 FR 16027 (April 17, 2019): *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 non-entitlement 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, $1,350,000,000, 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 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.

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, $36,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments, and Indian Tribes serving high need rural communities: *Provided further*, That of the total amount provided under this heading, $4,000,000, shall be made available for a program to rehabilitate and modify the homes of disabled or low-income veterans, as authorized under section 1079 of Public Law

113–291: *Provided further*, That funds provided under the previous proviso shall be awarded within 180 days of enactment of this Act.

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 $2,777,000,000, to remain available until September 30, 2022: *Provided further*, 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 $2,350,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That of the amounts made available under this heading, up to $50,000,000 shall be made available for grants for rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, sexual assault, or 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 the Secretary shall provide incentives to create projects that coordinate with housing providers and healthcare organizations to provide permanent supportive housing and rapid rehousing services: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 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 $80,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities with a priority for communities with substantial rural populations in up to eight locations, 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 amounts made available for the Continuum of Care program under this heading in this and prior Acts may be used to competitively or non-competitively renew or replace grants for youth homeless demonstration projects under the Continuum of Care program, notwithstanding any conflict with the requirements of the Continuum of Care program: *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 persons eligible under section 103(a)(5) of the McKinney-Vento Homeless Assistance Act may be served by any project funded under this heading to provide both transitional housing and rapid rehousing: *Provided further*, That when awarding funds under the Continuum of Care program, the Secretary shall not deviate from the FY 2018 Notice of Funding Availability with respect to the tier 2 funding process, the Continuum of Care application scoring, and for new projects, the project quality threshold requirements, except as otherwise provided under this Act or as necessary to award all available funds or consider the most recent data from each Continuum of Care.

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, $12,170,000,000, 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 of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $793,000,000, to remain available until September 30, 2023: *Provided*, That of the amount provided under this heading, up to $100,000,000 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 that 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 the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for the current purposes authorized under this heading 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 homeowners 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: *Provided further*, That beneficiaries of the grant assistance provided in the previous two provisos under this heading in the Department of Housing and Urban Development Appropriations Act, 2019 (Public Law 116–6) shall be homeowners.

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, $202,000,000, 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 that 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 the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for the current purposes authorized under this heading 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, $53,000,000, to remain available until September 30, 2021, including up to $4,500,000 for administrative contract services and up to $3,000,000 for the certification of housing counselors as required under 12 U.S.C. 1701x: *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 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 section 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 section 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 $13,000,000, to remain available until expended, of which $13,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 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 the Secretary of Housing and Urban Development shall issue a final rule to complete rulemaking initiated by the proposed rule entitled ''Manufactured Housing Program: Minimum Payments to the States'' published in the Federal Register on December 16, 2016 (81 Fed. Reg. 91083): *Provided further*, That for the dispute resolution and installation programs, the Secretary 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 nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 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 $30,500,000, 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, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, $98,000,000, to remain available until September 30, 2021: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements 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 to the House and Senate Committees on Appropriations on how it will allocate funding for this activity at least 30 days prior to obligation: *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, $70,300,000, to remain available until September 30, 2021: *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 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 no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $350,000 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 $50,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That not less than $95,000,000 of the amounts made available under this heading for the award of grants pursuant to section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 shall be provided to areas with the highest lead-based paint abatement needs: *Provided further*, That $64,000,000 of the funds appropriated under this heading shall be for the implementation of projects in not more than ten communities to demonstrate how intensive, extended, multi-year interventions can dramatically reduce the presence of lead-based paint hazards in those communities: *Provided further*, That each project shall serve no more than four contiguous census tracts in which there are high concentrations of housing stock built before 1940, in which low-income families with children make up a significantly higher proportion of the population as compared to the State average, and that are located in jurisdictions in which instances of elevated blood lead levels reported to the State are significantly higher than the State average: *Provided further*, That such projects shall be awarded not less than $6,000,000 and not more than $9,000,000: *Provided further*, That funding awarded for such projects shall be made available for draw down contingent upon the grantee meeting cost-savings, productivity, and grant compliance benchmarks established by the Secretary: *Provided further*, That each recipient of funds for such projects shall contribute an amount not less than 10 percent of the total award, and that the Secretary shall give priority to applicants that secure commitments for additional contributions from public and private sources: *Provided further*, That grantees currently receiving grants made under this heading shall be eligible to apply for such projects, provided that they are deemed to be in compliance with program requirements established by the Secretary: *Provided further*, That of the amount made available for the Healthy Homes Initiative, $5,000,000 shall be for the implementation of projects in up to 5 communities that are served by both the Healthy Homes Initiative and the 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 Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development, modernization, and enhancement of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $280,000,000, of which $260,000,000 shall remain available until September 30, 2021, and of which $20,000,000 shall remain available until September 30, 2022: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: *Provided further*, That not more than 10 percent of the funds made available under this heading for development, modernization and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the Department's enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the Department's capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $128,200,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office: *Provided further*, That the Office of Inspector General shall procure and rely upon the services of an independent external auditor(s) to audit the fiscal year 2020 and subsequent financial statements of the Department of Housing and Urban Development including the financial statements of the Federal Housing Administration and the Government National Mortgage Association: *Provided further*, That in addition to amounts under this heading otherwise available for the purposes specified in the previous proviso, $10,000,000 to remain available until September 30, 2021, shall be available only for such specified purposes.

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. 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. 209. (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(2 U.S.C. 661a)) 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 (12 U.S.C. 1701q);

(D) housing that is assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), 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 (42 U.S.C. 8013); 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 (42 U.S.C. 1437f(b));

(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 (12 U.S.C. 1701s);

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1);

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)); and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2));

(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. 210. (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 section 102 of 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. 211. The funds made available for Native Alaskans under paragraph (1) under the heading ''Native American Programs'' 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, and only such recipients shall be eligible to apply for funds made available under paragraph (3) of such heading.

SEC. 212. 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 (42 U.S.C. 1437f) 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'') (42 U.S.C. 1437f note) 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. 213. 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. 214. 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. 215. 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'', ''Administrative Support Offices'', ''Program Offices'', ''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. 216. 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. 217. 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. 218. 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 headings ''Administrative Support Offices'' or ''Program Offices'' 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 3 business days in advance of any such transfers under this section up to 10 percent or $5,000,000, whichever is less.

SEC. 219. (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. 220. 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. 221. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 222. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 223. 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. 224. 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. 225. 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. 226. None of the funds provided in this Act or any other act may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development subject to administrative discipline (including suspension from work), in this fiscal year, but this prohibition shall not be effective prior to the effective date of any such administrative discipline or after any final decision over-turning such discipline.

SEC. 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, section 525 of division H of Public Law 115–31, section 525 of division H of Public Law 115–141, section 524 of division B of Public Law 115–245 and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2020: *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 through 2020 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) 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) Amounts recaptured from funds appropriated for this or any succeeding fiscal year under the heading ''Department of Housing and Urban Development—Community Planning and Development—Homeless Assistance Grants'' shall become available until expended not later than the end of the fifth fiscal year after the last fiscal year for which such funds are available and shall be available, in addition to rental assistance amounts that were recaptured and made available until expended under such heading by any prior Act, and in addition to such other funds as may be available for such purposes, 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 the amounts shall be used only for grants in rural areas under the Continuum of Care program, to include activities eligible under the Rural Housing Stability Assistance program under section 491 of such Act (42 U.S.C. 11408) that are not otherwise eligible under the Continuum of Care program; and

(4) Not less than 10 percent of the amounts shall be for emergency solutions grants for disaster areas as authorized by subsection (c).

(b) Prior to the use of any recaptured amounts referred to in subsection (a), including competing, awarding, or obligating such amounts, the Secretary shall submit a plan in accordance with subsection (a) that specifies the planned use of any such amounts to the Committees on Appropriations of the House of Representatives and the Senate, and receive prior written approval of such plan, except that use of amounts in the plan for the purposes specified in subsection (a)(4) may begin once such plan is submitted to such Committees.

(c)(1) The Secretary may make grants under the Emergency Solutions Grants program under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.) to States or local governments to address the needs of homeless individuals or families or individuals or families at risk of homelessness in areas affected by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after the date of enactment of

this Act, whose needs are not otherwise served or fully met by existing Federal disaster relief programs, including the Transitional Sheltering Assistance program under such Act (42 U.S.C. 5170b).

(2) For purposes of grants under paragraph (1), the Secretary may suspend all consultation, citizen participation, and matching requirements.

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. (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. 235. None of the funds made available by this or any prior Act may be used to require or enforce any changes to the terms and conditions of the public housing annual contributions contract between the Secretary and any public housing agency, as such contract was in effect as of December 31, 2017, unless such changes are mutually agreed upon by the Secretary and such agency: *Provided*, That such agreement by an agency may be indicated only by a written amendment to the terms and conditions containing the duly authorized signature of its chief executive: *Provided further*, That the Secretary may not withhold funds to compel such agreement by an agency which certifies to its compliance with its contract.

SEC. 236. None of the amounts made available in this Act or in the Department of Housing and Urban Development Appropriations Act, 2019 (Public Law 116–6) may be used to consider Family Self-Sufficiency performance measures or performance scores in determining funding awards for programs receiving Family Self-Sufficiency program coordinator funding provided in this Act or in the Department of Housing and Urban Development Appropriations Act, 2019 (Public Law 116–6).

SEC. 237. (a) All unobligated balances from funds appropriated under the heading ''Department of Housing and Urban Development Public and Indian Housing—Tenant Based Rental Assistance'' in chapter 10 of title I of division B of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329) are hereby rescinded.

(b) All unobligated balances from funds appropriated under the heading ''Department of Housing and Urban Development Public and Indian Housing—Project-Based Rental Assistance'' in chapter 10 of title I of division B of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329; 122 Stat. 324) (as amended by section 1203 of Public Law 111–32; 123 Stat. 1859) are hereby rescinded.

SEC. 238. Any public housing agency designated as a Moving to Work agency pursuant to section 239 of (Public Law 114–113) may, upon such designation, use funds (except for special purpose funding, including special purpose vouchers) previously allocated to any such public housing agency under section 8 or 9 of the United States Housing Act of 1937, including any reserve funds held by the public housing agency or funds held by the Department of Housing and Urban Development, pursuant to the authority for use of section 8 or 9 funding provided under such section and section 204 of title II of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134), notwithstanding the purposes for which such funds were appropriated.

SEC. 239. None of the amounts made available by this Act or by Public Law 116–6 may be used to prohibit any public housing agency under receivership or the direction of a Federal monitor from applying for, receiving, or using funds made available under the heading ''Public Housing Capital Fund'' for competitive grants to evaluate and reduce lead-based paint hazards in this Act or that remain available and not awarded from prior Acts, or be used to prohibit a public housing agency from using such funds to carry out any required work pursuant to a settlement agreement, consent decree, voluntary agreement, or similar document for a violation of the Lead Safe Housing or Lead Disclosure 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, $9,200,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses: *Provided further*, That of this amount, $800,000 shall be for activities authorized under section 432 of Public Law 115–254.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $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, $24,274,000: *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), $157,500,000, of which $5,000,000 shall be for a multi-family rental housing program: *Provided*, That an additional $1,000,000, to remain available until September 30, 2023, shall be for the promotion and development of shared equity housing models.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $37,100,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 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, $3,800,000, 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.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 419. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program unless such awards or incentive fees are consistent with 16.401(e)(2) of the 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. None of the funds made available by this Act may be used in contravention of section 5309(d)(2) of title 49, United States Code.

SEC. 422. None of the funds made available by this division may be used to issue rules or guidance in contravention of section 1210 of Public Law 115–254 (132 Stat. 3442) or section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155).

SEC. 423. None of the funds made available by this division may be used in contravention of section 2635.702 of title 5, Code of Federal Regulations.

SEC. 424. Of the unobligated balances of funds remaining from—

(1) Public Law 91–605, and any other Act, appropriated to the ''Rail Crossings Demonstration Projects'' account under Treasury Account Fund Symbol 69X0555, a total of $517,220.20 is hereby permanently rescinded;

(2) Public Law 92–18, and any other Act, appropriated to the ''Darien Gap Highway'' account under Treasury Account Fund Symbol 69X0553, a total of $2,037,034.50 is hereby permanently rescinded;

(3) Public Law 93–87, and any other Act, appropriated to the ''Alaska Highway'' account under Treasury Account Fund Symbol 69X0537, a total of $62,861.61 is hereby permanently rescinded;

(4) Public Law 94–387, and any other Act, appropriated to the ''Railroad-Highway Crossings Demonstration Projects'' account under Treasury Account Fund Symbol 69X0557, a total of $2,035,137.12 is hereby permanently rescinded;

(5) Public Law 97–257, and any other Act, appropriated to the ''Access Highways to Public Recreation Areas on Certain Lakes'' account under Treasury Account Fund Symbol 69X0503, a total of $352,333.19 is hereby permanently rescinded;

(6) Public Law 99–190, and any other Act, appropriated to the ''Highway Beautification'' account under Treasury Account Fund Symbol 69X0540, a total of $488,909.57 is hereby permanently rescinded;

(7) Public Law 101–164, and any other Act, appropriated to the ''Highway Demonstration Projects-Preliminary Engineering'' account under Treasury Account Fund Symbol 69X0583, a total of $2,601,431.71 is hereby permanently rescinded;

(8) Public Law 101–516, and any other Act, appropriated to the ''Highway Demonstration Projects'' account under Treasury Account Fund Symbol 69X0598, a total of $1,341 is hereby permanently rescinded;

(9) Public Law 102–143, and any other Act, appropriated to the ''Highway Studies Feasibility, Design, Environmental, Engineering'' account under Treasury Account Fund Symbol 69X0533, a total of $262,204.01 is hereby permanently rescinded;

(10) Public Law 103–331, and any other Act, appropriated to the ''Surface Transportation Projects'' account under Treasury Account Fund Symbol 69X0505, a total of $573,097.13 is hereby permanently rescinded; and

(11) Public Law 107–87, and any other Act, appropriated to the ''Miscellaneous Highway Project'' account under Treasury Account Fund Symbol 69X0641, a total of $11,003,637 is hereby permanently rescinded.

SEC. 425. (a) Section 127(1)(3)(A) of title 23, United States Code, is amended—

(1) in the matter preceding clause (i), in the first sentence, by striking ''clause (i) or (ii)'' and inserting ''clauses (i) through (iv)''; and

(2) by adding at the end the following:

''(iii) The Wendell H. Ford (Western Kentucky) Parkway (to be designated as a spur of Interstate Route 69) from the interchange with the William H. Natcher Parkway in Ohio County, Kentucky, west to the interchange of the Western Kentucky Parkway with the Edward T. Breathitt (Pennyrile) Parkway.

''(iv) The Edward T. Breathitt (Pennyrile) Parkway (to be designated as a spur of Interstate Route 69) from Interstate 24, north to Interstate 69.''.

(b) DESIGNATION AS HIGH PRIORITY CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2032; 131 Stat. 797) is amended by adding at the end the following:

''(91) The Wendell H. Ford (Western Kentucky) Parkway from the interchange with the William H. Natcher Parkway in Ohio County, Kentucky, west to the interchange of the Western Kentucky Parkway with the Edward T. Breathitt (Pennyrile) Parkway.''.

(c) DESIGNATION AS FUTURE INTERSTATE.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 109 Stat. 597; 131 Stat. 797) is amended in the first sentence by striking ''and subsection (c)(90)'' and inserting ''subsection (c)(90), and subsection (c)(91)''.

(d) NUMBERING OF PARKWAY.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 109 Stat. 598; 126 Stat. 426; 131 Stat. 797) is amended by adding at the end the following: ''The route referred to in subsection (c)(91) is designated as Interstate Route I–569.''.

(e) EXEMPTION.—Notwithstanding section 111 of title 23, United States Code, if the segment of highway described in paragraph (91) of section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2032; 131 Stat. 797) is designated as a route on the Interstate System, any commercial establishment operating legally in a rest area on that segment before the date of that designation may continue to operate in the Interstate right-of-way, subject to the Interstate access standards established under section 111 of that title.

This division may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2020''.

DIVISION I—EXTENSIONS

TITLE I

IMMIGRATION EXTENSIONS

SEC. 101. Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) shall be applied by substituting ''September 30, 2020'' for ''September 30, 2015''.

SEC. 102. Subclauses 101(a)(27)(C)(ii)(II) and (III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)(II) and (III)) shall be applied by substituting ''September 30, 2020'' for ''September 30, 2015''.

SEC. 103. Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) shall be applied by substituting ''September 30, 2020'' for ''September 30, 2015''.

SEC. 104. Section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) shall be applied by substituting ''September 30, 2020'' for ''September 30, 2015''.

SEC. 105. Notwithstanding the numerical limitation set forth in section 214(g)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary of Homeland Security, after consultation with the Secretary of Labor, and upon the determination that the needs of American businesses cannot be satisfied in fiscal year 2020 with United States workers who are willing, qualified, and able to perform temporary nonagricultural labor, may increase the total number of aliens who may receive a visa under section 101(a)(15)(H)(ii)(b) of such Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) in such fiscal year above such limitation by not more than the highest number of H–2B nonimmigrants who participated in the H–2B returning worker program in any fiscal year in which returning workers were exempt from such numerical limitation.

TITLE II

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION

SEC. 201. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by

substituting ''September 30, 2020'' for ''September 30, 2019''.

TITLE III—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION EXTENSION

SEC. 301. EXTENSION OF THE SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) SECURE PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended, in subsections (a) and (b), by striking ''and 2018'' each place it appears and inserting ''2018, 2019, and 2020''.

(2) PAYMENTS TO STATES AND COUNTIES.—

(A) ELECTION TO RECEIVE PAYMENT AMOUNT.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(i) in paragraph (1)(D)—

(I) in the subparagraph heading, by striking ''FOR FISCAL YEARS 2017 AND 2018'' and inserting ''FOR EACH OF FISCAL YEARS 2017 THROUGH 2020''; and

(II) by striking ''for fiscal years 2017 or 2018'' and inserting ''for each of fiscal years 2017 through 2020''; and

(ii) in paragraph (2), in subparagraphs (A) and (B), by striking ''for fiscal years 2017 and 2018'' each place it appears and inserting ''for each of fiscal years 2017 through 2020''.

(B) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—Section 102(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)) is amended—

(i) in paragraph (1)(F)—

(I) in the subparagraph heading, by striking ''FOR FISCAL YEARS 2017 AND 2018'' and inserting ''FOR EACH OF FISCAL YEARS 2017 THROUGH 2020''; and

(II) by striking ''for fiscal years 2017 and 2018'' and inserting ''for each of fiscal years 2017 through 2020''; and

(ii) in paragraph (3)(D)—

(I) in the subparagraph heading, by striking ''FOR FISCAL YEARS 2017 AND 2018'' and inserting ''FOR EACH OF FISCAL YEARS 2017 THROUGH 2020''; and

(II) by striking ''for fiscal years 2017 and 2018'' and inserting ''for each of fiscal years 2017 through 2020''.

(C) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''through and for fiscal years 2017 and 2018'' and inserting ''through 2015 and for each of fiscal years 2017 through 2020''.

(b) EXTENSION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) EXISTING ADVISORY COMMITTEES.—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking ''September 29, 2018'' each place it appears and inserting ''December 20, 2021''.

(2) TERMINATION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking ''2020'' and inserting ''2022''; and

(B) in subsection (b), by striking ''2021'' and inserting ''2023''.

(c) EXTENSION OF AUTHORITY TO EXPEND COUNTY FUNDS.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(1) in subsection (a), by striking ''2020'' and inserting ''2022''; and

(2) in subsection (b), by striking ''2021'' and inserting ''2023''.

TITLE IV—EXPORT-IMPORT BANK EXTENSION

SEC. 401. AUTHORIZATION PERIOD.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''September 30, 2019'' and inserting ''December 31, 2026''.

(b) EXPOSURE LIMIT.—Section 6(a)(2) of such Act (12 U.S.C. 635e(a)(2)) is amended by striking ''for each of fiscal years 2015 through 2019'' and inserting ''for each of fiscal years 2020 through 2027''.

SEC. 402. PROGRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.

(a) IN GENERAL.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

''(l) PROGRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.—

''(1) IN GENERAL.—The Bank shall establish a Program on China and Transformational Exports to support the extension of loans, guarantees, and insurance, at rates and on terms and other conditions, to the extent practicable, that are fully competitive with rates, terms, and other conditions established by the People's Republic of China or by a covered country, that aim to—

''(A) directly neutralize export subsidies for competing goods and services financed by official export credit, tied aid, or blended financing provided by the People's Republic of China or by a covered country; or

''(B) advance the comparative leadership of the United States with respect to the People's Republic of China, or support United States innovation, employment, and technological standards, through direct exports in any of the following areas:

''(i) Artificial intelligence.

''(ii) Biotechnology.

''(iii) Biomedical sciences.

''(iv) Wireless communications equipment (including 5G or subsequent wireless technologies).

''(v) Quantum computing.

''(vi) Renewable energy, energy efficiency, and energy storage.

''(vii) Semiconductor and semiconductor machinery manufacturing.

''(viii) Emerging financial technologies, including technologies that facilitate—

''(I) financial inclusion through increased access to capital and financial services;

''(II) data security and privacy;

''(III) payments, the transfer of funds, and associated messaging services; and

''(IV) efforts to combat money laundering and the financing of terrorism.

''(ix) Water treatment and sanitation, including technologies and infrastructure to reduce contaminants and improve water quality.

''(x) High performance computing.

''(xi) Associated services necessary for use of any of the foregoing exports.

''(2) COVERED COUNTRIES.—In this subsection, the term 'covered country' means any country that—

''(A) the Secretary of the Treasury designates as a covered country in a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Development of the Senate;

''(B) is not a participant in the Arrangement on Officially Supported Export Credits of the Organization for Economic Cooperation and Development (in this subsection referred to as the 'Arrangement'); and

''(C) is not in substantial compliance with the financial terms and conditions of the Arrangement.

''(3) FINANCING.—

''(A) IN GENERAL.—It shall be a goal of the Bank to reserve not less than 20 percent of the applicable amount (as defined in section 6(a)(2)) for support made pursuant to the Program on China and Transformational Exports.

''(B) EXCEPTION.—The Secretary of the Treasury may reduce or eliminate the 20 percent goal in subparagraph (A), on reporting to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that the People's Republic of China is in substantial compliance with—

''(i) the financial terms and conditions of the Arrangement; and

''(ii) the rules and principles of the Paris Club.

''(C) SUNSET AND REPORT.—The program established under paragraph (1) shall expire on December 31, 2026. Not later than 4 years after enactment of this subsection, the President of the Bank shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate assessing the following:

''(i) The capacity and demand of United States entities to export goods and services in the areas described in paragraph (1)(B), as assessed in consultation with the Secretary of Commerce.

''(ii) The availability of private-sector financing for exports in the areas.

''(iii) The feasibility and advisability of continuing the goal of subparagraph (A) of this paragraph with respect to paragraph (1)(B) after December 31, 2026.

''(D) NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS.—The National Advisory Council on International Monetary and Financial Problems shall ensure that Bank authorizations pursuant to the Program on China and Transformational Exports are considered or reviewed expeditiously, consistent with the other credit standards required by law.''.

(b) REQUIRED REPORTING.—Section 8 of such Act (12 U.S.C. 635g) is amended by adding at the end the following:

''(l) REPORT ON AUTHORIZATIONS UNDER THE PRO- GRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.—The Bank shall include in its annual report to Congress under subsection (a) a narrative and financial summary of the authorizations made under the Program on China and Transformational Exports.''.

(c) RULE OF CONSTRUCTION.—Nothing in section 2(l)(1)(B) of the Export-Import Bank Act of 1945 shall be construed to weaken any export controls affecting critical technologies (as defined in section 721(a)(6)(A) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(6)(A))).

SEC. 403. SMALL BUSINESS POLICY.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by striking subparagraph (E)(i)(I) and inserting the following:

''(E)(i)(I) It is further the policy of the United States to encourage the participation of small business (including women-owned businesses, minority-owned businesses, veteran-owned businesses, businesses owned by persons with disabilities, and businesses in rural areas) and start-up businesses in international commerce, and to educate such businesses about how to export goods using the Bank.''.

SEC. 404. INCREASE IN SMALL BUSINESS THRESHOLD.

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''25'' and inserting ''30''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2021.

SEC. 405. EXCLUSION OF UNUTILIZED INSURANCE AUTHORITY IN CALCULATING SMALL BUSINESS THRESHOLD.

Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by adding at the end the following: ''For the purpose of calculating the amounts of authority required under this clause, the Bank shall, with respect to insurance, exclude unutilized authorizations that terminated during the fiscal year.''.

SEC. 406. ANTI-FRAUD REFORMS.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended—

(1) in subsection (f), by striking the period and inserting: '', and shall deny an application for assistance if the end user, borrower, lender, or exporter has been convicted of an act of fraud or corruption in connection with an application for support from the Bank made in the preceding 5 years. The Bank may proceed with an application described in this subsection only if an end user, borrower, lender, or exporter can be fully excluded from the transaction.''; and

(2) in subsection (i), by striking ''should require'' and inserting ''shall require''.

SEC. 407. FINANCING FOR RENEWABLE ENERGY, ENERGY EFFICIENCY, AND ENERGY STORAGE TECHNOLOGIES.

Section 2(b)(1)(K) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(K)) is amended by inserting '', energy efficiency (including battery electric vehicles, batteries for electric vehicles, and electric vehicle charging infrastructure), and energy storage. It shall be a goal of the Bank to ensure that not less than 5 percent of the applicable amount (as defined in section 6(a)(2)) is made available each fiscal year for the financing of renewable energy, energy efficiency (including battery electric vehicles, batteries for electric vehicles, and electric vehicle charging infrastructure), and energy storage technology exports'' before the period.

SEC. 408. REPORTING ON FINANCING RELATED TO CHINA.

(a) NATIONAL INTEREST REPORT.—Before authorizing a loan or guarantee for a transaction in an amount greater than $25,000,000 for which the end user, lender, or obligor is the government of China, the President of the Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall—

(1) report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that the Bank has consulted with the Secretary of State and any other relevant department or agency, as deemed appropriate by the President of the United States, to assess any risks posed by the entity or the transaction to the national interest of the United States; and

(2) include a summary of the transaction and the consultation.

(b) FORM OF REPORT.—The report described in subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) RELATED POLICIES.—

(1) The Board of Directors of the Bank shall prescribe policies for the Bank with respect to—

(A) procedures required by the consultation described in subsection (a)(1);

(B) establishment of a period of not less than 25 days to complete the consultations described in subsection (a) during which time consulted parties may submit any appropriate information to the Bank; and

(C) efforts by the Bank to assess and determine ownership or control by the government of China pursuant to the requirements of subsection (a).

(2) In prescribing the policies described under paragraph (1) of this subsection, the Board of Directors of the Bank shall—

(A) consult with the Secretary of State with respect to the procedures referred to in subparagraphs (A) and (B) of paragraph (1) of this subsection, and seek to ensure that the procedures—

(i) are consistent, wherever appropriate, with national interest determinations made under section 2(b)(1)(B) of the Export-Import Bank Act of 1945; and

(ii) include coordination between the Secretary of State and the Director of National Intelligence, wherever appropriate; and

(B) consult with the Secretary of the Treasury with respect to the efforts described in paragraph (1)(C) of this subsection.

(d) DEFINITION.—For the purposes of this section, the term ''government of China'' means any person that the Bank has reason to believe is—

(1) the state and the government of China, as well as any political subdivision, agency, or instrumentality thereof;

(2) any entity controlled, directly or indirectly, by any of the foregoing, including any partnership, association, or other entity in which any of the foregoing owns a 50 percent or greater interest or a controlling interest, and any entity which is otherwise controlled by any of the foregoing;

(3) any person that is or has been acting or purporting to act, directly or indirectly, for or on behalf of any of the foregoing; and

(4) any other person which the Secretary of the Treasury has notified the Bank is included in any of the foregoing.

(e) SUNSET.—This section shall have no force or effect on the earlier of—

(1) December 31, 2026; or

(2) the date that is 30 days after the date that the President of the United States reports to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that China is in substantial compliance with—

(A) the financial terms and conditions of the Arrangement on Officially Supported Export Credits of the Organization for Economic Cooperation and Development; and

(B) the rules and principles of the Paris Club.

SEC. 409. ALTERNATIVE PROCEDURES DURING QUORUM LAPSE.

(a) IN GENERAL.—Section 3(c)(6) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)(6)) is amended—

(1) by inserting ''(A)'' after ''(6)''; and

(2) by adding at the end the following:

''(B)(i) If there is an insufficient number of directors to constitute a quorum under subparagraph (A) for 120 consecutive days during the term of a President of the United States, a temporary Board, consisting of the following members, shall act in the stead of the Board of Directors:

''(I) The United States Trade Representative.

''(II) The Secretary of the Treasury.

''(III) The Secretary of Commerce.

''(IV) The members of the Board of Directors.

''(ii) If, at a meeting of the temporary Board—

''(I) a member referred to in clause (i)(IV) is present, the meeting shall be chaired by such a member, consistent with Bank bylaws; or

''(II) no such member is present, the meeting shall be chaired by the United States Trade Representative.

''(iii) A member described in subclause (I), (II), or (III) of clause (i) may delegate the authority of the member to vote on whether to authorize a transaction, whose value does not exceed $100,000,000, to—

''(I) if the member is the United States Trade Representative, the Deputy United States Trade Representative; or

''(II) if the member is referred to in such subclause (II) or (III), the Deputy Secretary of the department referred to in the subclause.

''(iv) If the temporary Board consists of members of only one political party, the President of the United States shall, to the extent practicable, appoint to the temporary Board a qualified member of a different political party who occupies a position requiring nomination by the President, by and with the consent of the Senate.

''(v) The temporary board may not change or amend Bank policies, procedures, bylaws, or guidelines.

''(vi) The temporary Board shall expire at the end of the term of the President of the United States in office at the time the temporary Board was constituted or upon restoration of a quorum of the Board of Directors as defined in subparagraph (A).

''(vii) With respect to a transaction that equals or exceeds $100,000,000, the Chairperson of the temporary Board shall ensure that the Bank complies with section 2(b)(3).''.

(b) TERMINATION.—The amendments made by subsection (a) shall have no force or effect after December 31, 2026.

TITLE V—TERRORISM RISK INSURANCE PROGRAM EXTENSION

SEC. 501. SHORT TITLE.

This title may be cited as the ''Terrorism Risk Insurance Program Reauthorization Act of 2019''.

SEC. 502. 7-YEAR EXTENSION OF TERRORISM RISK INSURANCE PROGRAM.

(a) TERMINATION DATE.—Section 108(a) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking ''2020'' and inserting ''2027''.

(b) TIMING OF MANDATORY RECOUPMENT.—Section 103(e)(7)(E)(i) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in subclause (I)—

(A) by striking ''2017'' and inserting ''2022''; and

(B) by striking ''2019'' and inserting ''2024'';

(2) in subclause (II)—

(A) by striking ''2018'' and inserting ''2023'';

(B) by striking ''2024'' and inserting ''2029''; and

(C) by striking ''2019'' and inserting ''2024''; and

(3) in subclause (III)—

(A) by striking ''2024'' and inserting ''2029''; and

(B) by striking ''2019'' and inserting ''2024''.

(c) ONGOING REPORTS REGARDING MARKET CONDITIONS FOR TERRORISM RISK INSURANCE.—Paragraph (2) of section 104(h) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by redesignating subparagraphs (B) through (E) as subparagraphs (C) through (F), respectively; and

(2) by inserting after subparagraph (A) the following new subparagraph:

''(B) an evaluation of the availability and affordability of terrorism risk insurance, which shall include an analysis of such availability and affordability specifically for places of worship;''.

(d) STUDY AND REPORT ON CYBER TERRORISM.—Not later than the expiration of the 180-day period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study and report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, which shall—

(1) analyze and address—

(A) overall vulnerabilities and potential costs of cyber attacks to the United States public and private infrastructure that could result in physical or digital damage;

(B) whether State-defined cyber liability under a property and casualty line of insurance is adequate coverage for an act of cyber terrorism;

(C) whether such risks can be adequately priced by the private market; and

(D) whether the current risk-share system under the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is appropriate for a cyber terrorism event; and

(2) set forth recommendations on how Congress could amend the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) to meet the next generation of cyber threats.

TITLE VI—NASA ENHANCED USE LEASING EXTENSION

SEC. 601. SHORT TITLE.

This title may be cited as the ''NASA Enhanced Use Leasing Extension Act of 2019''.

SEC. 602. EXTENSION OF AUTHORITY TO ENTER INTO LEASES OF NON-EXCESS PROPERTY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

Section 20145(g) of title 51, United States Code, is amended, in the first sentence, by striking ''December 31, 2019'' and inserting ''December 31, 2021''.

TITLE VII—INKSNA EXTENSION

SEC. 701. EXEMPTION FROM THE IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION ACT.

Section 7(1) of the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S.C. 1701 note) is amended, in the undesignated matter following subparagraph (B), by striking ''December 31, 2020'' and inserting ''December 31, 2025''.

TITLE VIII—BRAND USA EXTENSION

SEC. 801. SHORT TITLE.

This title may be cited as the ''Brand USA Extension Act''.

SEC. 802. THE CORPORATION FOR TRAVEL PROMOTION.

Subsection (b) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(b)) is amended—

(1) in paragraph (2)(A)—

(A) in clause (ii), by inserting ''or foodservice'' after ''restaurant'';

(B) in clause (v), by inserting '', such as outdoor recreation'' before the semicolon at the end; and

(C) in clause (viii), by inserting ''commercial or private'' before ''passenger air sector'';

(2) in paragraph (5)(A)—

(A) in clause (iii), by inserting ''speaking conventions, sales missions,'' after ''trade shows,'';

(B) in clause (iv), by striking ''and'' at the end;

(C) in clause (v), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(vi) to promote tourism to the United States through digital media, online platforms, and other appropriate medium.''; and

(3) in paragraph (7)(C), by striking ''3 days'' and inserting ''5 days''.

SEC. 803. ACCOUNTABILITY MEASURES.

Subsection (c) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(c)) is amended—

(1) in paragraph (2), by striking ''$500,000'' and inserting ''$450,000''; and

(2) in paragraph (3)—

(A) by redesignating subparagraph (I) as subparagraph (K);

(B) in subparagraph (H)(iii), by striking ''and'' at the end; and

(C) by inserting after subparagraph (H)(iii) the following:

''(I) a list of countries the Corporation identifies as emerging markets for tourism to the United States;

''(J) a description of the efforts the Corporation has made to promote tourism to rural areas of the United States; and''.

SEC. 804. EXTENSION OF FUNDING FOR BRAND USA.

Subsection (d) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(d)) is amended—

(1) in paragraph (2)(B), by striking ''2020'' and inserting ''2027'';

(2) in paragraph (3)(B)(ii), by striking ''70 percent'' and inserting ''50 percent''; and

(3) in paragraph (4)(B), by striking ''2020'' and inserting ''2027''.

SEC. 805. PERFORMANCE PLAN.

Not later than 90 days after the date of the enactment of this Act, the Corporation for Travel Promotion shall make the performance metrics established pursuant to subsection (f)(1)(A) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(f)(1)(A)) publicly available on the website of the Corporation.

SEC. 806. ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION FEE INCREASE.

Section 217(h)(3)(B)(i)(I) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)) is amended by striking ''$10'' and inserting ''$17''.

TITLE IX—DC OPPORTUNITY SCHOLARSHIP EXTENSIONS

SEC. 901. SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS.

(a) Section 3014(a) of the Scholarships for Opportunity and Results Act (sec. 38–1853.14, D.C. Official Code) is amended by striking ''through fiscal year 2019'' and inserting ''through fiscal year 2023''.

(b) The amendment made by subsection (a) shall take effect on September 30, 2019.

TITLE X—BUDGETARY EFFECTS

SEC. 1001. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division and each succeeding division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division and each succeeding division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division and each succeeding 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.

DIVISION J—FOREIGN POLICY

TITLE I—VENEZUELA ASSISTANCE

SEC. 101. SHORT TITLES.

This title may be cited as the ''Venezuela Emergency Relief, Democracy Assistance, and Development Act of 2019'' or the ''VERDAD Act of 2019''.

Subtitle A—Support for the Interim President of Venezuela and Recognition of the Venezuelan National Assembly

SEC. 111. FINDINGS; SENSE OF CONGRESS IN SUPPORT OF THE INTERIM PRESIDENT OF VENEZUELA.

(a) FINDINGS.—Congress makes the following findings:

(1) Venezuela's electoral event on May 20, 2018 was characterized by widespread fraud and did not comply with international standards for a free, fair, and transparent electoral process.

(2) Given the fraudulent nature of Venezuela's May 20, 2018 electoral event, Nicolás Maduro's tenure as President of Venezuela ended on January 10, 2019.

(3) The National Assembly of Venezuela approved a resolution on January 15, 2019 that terminated Nicolás Maduro's authority as the President of Venezuela.

(4) On January 23, 2019, the President of the National Assembly of Venezuela was sworn in as the Interim President of Venezuela.

(b) SENSE OF CONGRESS.—It is the sense of Congress—

(1) to support the decisions by the United States Government, more than 50 governments around the world, the Organization of American States, the Inter-American Development Bank, and the European Parliament to recognize National Assembly President Juan Guaidó as the Interim President of Venezuela;

(2) to encourage the Interim President of Venezuela to advance efforts to hold democratic presidential elections in the shortest possible period; and

(3) that the Organization of American States, with support from the United States Government and partner governments, should provide diplomatic, technical, and financial support for a new presidential election in Venezuela that complies with international standards for a free, fair, and transparent electoral process.

SEC. 112. RECOGNITION OF VENEZUELA'S DEMOCRATICALLY ELECTED NATIONAL ASSEMBLY.

(a) FINDINGS.—Congress finds that Venezuela's unicameral National Assembly convened on January 6, 2016, following democratic elections that were held on December 6, 2015.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Venezuela's democratically elected National Assembly is the only national level democratic institution remaining in the country.

(c) POLICY.—It is the policy of the United States to recognize the democratically elected National Assembly of Venezuela as the only legitimate national legislative body in Venezuela.

(d) ASSISTANCE TO VENEZUELA'S NATIONAL ASSEMBLY.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall prioritize efforts to provide technical assistance to support the democratically elected National Assembly of Venezuela in accordance with section 143.

SEC. 113. ADVANCING A NEGOTIATED SOLUTION TO VENEZUELA'S CRISIS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) direct, credible negotiations led by the Interim President of Venezuela and members of Venezuela's democratically elected National Assembly—

(A) are supported by stakeholders in the international community that have recognized the Interim President of Venezuela;

(B) include the input and interests of Venezuelan civil society; and

(C) represent the best opportunity to reach a solution to the Venezuelan crisis that includes—

(i) holding a new presidential election that complies with international standards for a free, fair, and transparent electoral process;

(ii) ending Nicolás Maduro's usurpation of presidential authorities;

(iii) restoring democracy and the rule of law;

(iv) freeing political prisoners; and

(v) facilitating the delivery of humanitarian aid;

(2) dialogue between the Maduro regime and representatives of the political opposition that commenced in October 2017, and were supported by the Governments of Mexico, of Chile, of Bolivia, and of Nicaragua, did not result in an agreement because the Maduro regime failed to credibly participate in the process; and

(3) negotiations between the Maduro regime and representatives of the political opposition that commenced in October 2016, and were supported by the Vatican, did not result in an agreement because the Maduro regime failed to credibly participate in the process.

(b) POLICY.—It is the policy of the United States to support diplomatic engagement in order to advance a negotiated and peaceful solution to Venezuela's political, economic, and humanitarian crisis that is described in subsection (a)(1).

Subtitle B—Humanitarian Relief for Venezuela

SEC. 121. HUMANITARIAN RELIEF FOR THE VENEZUELAN PEOPLE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Government should expand efforts to peacefully address Venezuela's humanitarian crisis; and

(2) humanitarian assistance—

(A) should be targeted toward those most in need and delivered through partners that uphold internationally recognized humanitarian principles; and

(B) should not be passed through the control or distribution mechanisms of the Maduro regime.

(b) HUMANITARIAN RELIEF.—

(1) IN GENERAL.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall provide—

(A) humanitarian assistance to individuals and communities in Venezuela, including—

(i) public health commodities and services, including medicines and basic medical supplies and equipment;

(ii) basic food commodities and nutritional supplements needed to address growing malnutrition and improve food security for the people of Venezuela, with a specific emphasis on the most vulnerable populations; and

(iii) technical assistance to ensure that health and food commodities are appropriately selected, procured, targeted, and distributed; and

(B) Venezuelans and hosting communities, as appropriate, in neighboring countries with humanitarian aid, such as—

(i) urgently needed health and nutritional assistance, including logistical and technical assistance to hospitals and health centers in affected communities;

(ii) food assistance for vulnerable individuals, including assistance to improve food security for affected communities; and

(iii) hygiene supplies and sanitation services.

(2) AID TO VENEZUELANS IN NEIGHBORING COUNTRIES.—The aid described in paragraph (1)(B)—

(A) may be provided—

(i) directly to Venezuelans in neighboring countries, including countries of the Caribbean; or

(ii) indirectly through the communities in which the Venezuelans reside; and

(B) should focus on the most vulnerable Venezuelans in neighboring countries.

(c) HUMANITARIAN ASSISTANCE STRATEGY UPDATE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit, to the appropriate congressional committees, an update to the Venezuela humanitarian assistance strategy described in the conference report accompanying the Consolidated Appropriations Act (Public Law 116–6), to cover a 2-year period and include—

(1) a description of the United States humanitarian assistance provided under this section;

(2) a description of United States diplomatic efforts to ensure support from international donors, including regional partners in Latin America and the Caribbean, for the provision of humanitarian assistance to the people of Venezuela;

(3) the identification of governments that are willing to provide financial and technical assistance for the provision of such humanitarian assistance to the people of Venezuela and a description of such assistance; and

(4) the identification of the financial and technical assistance to be provided by multilateral institutions, including the United Nations humanitarian agencies, the Pan American Health Organization, the Inter-American Development Bank, and the World Bank, and a description of such assistance.

(d) DIPLOMATIC ENGAGEMENT.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall work with relevant foreign governments and multilateral organizations to coordinate a donors summit and carry out diplomatic engagement to advance the strategy required under subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $400,000,000 for fiscal year 2020 to carry out the activities set forth in subsection (b).

(f) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

SEC. 122. SUPPORT FOR EFFORTS AT THE UNITED NATIONS ON THE HUMANITARIAN CRISIS IN VENEZUELA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United Nations humanitarian agencies should conduct and publish independent assessments of the humanitarian situation in Venezuela, including—

(1) the extent and impact of the shortages of food, medicine, and medical supplies in Venezuela;

(2) basic health indicators in Venezuela, such as maternal and child mortality rates and the prevalence and treatment of communicable diseases; and

(3) the efforts needed to resolve the shortages identified in paragraph (1) and to improve the health indicators referred to in paragraph (2).

(b) UNITED NATIONS RESIDENT COORDINATOR.—The President should instruct the Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to support the efforts of the Resident Coordinator for Venezuela in a manner that—

(1) contributes to Venezuela's long-term recovery; and

(2) advances humanitarian efforts in Venezuela and for Venezuelans residing in neighboring countries.

SEC. 123. COORDINATION AND DISTRIBUTION OF HUMANITARIAN ASSISTANCE TO THE PEOPLE OF VENEZUELA.

(a) SHORT TITLE.—This section may be cited as the ''Humanitarian Assistance to the Venezuelan People Act of 2019''.

(b) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Appropriations of the House of Representatives; and

(6) the Committee on Financial Services of the House of Representatives.

(c) REPORT ON THE COORDINATION AND DISTRIBUTION OF HUMANITARIAN ASSISTANCE TO THE PEOPLE OF VENEZUELA INCLUDING STRATEGY ON FUTURE EFFORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit a report to the appropriate congressional committees that evaluates the delivery and coordination of humanitarian assistance to the people of Venezuela since the onset of the humanitarian crisis, whether residing in Venezuela or elsewhere in the Western Hemisphere.

(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall—

(A) identify how United States Agency for International Development and Department of State best practices are being utilized in providing humanitarian assistance to Venezuela and countries in the region, including a description of coordination efforts with United States embassies and USAID missions throughout the region;

(B) describe the current and anticipated challenges to distributing humanitarian assistance in Venezuela and countries hosting Venezuelan migrants;

(C) describe the coordination of United States assistance with foreign donors; and

(D) describe how the distribution of humanitarian assistance is being monitored and evaluated, including—

(i) the number of beneficiaries receiving such assistance;

(ii) an assessment of how humanitarian and development assistance is benefitting Venezuelan migrants inside and outside of the country; and

(iii) what additional staff may be necessary to manage such assistance.

Subtitle C—Addressing Regime Cohesion

SEC. 131. CLASSIFIED BRIEFING ON DECLINING COHESION INSIDE THE VENEZUELAN MILITARY AND THE MADURO REGIME.

(a) REPORTING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research, and in coordination with the Director of National Intelligence, shall provide a briefing to the appropriate congressional committees that assesses the declining cohesion inside the Venezuelan military and security forces and the Maduro regime.

(b) ADDITIONAL ELEMENTS.—The briefing required under subsection (a) shall—

(1) identify senior members of the Venezuelan military and the Maduro regime, including generals, admirals, cabinet ministers, deputy cabinet ministers, and the heads of intelligence agencies, whose loyalty to Nicolás Maduro is declining;

(2) describe the factors that would accelerate the decision making of individuals identified in paragraph (1)—

(A) to break with the Maduro regime; and

(B) to recognize the Interim President of Venezuela and his government; and

(3) assess and detail the massive number of desertions and defections that have occurred at the officer and enlisted levels inside the Venezuelan military and security forces.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Select Committee on Intelligence of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 132. ADDITIONAL RESTRICTIONS ON VISAS.

(a) IN GENERAL.—The Secretary of State shall impose the visa restrictions described in subsection (c) on any foreign person who the Secretary determines—

(1) is a current or former senior official of the Maduro regime, or any foreign person acting on behalf of such regime, who is knowingly responsible for, complicit in, responsible for ordering, controlling, or otherwise directing, or participating in (directly or indirectly) any activity in or in relation to Venezuela, on or after January 23, 2019, that significantly undermines or threatens the integrity of—

(A) the democratically-elected National Assembly of Venezuela; or

(B) the President of such National Assembly, while serving as Interim President of Venezuela, or the senior government officials under the supervision of such President;

(2) is the spouse or adult child of a foreign person described in paragraph (1); or

(3) is the spouse or adult child of Venezuelan person sanctioned under—

(A) section 5(a) of the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113–278), as amended by section 163 of this title;

(B) section 804(b) of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1903(b)); or

(C) Executive Orders 13692 (50 U.S.C. 1701 note) and 13850.

(b) REMOVAL FROM VISA REVOCATION LIST.—Pursuant to such procedures as the Secretary of State may establish to implement this section—

(1) if any person described in subsection (a)(1) recognizes and pledges support for the Interim President of Venezuela or a subsequent democratically elected government of Venezuela, that person and any family members of that person who were subject to visa restrictions pursuant to subsection (a)(2) shall no longer be subject to such visa restrictions; and

(2) if any person described in subparagraphs (A) through (C) of subsection (a)(3) recognizes and pledges support for the Interim President of Venezuela or a subsequent democratically elected government of Venezuela, any family members of that person who were subject to visa restrictions pursuant to subsection (a)(3) shall no longer be subject to such visa restrictions.

(c) VISA RESTRICTIONS DESCRIBED.—

(1) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a) is—

(A) inadmissible to the United States;

(B) ineligible to receive a visa or other documentation to enter the United States; and

(C) otherwise ineligible to be admitted or paroled into the United States or to receive any benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(2) CURRENT VISAS REVOKED.—

(A) IN GENERAL.—An alien described in subsection (a) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(B) IMMEDIATE EFFECT.—A revocation under subparagraph (A) shall—

(i) take effect immediately; and

(ii) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(3) EXCEPTIONS.—Sanctions under paragraphs (1) and (2) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

(B) to carry out or assist law enforcement activity in the United States.

(d) RULEMAKING.—The President shall issue such regulations, licenses, and orders as may be necessary to carry out this section.

SEC. 133. WAIVER FOR SANCTIONED OFFICIALS THAT RECOGNIZE THE INTERIM PRESIDENT OF VENEZUELA.

(a) REMOVAL OF SANCTIONS.—If a person sanctioned under any of the provisions of law described in subsection (b) recognizes and pledges supports for the Interim President of Venezuela or a subsequent democratically elected government, the person shall no longer be subject to such sanctions, pursuant to such procedures as the Secretary of State and the Secretary of the Treasury may establish to implement this section.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are set forth in the following provisions of law:

(1)(A) Paragraphs (3) and (4) of section 5(a) of the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113–278), as amended by section 163 of this title.

(B) Paragraph (5) of section 5(a) of such Act, to the extent such paragraph relates to the sanctions described in paragraph (3) or (4) of such subsection.

(2)(A) Clauses (1) and (4) of section 1(a)(ii)(A) of Executive Order 13692 (50 U.S.C. 1701 note).

(B) Subparagraph (D)(2) of section 1(a)(ii) of such Executive Order, to the extent such subparagraph relates to the provisions of law cited in subparagraph (A).

(3)(A) Section 1(a)(ii) of Executive Order 13850.

(B) Paragraph (iii) of section 1(a) of such Executive Order, to the extent such paragraph relates to the provision of law cited in subparagraph (A).

(c) RULEMAKING.—The President shall issue such regulations, licenses, and orders as may be necessary to carry out this section.

Subtitle D—Restoring Democracy and Addressing the Political Crisis in Venezuela

SEC. 141. SUPPORT FOR THE ORGANIZATION OF AMERICAN STATES AND THE LIMA GROUP.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should—

(1) take additional steps to support ongoing efforts by the Secretary General of the Organization of American States to promote diplomatic initiatives to foster the restoration of democracy and the rule of law in Venezuela;

(2) conduct diplomatic engagement in support of efforts by the Lima Group to restore democracy and the rule of law in Venezuela and facilitate the delivery of humanitarian assistance for the Venezuelan people; and

(3) engage with the International Contact Group on Venezuela to advance a peaceful and democratic solution to the current crisis.

(b) DEFINED TERMS.—In this section:

(1) INTERNATIONAL CONTACT GROUP ON VENEZUELA.—The ''International Contact Group on Venezuela'' refers to a diplomatic bloc—

(A) whose members include the European Union, France, Germany, Italy, Spain, Portugal, Sweden, the Netherlands, the United Kingdom, Ecuador, Costa Rica, and Uruguay; and

(B) which was established to advance a peaceful and democratic solution to the current crisis in Venezuela.

(2) LIMA GROUP.—The ''Lima Group'' refers to a diplomatic bloc—

(A) whose members include Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Guyana, Honduras, Panama, Paraguay, Peru, and Saint Lucia; and

(B) which was established to address the political, economic, and humanitarian crises in Venezuela.

SEC. 142. ACCOUNTABILITY FOR CRIMES AGAINST HUMANITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should conduct robust diplomatic engagement in support of efforts in Venezuela, and on the part of the international community, to ensure accountability for possible crimes against humanity and serious violations of human rights.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to Congress that—

(1) evaluates the degree to which the Maduro regime and its officials, including members of the Venezuelan security forces, have engaged in actions that constitute possible crimes against humanity and serious violations of human rights; and

(2) provides options for holding accountable the perpetrators identified under paragraph (1).

SEC. 143. SUPPORT FOR INTERNATIONAL ELECTION OBSERVATION AND DEMOCRATIC CIVIL SOCIETY.

(a) IN GENERAL.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development—

(1) shall work with the Organization of American States to ensure credible international observation of future elections in Venezuela that contributes to free, fair, and transparent democratic electoral processes; and

(2) shall work with nongovernmental organizations—

(A) to strengthen democratic governance and institutions, including the democratically elected National Assembly of Venezuela;

(B) to defend internationally recognized human rights for the people of Venezuela, including support for efforts to document crimes against humanity and violations of human rights;

(C) to support the efforts of independent media outlets to broadcast, distribute, and share information beyond the limited channels made available by the Maduro regime; and

(D) to combat corruption and improve the transparency and accountability of institutions that are part of the Maduro regime.

(b) ENGAGEMENT AT THE ORGANIZATION OF AMERICAN STATES.—The Secretary of State, acting through the United States Permanent Representative to the Organization of American States, should advocate and build diplomatic support for sending an election observation mission to Venezuela to ensure that democratic electoral processes are organized and carried out in a free, fair, and transparent manner.

(c) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United

States Agency for International Development, shall provide a briefing on the strategy to carry out the activities described in subsection (a) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of State for fiscal year 2020, $17,500,000 to carry out the activities set forth in subsection (a).

(2) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) and from the Development Assistance Fund under section 653(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2413(a)), to the extent that such funds are expended.

Subtitle E—Supporting the Reconstruction of Venezuela

SEC. 151. RECOVERING ASSETS STOLEN FROM THE VENEZUELAN PEOPLE.

(a) RECOVERING ASSETS.—The President, acting through the Secretary of State and in consultation with the Secretary of the Treasury, shall advance a coordinated international effort—

(1) to work with foreign governments—

(A) to share financial investigations intelligence, as appropriate;

(B) to block the assets identified pursuant to paragraph (2); and

(C) to provide technical assistance to help governments establish the necessary legal framework to carry out asset forfeitures; and

(2) to carry out special financial investigations to identify and track assets taken from the people and institutions of Venezuela through theft, corruption, money laundering, or other illicit means.

(b) STRATEGY REQUIREMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, acting through the Secretary of State and in consultation with the Secretary of the Treasury, shall submit a strategy for carrying out the activities described in subsection (a) to Congress.

(2) ADDITIONAL ELEMENTS.—The strategy required under paragraph (1) shall—

(A) assess whether the United States or another member of the international community should establish a managed fund to hold the assets identified pursuant to subsection (a)(2) that could be returned to a future democratic government in Venezuela; and

(B) include such recommendations as the President and the Secretary of State consider appropriate for legislative or administrative action in the United States that would be needed to establish and manage the fund described in subparagraph (A).

Subtitle F—Restoring the Rule of Law in Venezuela

SEC. 161. DEVELOPING AND IMPLEMENTING A COORDINATED SANCTIONS STRATEGY WITH PARTNERS IN THE WESTERN HEMISPHERE AND THE EUROPEAN UNION.

(a) STRENGTHENING SANCTIONS CAPACITY IN LATIN AMERICA AND THE CARIBBEAN.—The Secretary of State, in consultation with the Secretary of the Treasury, shall offer to provide technical assistance to partner governments in Latin America and the Caribbean to assist such governments in establishing the legislative and regulatory frameworks needed to impose targeted sanctions on officials of the Maduro regime who—

(1) are responsible for human rights abuses;

(2) have engaged in public corruption; or

(3) are undermining democratic institutions and processes in Venezuela.

(b) COORDINATING INTERNATIONAL SANCTIONS.—The Secretary of State, in consultation with the Secretary of the Treasury, shall engage in diplomatic efforts with partner governments, including the Government of Canada, governments in the European Union, and governments in Latin America and the Caribbean, to impose targeted sanctions on the Maduro regime officials described in subsection (a).

(c) STRATEGY REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit a strategy for carrying out the activities described in subsection (a) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Appropriations of the House of Representatives; and

(6) the Committee on Financial Services of the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State for fiscal year 2020, $3,000,000 to carry out the activities set forth in subsection (a).

(2) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) and the International Narcotics and Law Enforcement Fund under section 489 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h) to the extent that such funds are expended.

SEC. 162. CLASSIFIED BRIEFING ON THE INVOLVEMENT OF VENEZUELAN OFFICIALS IN CORRUPTION AND ILLICIT NARCOTICS TRAFFICKING.

(a) BRIEFING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research, and in coordination with the Director of National Intelligence, shall provide a classified briefing to the appropriate congressional committees on the involvement of senior officials of the Maduro regime, including members of the National Electoral Council, the judicial system, and the Venezuelan security forces, in illicit narcotics trafficking and significant acts of public corruption in Venezuela.

(b) ADDITIONAL ELEMENTS.—The briefing provided under subsection (a) shall—

(1) describe how the significant acts of public corruption pose challenges for United States national security and impact the rule of law and democratic governance in countries of the Western Hemisphere;

(2) identify individuals for whom there is credible information that they frustrated the ability of the United States to combat illicit narcotics trafficking;

(3) include an assessment of the relationship between individuals identified under subsection (a) and Nicolás Maduro or members of his cabinet; and

(4) include input from the Drug Enforcement Administration, the Office of Foreign Assets Control, and the Financial Crimes Enforcement Network.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Select Committee on Intelligence of the Senate;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Permanent Select Committee on Intelligence of the House of Representatives; and

(6) the Committee on Financial Services of the House of Representatives.

SEC. 163. CONCERNS OVER PDVSA TRANSACTIONS WITH ROSNEFT.

(a) FINDINGS.—Congress makes the following findings:

(1) In late 2016, Venezuelan state-owned oil company Petróleos de Venezuela, S.A. (referred to in this section as ''PDVSA''), through a no compete transaction, secured a loan from Russian government-controlled oil company Rosneft, using 49.9 percent of PDVSA's American subsidiary, CITGO Petroleum Corporation, including its assets in the United States, as collateral. As a result of this transaction, 100 percent of CITGO is held as collateral by PDVSA's creditors.

(2) CITGO, a wholly owned subsidiary of PDVSA, is engaged in interstate commerce and owns and controls critical energy infrastructure in 19 States of the United States, including an extensive network of pipelines, 48 terminals, and 3 refineries, with a combined oil refining capacity of 749,000 barrels per day. CITGO's refinery in Lake Charles, Louisiana, is the sixth largest refinery in the United States.

(3) The Department of the Treasury imposed sanctions on Rosneft, which is controlled by the Government of the Russian Federation, and its Executive Chairman, Igor Sechin, following Russia's military invasion of Ukraine and its illegal annexation of Crimea in 2014.

(4) The Department of Homeland Security has designated the energy sector as critical to United States infrastructure.

(5) The growing economic crisis in Venezuela raises the probability that the Maduro regime and PDVSA will default on their international debt obligations, resulting in a scenario in which Rosneft could come into control of CITGO's United States energy infrastructure holdings.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) control of critical United States energy infrastructure by Rosneft, a Russian government-controlled entity currently under United States sanctions that is led by Igor Sechin, who is also under United States sanctions and is a close associate of Vladimir Putin, would pose a significant risk to United States national security and energy security; and

(2) a default by PDVSA on its loan from Rosneft, resulting in Rosneft coming into possession of PDVSA's United States CITGO assets, would warrant careful consideration by the Committee on Foreign Investment in the United States.

(c) PREVENTING ROSNEFT FROM CONTROLLING UNITED STATES ENERGY INFRASTRUCTURE.—The President shall take all necessary steps to prevent Rosneft from gaining control of critical United States energy infrastructure.

(d) SECURITY RISK REPORT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit a report assessing the national security risks posed by potential Russian acquisition and control of CITGO's United States energy infrastructure holdings to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Homeland Security of the House of Representatives; and

(6) the Committee on Financial Services of the House of Representatives.

SEC. 164. CLASSIFIED BRIEFING ON ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS AND ACTORS IN VENEZUELA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence, shall provide a classified briefing to the appropriate congressional committees on—

(1) the full extent of cooperation by the Government of the Russian Federation, the Government of the People's Republic of China, the Government of Cuba, and the Government of Iran with the Maduro regime; and

(2) the activities inside Venezuelan territory of foreign armed groups, including Colombian criminal organizations and defectors from the Colombian guerilla group known as the Revolutionary Armed Forces of Colombia, and foreign terrorist organizations, including the Colombian guerilla group known as the National Liberation Army (ELN).

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Select Committee on Intelligence of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 165. COUNTERING RUSSIAN INFLUENCE IN VENEZUELA.

(a) SHORT TITLE.—This section may be cited as the ''Russian-Venezuelan Threat Mitigation Act''.

(b) THREAT ASSESSMENT AND STRATEGY TO COUNTER RUSSIAN INFLUENCE IN VENEZUELA.—

(1) DEFINED TERM.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(2) THREAT ASSESSMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees regarding—

(A) an assessment of Russian-Venezuelan security cooperation;

(B) the potential threat such cooperation poses to the United States and countries in the Western Hemisphere; and

(C) a strategy to counter threats identified in subparagraphs (A) and (B).

(c) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(1) ALIENS DESCRIBED.—An alien described in this paragraph is an alien who the Secretary of State or the Secretary of Homeland Security (or a designee of either Secretary) knows, or has reason to believe, is acting or has acted on behalf of the Government of Russia in direct support of the security forces of the Maduro regime.

(2) VISAS, ADMISSION, OR PAROLE.—An alien described in paragraph (1) is—

(A) inadmissible to the United States;

(B) ineligible to receive a visa or other documentation to enter the United States; and

(C) otherwise ineligible to be admitted or paroled into the United States or to receive any benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(3) CURRENT VISAS REVOKED.—

(A) IN GENERAL.—An alien described in paragraph (1) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(B) IMMEDIATE EFFECT.—A revocation under subparagraph (A) shall—

(i) take effect immediately; and

(ii) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(4) EXCEPTIONS.—Sanctions under paragraphs (2) and (3) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

(B) to carry out or assist law enforcement activity in the United States.

(5) NATIONAL SECURITY.—The President may waive the application of this subsection with respect to an alien if the President—

(A) determines that such a waiver is in the national interest of the United States; and

(B) submits a notice of, and justification for, such waiver to the appropriate congressional committees.

(6) SUNSET.—This subsection shall terminate on the date that is 1 year after the date of the enactment of this Act.

SEC. 166. RESTRICTION ON EXPORT OF COVERED ARTICLES AND SERVICES TO CERTAIN SECURITY FORCES OF VENEZUELA.

(a) SHORT TITLE.—This section may be cited as the ''Venezuela Arms Restriction Act''.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Financial Services of the House of Representatives.

(2) COVERED ARTICLE OR SERVICE.—The term ''covered article or service''—

(A) for purposes of subsection (c), means—

(i) a defense article or defense service (as such terms are defined in section 47 of the Arms Export Control Act (22 U.S.C. 2794)); and

(ii) any article included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled for crime control purposes, if the end user is likely to use the article to violate the human rights of the citizens of Venezuela; and

(B) for purposes of subsection (d), means—

(i) any defense article or defense service of the type described in section 47 of the Arms Export Control Act (22 U.S.C. 2794); and

(ii) any article of the type included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations and controlled for crime control purposes.

(3) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(4) PERSON.—The term ''person'' means an individual or entity.

(5) SECURITY FORCES OF VENEZUELA.—The term ''security forces of Venezuela'' includes—

(A) the Bolivarian National Armed Forces, including the Bolivarian National Guard;

(B) the Bolivarian National Intelligence Service;

(C) the Bolivarian National Police; and

(D) the Bureau for Scientific, Criminal and Forensic Investigations of the Ministry of Interior, Justice, and Peace.

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

(c) RESTRICTION ON EXPORT OF COVERED ARTICLES AND SERVICES TO CERTAIN SECURITY FORCES OF VENEZUELA.—

(1) IN GENERAL.—Notwithstanding any other provision of law, covered articles or services may not be exported from the United States to any element of the security forces of the Maduro regime.

(2) DETERMINATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Commerce and the heads of other departments and agencies, as appropriate, shall—

(A) determine, using such information that is available to the Secretary of State, whether any covered article or service has been transferred since July 2017 to the security forces of Venezuela without a license or other authorization as required by law; and

(B) submit such determination in writing to the appropriate congressional committees.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Commerce, as appropriate, shall submit a report to the appropriate congressional committees regarding the transfer by foreign persons of covered articles or services to elements of the security forces of Venezuela that are under the authority of the Maduro regime.

(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include—

(A) a list of all significant transfers by foreign persons of covered articles or services to such elements of the security forces of Venezuela since July 2017;

(B) a list of all foreign persons who maintain an existing defense relationship with such elements of the security forces of Venezuela; and

(C) any known use of covered articles or services by such elements of the security forces of Venezuela or associated forces, including paramilitary groups, that have coordinated with such security forces to assault, intimidate, or murder political activists, protesters, dissidents, and other civil society leaders, including Juan Guaidó.

(e) SUNSET.—This section shall terminate on the earlier of—

(1) the date that is 3 years after the date of the enactment of this Act; or

(2) the date on which the President certifies to the appropriate congressional committees that the Government of Venezuela has returned to a democratic form of government with respect for the essential elements of representative democracy as set forth in Article 3 of the Inter-American Democratic Charter, adopted by the Organization of American States in Lima on September 11, 2001.

Subtitle G—Cryptocurrency and Ensuring the Effectiveness of United States Sanctions

SEC. 171. BRIEFING ON THE IMPACT OF CRYPTOCURRENCIES ON UNITED STATES SANCTIONS.

(a) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Financial Services of the House of Representatives.

(b) METHODOLOGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of the Treasury, after consultation with the Chairman of the Securities and Exchange Commission and the Chairman of the Commodity Futures Trading Commission, shall develop a methodology to assess how any digital currency, digital coin, or digital token, that was issued by, for, or on behalf of the Maduro regime is being utilized to circumvent or undermine United States sanctions.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of the Treasury shall brief the appropriate congressional committees on the methodology developed under subsection (b).

Subtitle H—Miscellaneous Provisions

SEC. 181. CONGRESSIONAL BRIEFINGS.

(a) HUMANITARIAN ASSISTANCE; SANCTIONS COORDINATION.—

(1) IN GENERAL.—Not later than 15 days after any of the congressional committees listed in paragraph (2) requests a briefing regarding the implementation—

(A) of section 121, the Secretary of State and the Administrator of the United States Agency for International Development shall provide such briefing to such committee; and

(B) of section 161, the Secretary of State shall provide such briefing to such committee.

(2) CONGRESSIONAL COMMITTEES.—The committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(b) UNITED NATIONS; NEGOTIATED SOLUTION; CRIMES AGAINST HUMANITY.—

(1) IN GENERAL.—Not later than 15 days after any congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 113, 122, or 142, the Secretary of State shall provide such briefing to such committee.

(2) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(c) REGIME COHESION.—

(1) IN GENERAL.—Not later than 15 days after a congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 131, the Secretary of State and the Director of National Intelligence shall provide such briefing to such committee.

(2) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Permanent Select Committee on Intelligence of the House of Representatives.

(d) INTERNATIONAL ELECTION OBSERVATION; DEMOCRATIC CIVIL SOCIETY.—Not later than 15 days after a congressional committee listed in subsection (a)(2) requests a briefing regarding the implementation of section 143, the Secretary of State and the Administrator of the United States Agency for International Development shall provide such briefing to such committee.

(e) VISA RESTRICTIONS; SANCTIONS WAIVER.—Not later than 15 days after a congressional committee listed in subsection (b)(2) requests a briefing regarding the implementation of section 132 or 133, the Secretary of State shall provide such briefing to such committee.

(f) RECOVERY OF STOLEN ASSETS.—

(1) IN GENERAL.—Not later than 15 days after a congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 151, the Secretary of State, the Secretary of the Treasury, and the Attorney General shall provide such briefing to such committee.

(2) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Financial Services of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(g) PDVSA TRANSACTIONS WITH ROSNEFT.—

(1) IN GENERAL.—Not later than 15 days after a congressional committee listed in paragraph (2) requests a briefing regarding the implementation of section 163, the Secretary of State, the Secretary of the Treasury, and the Secretary of Homeland Security shall provide such briefing to such committee.

(2) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this paragraph are—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Homeland Security of the House of Representatives.

SEC. 182. PROHIBITION ON CONSTRUCTION OF PROVISIONS OF THIS TITLE AS AN AUTHORIZATION FOR THE USE OF MILITARY FORCE.

Nothing in this title may be construed as an authorization for the use of military force.

SEC. 183. EXTENSION AND TERMINATION OF SANCTIONS AGAINST VENEZUELA.

(a) AMENDMENT.—Section 5(e) of the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113–278; 50 U.S.C. 1701 note) is amended by striking ''December 31, 2019'' and inserting ''December 31, 2023''.

(b) TERMINATION.—The requirement to impose sanctions under this title shall terminate on December 31, 2023.

TITLE II—EASTERN MEDITERRANEAN SECURITY AND ENERGY PARTNERSHIP

SEC. 201. SHORT TITLE.

This title may be cited as the ''Eastern Mediterranean Security and Energy Partnership Act of 2019''.

SEC. 202. FINDINGS.

Congress makes the following findings:

(1) The security of partners and allies in the Eastern Mediterranean region is critical to the security of the United States and Europe.

(2) Greece is a valuable member of the North Atlantic Treaty Organization (NATO) and a key pillar of stability in the Eastern Mediterranean.

(3) Israel is a steadfast ally of the United States and has been designated a ''major non-NATO ally'' and ''major strategic partner''.

(4) Cyprus is a key strategic partner and signed a Statement of Intent with the United States on November 6, 2018, to enhance bilateral security cooperation.

(5) The countries of Greece, Cyprus, and Israel have participated in critical trilateral summits to improve cooperation on energy and security issues.

(6) Secretary of State Mike Pompeo participated in the trilateral summit among Israel, Greece, and Cyprus on March 20, 2019.

(7) The United States, Israel, Greece, and Cyprus oppose any action in the Eastern Mediterranean and the Aegean Sea that could challenge stability, violate international law, or undermine good neighborly relations, and in a joint declaration on March 21, 2019, agreed to ''defend against external malign influences in the Eastern Mediterranean and the broader Middle East''.

(8) The recent discovery of what may be the region's largest natural gas field off the Egyptian coast and the newest discoveries of natural gas off the coast of Cyprus could represent a significant and positive development for the Eastern Mediterranean and the Middle East, enhancing the region's strategic energy significance.

(9) It is in the national security interest of the United States to promote, achieve, and maintain energy security among, and through cooperation with, allies.

(10) Natural gas developments in the Eastern Mediterranean have the potential to provide economic gains and contribute to energy security in the region and Europe, as well as support European efforts to diversify away from natural gas supplied by the Russian Federation.

(11) The soon to be completed Trans Adriatic Pipeline is a critical component of the Southern Gas Corridor and the European Union's efforts to diversify energy resources.

(12) The proposed Eastern Mediterranean pipeline, if commercially viable, would provide for energy diversification in accordance with the European Union's third energy package of reforms.

(13) The United States acknowledges the achievements and importance of the Binational Industrial Research and Development Foundation (BIRD) and the United States-Israel Binational Science Foundation (BSF) and supports continued multiyear funding to ensure the continuity of the programs of the Foundations.

(14) The United States has welcomed Greece's allocation of 2 percent of its gross domestic product (GDP) to defense in accordance with commitments made at the 2014 NATO Summit in Wales.

(15) Energy exploration in the Eastern Mediterranean region must be safeguarded against threats posed by terrorist and extremist groups, including Hezbollah and any other actor in the region.

(16) The energy exploration in the Republic of Cyprus's Exclusive Economic Zone and territorial waters—

(A) furthers United States interests by providing a potential alternative to Russian gas for United States allies and partners; and

(B) should not be impeded by other sovereign states.

(17) The United States Government cooperates closely with Cyprus, Greece, and Israel through information sharing agreements.

(18) United States officials have assisted the Government of the Republic of Cyprus with crafting that nation's national security strategy.

(19) The United States Government provides training to Cypriot officials in areas such as cybersecurity, counterterrorism, and explosive ordnance disposal and stockpile management.

(20) Israel, Greece, and Cyprus are valued members of the Proliferation Security Initiative to combat the trafficking of weapons of mass destruction.

(21) The Republic of Cyprus continues to work closely with the United Nations and regional partners in Europe to combat terrorism and violent extremism.

(22) Despite robust economic and security relations with the United States, the Republic of Cyprus has been subject to a United States prohibition on the export of defense articles and services since 1987.

(23) The 1987 arms prohibition was designed to restrict United States arms sales and transfers to the Republic of Cyprus and the occupied part of Cyprus to avoid hindering reunification efforts.

(24) At least 40,000 Turkish troops are stationed in the occupied part of Cyprus with some weapons procured from the United States through mainland Turkey.

(25) While the United States has, as a matter of policy, avoided the provision of defense articles and services to the Republic of Cyprus, the Government of Cyprus has, in the past, sought to obtain defense articles from other countries, including countries, such as Russia, that pose challenges to United States interests around the world.

SEC. 203. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to continue to actively participate in the trilateral dialogue on energy, maritime security, cybersecurity and protection of critical infrastructure conducted among Israel, Greece, and Cyprus;

(2) to support diplomatic efforts with partners and allies to deepen energy security cooperation among Greece, Cyprus, and Israel and to encourage the private sector to make investments in energy infrastructure in the Eastern Mediterranean region;

(3) to strongly support the completion of the Trans Adriatic and Eastern Mediterranean Pipelines and the establishment of liquified natural gas (LNG) terminals across the Eastern Mediterranean as a means of diversifying regional energy needs away from the Russian Federation;

(4) to maintain a robust United States naval presence and investments in the naval facility at Souda Bay, Greece and develop deeper security cooperation with Greece to include the recent MQ–9 deployments to the Larissa Air Force Base and United States Army helicopter training in central Greece;

(5) to welcome Greece's commitment to move forward with the Interconnector Greece-Bulgaria (IGB pipeline) and additional LNG terminals that will help facilitate delivery of non-Russian gas to the Balkans and central Europe;

(6) to support deepened security cooperation with the Republic of Cyprus through the removal of the arms embargo on the country;

(7) to support robust International Military Education and Training (IMET) programming with Greece and the Republic of Cyprus;

(8) to leverage relationships within the European Union to encourage investments in Cypriot border and maritime security;

(9) to support efforts to counter Russian Federation interference and influence in the Eastern Mediterranean through increased security cooperation with Greece, Cyprus, and Israel, to include intelligence sharing, cyber, and maritime domain awareness;

(10) to support the Republic of Cyprus' efforts to regulate its banking industry to ensure that it is not used as a source of international money laundering and encourage additional measures toward that end;

(11) to strongly oppose any actions that would trigger mandatory sanctions pursuant to section 231 of the Countering America's Adversaries Through Sanctions Act (CAATSA) (Public Law 115–44), to include the purchase of military equipment from the Russian Federation;

(12) to continue robust official strategic engagement with Israel, Greece, and Cyprus;

(13) to urge countries in the region to deny port services to Russian Federation vessels deployed to support the government of Bashar Al-Assad in Syria;

(14) to support joint military exercises among Israel, Greece, and Cyprus;

(15) to fully implement relevant CAATSA provisions to prevent interference by the Russian Federation in the region;

(16) to support efforts by countries in the region to demobilize military equipment supplied by the Russian Federation in favor of equipment provided by NATO and NATO-allied member countries; and

(17) to strongly support the active and robust participation of Israel, Cyprus, and Greece in the Combating Terrorism Fellowship Program.

SEC. 204. UNITED STATES-EASTERN MEDITERRANEAN ENERGY COOPERATION.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Energy, may enter into cooperative agreements supporting and enhancing dialogue and planning involving international partnerships between the United States and Israel, Greece, and the Republic of Cyprus.

(b) ANNUAL REPORTS.—If the Secretary of State, in coordination with the Secretary of Energy, enters into agreements authorized under subsection (a), the Secretary shall submit an annual report to the appropriate congressional committees that describes—

(1) actions taken to implement such agreements; and

(2) any projects undertaken pursuant to such agreements.

(c) UNITED STATES-EASTERN MEDITERRANEAN ENERGY CENTER.—The Secretary of Energy, in coordination with the Secretary of State, may establish a joint United States-Eastern Mediterranean Energy Center in the United States leveraging the experience, knowledge, and expertise of institutions of higher education and entities in the private sector, among others, in offshore energy development to further dialogue and collaboration to develop more robust academic cooperation in energy innovation technology and engineering, water science, technology transfer, and analysis of emerging geopolitical implications, which include opportunities as well as crises and threats from foreign natural resource and energy acquisitions.

SEC. 205. REPEAL OF PROHIBITION ON TRANSFER OF ARTICLES ON THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC OF CYPRUS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) allowing for the export, re-export or transfer of arms subject to the United States Munitions List (part 121 of title 22, Code of Federal Regulations) to the Republic of Cyprus would advance United States security interests in Europe by helping to reduce the dependence of the Government of the Republic of Cyprus on other countries, including countries that pose challenges to United States interests around the world, for defense-related materiel; and

(2) it is in the interest of the United States to continue to support United Nations-facilitated efforts toward a comprehensive solution to the division of Cyprus.

(b) MODIFICATION OF PROHIBITION.—Section 620C(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2373(e)) is amended—

(1) in paragraph (1), by striking ''Any agreement'' and inserting ''Except as provided in paragraph (3), any agreement''; and

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

''(3) The requirement under paragraph (1) shall not apply to any sale or other provision of any defense article or defense service to Cyprus if the end-user of such defense article or defense service is the Government of the Republic of Cyprus.''.

(c) EXCLUSION OF THE GOVERNMENT OF THE REPUBLIC OF CYPRUS FROM CERTAIN RELATED REGULATIONS.—

(1) IN GENERAL.—Subject to subsection (d) and except as provided in paragraph (2), beginning on the date of the enactment of this Act, the Secretary of State shall not apply a policy of denial for exports, re-exports, or transfers of defense articles and defense services destined for or originating in the Republic of Cyprus if—

(A) the request is made by or on behalf of the Government of the Republic of Cyprus; and

(B) the end-user of such defense articles or defense services is the Government of the Republic of Cyprus.

(2) EXCEPTION.—This exclusion shall not apply to any denial based upon credible human rights concerns.

(d) LIMITATIONS ON THE TRANSFER OF ARTICLES ON THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC OF CYPRUS.—

(1) IN GENERAL.—The policy of denial for exports, re-exports, or transfers of defense articles on the United States Munitions List to the Republic of Cyprus shall remain in place unless the President determines and certifies to the appropriate congressional committees not less than annually that—

(A) the Government of the Republic of Cyprus is continuing to cooperate with the United States Government in efforts to implement reforms on anti-money laundering regulations and financial regulatory oversight; and

(B) the Government of the Republic of Cyprus has made and is continuing to take the steps necessary to deny Russian military vessels access to ports for refueling and servicing.

(2) WAIVER.—The President may waive the limitations contained in this subsection for one fiscal year if the President determines that it is essential to the national security interests of the United States to do so.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SEC. 206. IMET COOPERATION WITH GREECE AND THE REPUBLIC OF CYPRUS.

There is authorized to be appropriated $1,300,000 for fiscal year 2020, $1,500,000 for fiscal year 2021, and $1,800,000 for fiscal year 2022 for International Military Education and Training (IMET) assistance for Greece and $200,000 for fiscal year 2020, $500,000 for fiscal year 2021, and $750,000 for fiscal year 2022 for such assistance for the Republic of Cyprus. The assistance shall be made available for the following purposes:

(1) Training of future leaders.

(2) Fostering a better understanding of the United States.

(3) Establishing a rapport between the United States military and the country's military to build alliances for the future.

(4) Enhancement of interoperability and capabilities for joint operations.

(5) Focusing on professional military education.

(6) Enabling countries to use their national funds to receive a reduced cost for other Department of Defense education and training.

SEC. 207. FOREIGN MILITARY FINANCING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2021 up to $3,000,000 for Foreign Military Financing (FMF) assistance for Greece to assist the country in meeting its commitment as a member of the North Atlantic Treaty Organization (NATO) to dedicate 20 percent of its defense budget to enhance research and development.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Greece should receive robust support under the European Recapitalization Incentive Program implemented by the Department of Defense.

SEC. 208. STRATEGY ON UNITED STATES SECURITY AND ENERGY COOPERATION IN THE EASTERN MEDITERRANEAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Secretary of Energy, shall submit to the appropriate congressional committees a strategy on enhanced security and energy cooperation with countries in the Eastern Mediterranean region, including Israel, the Republic of Cyprus, and Greece.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of United States participation in and support for the Eastern Mediterranean Natural Gas Forum.

(2) An evaluation of all possible delivery mechanisms into Europe for natural gas discoveries in the Eastern Mediterranean region.

(3) An evaluation of efforts to protect energy exploration infrastructure in the region, including infrastructure owned or operated by United States companies.

(4) An assessment of the capacity of the Republic of Cyprus to host an Energy Crisis Center in the region which could provide basing facilities in support of search and rescue efforts in the event of an accident.

(5) An assessment of the timing of potential natural gas delivery in the region as well as an assessment of the ultimate destination countries for the natural gas delivery from the region.

(6) A plan to work with United States businesses seeking to invest in Eastern Mediterranean energy exploration, development, and cooperation.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 209. REPORT ON RUSSIAN FEDERATION MALIGN INFLUENCE IN THE EASTERN MEDITERRANEAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on Russian Federation malign influence in the Republic of Cyprus, Greece, and Israel since January 1, 2017.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An assessment of security, political, and energy goals of the Russian Federation in the Eastern Mediterranean.

(2) A description of energy projects of the Government of the Russian Federation in the Eastern Mediterranean.

(3) A listing of Russian national ownership of media outlets in these countries, including the name of the media outlet, approximate viewership, and assessment of whether the outlet promotes pro-Kremlin views.

(4) An assessment of military engagement by the Government of the Russian Federation in the security sector, including engagement by military equipment and personnel contractors.

(5) An assessment of efforts supported by the Government of the Russian Federation to influence elections in the three countries, through the use of cyber attacks, social media campaigns, or other malign influence techniques.

(6) An assessment of efforts by the Government of the Russian Federation to intimidate and influence the decision by His All Holiness Ecumenical Patriarch Bartholomew, leader of 300,000,000 Orthodox Christians worldwide, to grant autocephaly to the Ukrainian Orthodox Church.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 210. REPORT ON INTERFERENCE BY OTHER COUNTRIES IN THE EXCLUSIVE ECONOMIC ZONE OF THE REPUBLIC OF CYPRUS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Secretary of Energy, shall submit to the appropriate congressional committees a report listing incidents since January 1, 2017, determined by the Secretary of State to interfere in efforts by the Republic of Cyprus to explore and exploit natural resources in its Exclusive Economic Zone.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 211. REPORT ON INTERFERENCE BY OTHER COUNTRIES IN THE AIRSPACE OF GREECE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report listing incidents since January 1, 2017, determined by the Secretary of State to be violations of the airspace of the sovereign territory of Greece by its neighbors.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 212. APPROPRIATE CONGRESSIONAL COMMITTEES.

In this title, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

TITLE III—END NEGLECTED TROPICAL DISEASES ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''End Neglected Tropical Diseases Act''.

SEC. 302. STATEMENT OF POLICY.

It is the policy of the United States to support a broad range of implementation and research and development activities that work toward the achievement of cost-effective and sustainable treatment, control, and, where possible, elimination of neglected tropical diseases for the economic and social well-being of all people.

SEC. 303. DEFINITION.

In this title, the terms ''neglected tropical diseases'' and ''NTDs''—

(1) mean infections caused by pathogens, including viruses, bacteria, protozoa, and helminths that disproportionately impact individuals living in extreme poverty, especially in developing countries; and

(2) include—

(A) Buruli ulcer (Mycobacterium Ulcerans infection);

(B) Chagas disease;

(C) dengue or severe dengue fever;

(D) dracunculiasis (Guinea worm disease);

(E) echinococcosis;

(F) foodborne trematodiases;

(G) human African trypanosomiasis (sleeping sickness);

(H) leishmaniasis;

(I) leprosy;

(J) lymphatic filariasis (elephantiasis);

(K) onchocerciasis (river blindness);

(L) scabies;

(M) schistosomiasis;

(N) soil-transmitted helminthiases (STH) (roundworm, whipworm, and hookworm);

(O) taeniasis/cysticercosis;

(P) trachoma; and

(Q) yaws (endemic treponematoses).

SEC. 304. EXPANSION OF UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT NEGLECTED TROPICAL DISEASES PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Neglected Tropical Diseases Program, as in effect on the date of the enactment of this Act, should—

(1) provide integrated drug treatment packages to as many individuals suffering from NTDs or at risk of acquiring NTDs, including individuals displaced by manmade and natural disasters, as logistically feasible;

(2) better integrate NTD control and treatment tools and approaches into complementary development and global health programs by coordinating, to the extent practicable and appropriate, across multiple sectors, including those relating to HIV/AIDS, malaria, tuberculosis, education, nutrition, other infectious diseases, maternal and child health, and water, sanitation, and hygiene;

(3) establish low-cost, high-impact community- and school-based NTD programs to reach large at-risk populations, including school-age children, with integrated drug treatment packages, as feasible;

(4) as opportunities emerge and resources allow, engage in research and development of new tools and approaches to reach the goals relating to the elimination of NTDs as set forth by the 2012 World Health Organization publication ''Accelerating Work to Overcome the Global Impact of Neglected Tropical Diseases: A Roadmap for Implementation'', including for Chagas disease, Guinea worm, human African trypanosomiasis (sleeping sickness), leprosy, and visceral leishmaniasis; and

(5) monitor research on and developments in the prevention and treatment of other NTDs so breakthroughs can be incorporated into the Neglected Tropical Diseases Program, as practicable and appropriate.

(b) PROGRAM PRIORITIES.—The Administrator of the United States Agency for International Development (referred to in this section as the ''Administrator'') should incorporate the following priorities into the Neglected Tropical Diseases Program (as in effect on the date of the enactment of this Act):

(1) Planning for and conducting robust monitoring and evaluation of program investments in order to accurately measure impact, identify and share lessons learned, and inform future NTD control and elimination strategies.

(2) Coordinating program activities with complementary development and global health programs of the United States Agency for International Development, including programs relating to water, sanitation, and

hygiene, food and nutrition security, and education (both primary and secondary), in order to advance the goals of the London Declaration on Neglected Tropical Diseases (2012).

(3) Including morbidity management in treatment plans for high-burden NTDs.

(4) Incorporating NTDs included in the Global Burden of Disease Study 2010 into the program as opportunities emerge, to the extent practicable and appropriate.

(5) Continuing investments in the research and development of new tools and approaches that complement existing research investments and ensure that new discoveries make it through the pipeline and become available to individuals who need them most.

SEC. 305. ACTIONS BY DEPARTMENT OF STATE.

(a) OFFICE OF THE GLOBAL AIDS COORDINATOR.—It is the sense of Congress that the Coordinator of United States Government Activities to Combat HIV/AIDS Globally should fully consider evolving research on the impact of NTDs on efforts to control HIV/AIDS when making future programming decisions, as necessary and appropriate.

(b) GLOBAL PROGRAMMING.—

(1) IN GENERAL.—The Secretary of State should encourage the Global Fund to take into consideration evolving research on the impact of NTDs on efforts to control HIV/AIDS when making programming decisions, particularly with regard to female genital schistosomiasis, which studies suggest may be one of the most significant cofactors in the AIDS epidemic in Africa, as necessary and appropriate.

(2) GLOBAL FUND.—In this subsection, the term ''Global Fund'' means the public-private partnership known as the Global Fund to Fight AIDS, Tuberculosis and Malaria established pursuant to Article 80 of the Swiss Civil Code.

(c) G–20 COUNTRIES.—The Secretary of State, acting through the Office of Global Health Diplomacy, should encourage G–20 countries to significantly increase their role in the control and elimination of NTDs.

SEC. 306. MULTILATERAL DEVELOPMENT AND HEALTH INSTITUTIONS.

(a) FINDING.—Congress finds that the treatment of NTDs, including community- and school-based deworming programs, can be a highly cost-effective intervention, and schools can serve as an effective delivery mechanism for reaching large numbers of children with safe treatment for soil-transmitted helminthiases (roundworm, whipworm, and hookworm) in particular.

(b) UNITED NATIONS.—The President should direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to urge the World Health Organization and the United Nations Development Programme to—

(1) ensure the dissemination of best practices and programming on NTDs to governments and make data accessible to practitioners in an open and timely fashion;

(2) highlight impacts of community- and school-based deworming programs on children's health and education, emphasizing the cost-effectiveness of such programs;

(3) encourage governments to implement deworming campaigns at the national level;

(4) consider the designation of a portion of grant funds of the institutions to deworming initiatives and cross-sectoral collaboration with water, sanitation, and hygiene efforts and nutrition or education programming, as practicable and appropriate;

(5) encourage accurate monitoring and evaluation of NTD programs, including deworming programs; and

(6) engage governments in cross-border initiatives for the treatment, control, prevention, and elimination of NTDs, and assist in developing transnational agreements, when and where necessary.

SEC. 307. RULE OF CONSTRUCTION.

Nothing in this title may be construed to increase authorizations of appropriations for the United States Agency for International Development.

TITLE IV—PREVENTING CHILD MARRIAGE IN DISPLACED POPULATIONS

SEC. 401. SHORT TITLE.

This title may be cited as the ''Preventing Child Marriage in Displaced Populations Act''.

SEC. 402. FINDINGS.

Congress finds the following:

(1) According to United Nations Children's Fund (UNICEF), 12,000,000 girls marry before the age of 18 every year.

(2) Early marriage denies children, especially girls, their right to make vital decisions about their well-being, including relating to their health, family, and career. Child brides are less likely to finish their education, and are at higher risk for abuse, contracting HIV, and dying while pregnant or giving birth.

(3) Child marriage also imposes substantial economic costs to developing countries, impeding development and prosperity gains.

(4) Displaced populations are particularly vulnerable to child marriage, in communities where poverty, instability, and displacement put pressure on families to marry children, particularly young girls, off at a young age.

(5) One United Nations (UN) study found that child marriage rates were 4 times higher among displaced Syrian refugees than among Syrians before the crisis. This indicates that displacement, instability, and poverty are driving child marriages.

(6) United Nations agencies, including UNICEF and the United Nations High Commissioner for Refugees (UNHCR), have acknowledged the dangers of child marriage and taken steps to address its risk in the populations they serve.

(7) The UN Joint Program on Child Marriage supports this work by building the resilience of populations to indirectly prevent child marriage and by generating new data and evidence on the prevalence of child marriage in humanitarian and fragile settings. For example, in Uganda, the UN Joint Program on Child Marriage helped 27,000 adolescent girls strengthen critical skills through school clubs and Go Back to School campaigns, as well as life skills and financial literacy training.

(8) After the UN Joint Program on Child Marriage identified Yemen as one of its focus countries, 65,000 people, of whom 45,000 are adolescents, were reached with awareness-raising activities on the harms of child marriage in 2018 alone. As a result, local council representatives, elders, and community leaders from 6 districts signed a pledge to support advocacy efforts to end child marriage.

SEC. 403. PREVENTING CHILD MARRIAGE IN DISPLACED POPULATIONS.

(a) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to call for an adoption of an agreed upon definition of ''child marriage'' across United Nations agencies.

(b) STRATEGY.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to call for the development of a comprehensive strategy to address child marriage in refugee settlements administered by the United Nations. The strategy should include the following elements:

(1) A mandate to regularly collect and report data related to the number of known or suspected child marriages taking place inside each such settlement.

(2) Protocols for United Nations personnel regarding prevention and monitoring of child marriages inside each such settlement.

(3) A description of United Nations programs administered at such settlements that include—

(A) physical, mental, and emotional rehabilitation and support to children who have extricated themselves from child marriage; and

(B) alternatives to child marriage, such as education initiatives.

(4) Protocols regarding how United Nations personnel should—

(A) report adults participating in illegal child marriages in each such settlement; and

(B) monitor the prosecution of such adults by the authorities of the country in which the settlement at issue is located.

(c) RESEARCH.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to advocate for the United Nations and its appropriate agencies to include, as appropriate, in all of its research regarding child marriage, the relationship between child marriage and violence against girls, including young children and infants.

(d) DEFINITIONS.—In this section:

(1) CHILD MARRIAGE.—The term ''child marriage'' means a formal marriage or informal union involving at least one person younger than age 18.

(2) ILLEGAL CHILD MARRIAGE.—The term ''illegal child marriage'' means a child marriage that is illegal under the laws of the country in which the child marriage occurs.

TITLE V—GLOBAL FRAGILITY

SEC. 501. SHORT TITLE.

This title may be cited as the ''Global Fragility Act of 2019''.

SEC. 502. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) RELEVANT FEDERAL DEPARTMENT OR AGENCY.—The term ''relevant Federal department or agency'' means the Department of State, the United States Agency for International Development, the Department of Defense, the Department of Treasury, and any other Federal department or agency the President determines is relevant to carry out the purposes of this title.

SEC. 503. STATEMENT OF POLICY.

It is the policy of the United States to seek to stabilize conflict-affected areas and prevent violence and fragility globally, including by—

(1) ensuring that all relevant Federal departments and agencies coordinate to achieve coherent, long-term goals for programs designed to carry out such policy;

(2) seeking to improve global, regional, and local coordination of relevant international and multilateral development and donor organizations regarding efforts to carry out such policy; and

(3) enhancing the effectiveness of United States foreign assistance programs and activities to carry out such policy, including by improving assessment, monitoring, and evaluation conducted by the relevant Federal departments and agencies.

SEC. 504. GLOBAL FRAGILITY STRATEGY.

(a) STRATEGY.—The President, in coordination with the Secretary of State, the Administrator of the United States Agency for International Development (''USAID''), the Secretary of Defense, and the heads of other relevant Federal departments and agencies, shall establish a comprehensive, integrated, ten-year strategy, to be referred to as the ''Global Fragility Strategy'', to contribute to the stabilization of conflict-affected areas, address global fragility, and strengthen the capacity of the United States to be an effective leader of international efforts to prevent extremism and violent conflict. The strategy shall focus on addressing long-term causes of fragility and violence, and shall—

(1) consider the causes of fragility and violence at both the local and national levels, the external actors that reinforce and exploit such conditions, and successful prevention strategies and their key features;

(2) include specific objectives and multisectoral approaches to reduce fragility and the causes of violence, including those that strengthen state-society relations, curb extremist ideology, and make society less vulnerable to the spread of extremism and violence;

(3) encourage and empower local and national actors to address the concerns of their citizens, including those in vulnerable communities, and build community resilience against violence and extremism;

(4) address the long-term underlying causes of fragility and violence through participatory, locally led programs, empowering marginalized groups such as youth and women, inclusive dialogues and conflict resolutions processes, justice sector reform, good governance, inclusive and accountable service delivery, and community policing and civilian security, including by combatting impunity for security forces implicated in violations of internationally recognized human rights and other serious crimes;

(5) describe approaches that ensure national leadership where appropriate and participatory engagement by civil society and local partners in the design, implementation, and monitoring of programs;

(6) assign roles for relevant Federal departments and agencies to avoid duplication of efforts, while ensuring that—

(A) the Department of State is responsible for leading the drafting and execution of the strategy, establishing United States foreign policy, advancing diplomatic and political efforts, and overseeing the planning and implementation of security assistance and related civilian security efforts;

(B) USAID is responsible for overseeing prevention programs, and is the lead implementing agency for development, humanitarian, and related non-security program policy;

(C) activities undertaken or supported by the Department of Defense in relation to the Global Fragility Strategy are established through joint formulation and with the concurrence of the Secretary of State; and

(D) other relevant Federal departments and agencies support the activities of the Department of State and USAID as appropriate, with the concurrence of the Secretary of State and the Administrator of the United States Agency for International Development;

(7) describe programs that relevant Federal departments and agencies will undertake to achieve the stated objectives, including descriptions of existing programs and funding by fiscal year and account;

(8) identify mechanisms to improve coordination between the United States, foreign governments, and international organizations, including the World Bank, the United Nations, regional organizations, and private sector organizations;

(9) address efforts to expand public-private partnerships and leverage private sector resources;

(10) describe the criteria, metrics, and mechanisms for monitoring and evaluation of programs and objectives in the strategy to ensure planning, implementation, and coordination are appropriately executed and updated;

(11) describe how the strategy will ensure that programs are country-led and context-specific; and

(12) identify mechanisms or activities to reduce the risk that the programs, policies, or resources of the United States and its partners will facilitate corruption, empower or abet repressive local actors, or be exploited by extremists to gain support for their cause.

(b) STAKEHOLDER CONSULTATION.—The Global Fragility Strategy required under this section shall be developed in consultation with representatives of civil society and national and local governance entities in countries and regions described in section 505, as well as relevant international development organizations with experience implementing programs in fragile states, multilateral organizations and donors, relevant private, academic, and philanthropic entities, and the appropriate congressional committees.

(c) REPORT.—Not later than 270 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report setting forth the strategy described in subsection (a), which shall be submitted in unclassified form, but may include a classified annex if necessary, and shall include, at a minimum, the following elements:

(1) The objectives, general and specific, of the strategy.

(2) An identification of the relevant Federal departments and agencies that will be involved and the assignment of priorities to such departments and agencies.

(3) A description of the compact-based partnerships that will be established to ensure local leadership of strategies, policy, and programs, as well as mutual accountability for results and resources needed to support such partnerships.

(4) An identification of the authorities, staffing, and other requirements, as necessary and appropriate, needed to effectively implement the Global Fragility Strategy.

(5) A description of the ways in which United States leadership will be used to enhance overall international prevention efforts, including through increasing the engagement of the member states of the Group of Seven and Group of Twenty.

(6) An identification of which officials of the Department of State, USAID, and the Department of Defense, with a rank not lower than Assistant Secretary or Assistant Administrator, will be responsible for leading and overseeing the strategy.

(7) A list of priority countries and regions selected pursuant to section 505, including descriptions of the rationale for such selections.

SEC. 505. SELECTION OF PRIORITY COUNTRIES AND REGIONS.

(a) IN GENERAL.—The President, in coordination with the Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of Defense, and in consultation with the appropriate congressional committees specified in subsection (b), shall select certain countries as ''priority countries'' and certain regions as ''priority regions'' for the purpose of implementing the Global Fragility Strategy required under section 504—

(1) on the basis of—

(A) the national security interests of the United States;

(B) clearly defined indicators of the levels of violence or fragility in such country or region, such as the country's or region's—

(i) ranking on recognized global fragility lists, such as the Organization for Economic Co-operation and Development States of Fragility report, the Fund for Peace Fragile States Index, the World Bank Harmonized List of Fragile Situations, the Institute for Economics and Peace Global Peace Index, and the Holocaust Museum Early Warning Project Risk Assessment;

(ii) ranking on select United States Government conflict and atrocity early warning watch lists;

(iii) levels of violence, including violence committed by armed groups, state actors, and violent extremist organizations, gender-based violence, and violence against children and youth; and

(iv) vulnerability to rising sea levels, flooding, drought, wildfires, desertification, deforestation, food insecurity, and human displacement; and

(C) an assessment of—

(i) the commitment and capacity of national and sub-national government entities and civil society partners in such country or region to work with relevant Federal departments and agencies on the Global Fragility Strategy, including by demonstrating commitment to—

(I) improving inclusive, transparent, and accountable power structures, including effective, legitimate, and resilient national and sub-national institutions; and

(II) ensuring strong foundations for human rights, rule of law, and equal access to justice; and

(ii) the likelihood that United States assistance under the Global Fragility Strategy would measurably help to reduce fragility, prevent the spread of extremism and violence, and stabilize conflict-affected areas in each such country or region; and

(2) in a manner that ensures that not fewer than five countries or regions are selected, including not fewer than two in which the priority will be preventing violent conflict and fragility, rather than stabilizing ongoing conflicts.

(b) CONSULTATION WITH CONGRESS.—Prior to finalization of the selection of priority countries and regions under subsection (a), representatives from the Department of State, USAID, the Department of Defense, and other relevant Federal departments and agencies, as necessary and appropriate, shall brief the appropriate congressional committees on the countries and regions being considered and shall consider congressional input on such prioritization.

SEC. 506. PRIORITY COUNTRY AND REGIONAL PLANS.

Not later than one year after the date of the enactment of this Act, the President, in coordination with the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Defense, and the heads of other relevant Federal departments and agencies, shall submit to the appropriate congressional committees ten-year plans to align and integrate under the Global Fragility Strategy established pursuant to section 504 all relevant diplomatic, development, and security assistance and activities of the United States Government with respect to each of the countries and regions selected pursuant to section 505. Each such country and regional plan shall include the following elements:

(1) Specific multi-year interagency plans for coordination and implementation under each such plan.

(2) An up-to-date baseline analysis for each such country or region, including an analysis of the conditions that contribute to violence and fragility.

(3) Prioritized descriptions of the goals and objectives for stabilizing conflict-affected areas, reducing fragility, and preventing the spread of extremism and violence in each such country.

(4) Descriptions of how and when the relevant goals, objectives, plans, and benchmarks for each such country or region will be incorporated into relevant United States country or regional plans and strategies, including the National Security Strategy of the United States, the Stabilization Assistance Review, Department of State Integrated Country Strategies, USAID Country Development Cooperation Strategies, and Department of Defense Campaign Plans, Operational Plans, and Regional Strategies, as well as any equivalent or successor plans or strategies.

(5) Interagency plans to ensure that appropriate local actors, including government and civil society entities, have an appropriate ownership stake in developing, implementing, monitoring, and evaluating relevant activities under each such plan.

(6) Interagency plans to integrate existing and planned security assistance and cooperation programs in each such country or region with the strategy, and to mitigate risks associated with such programs, including risks related to corruption, governance, and human rights.

(7) Assessment, monitoring, and evaluation frameworks for diplomatic, development, and security assistance and activities, which shall be informed by consultations with the stakeholders specified in section 504(b), with clear metrics for each such country or region, as well as interagency plans for using such frameworks to adapt such activities on a regular basis.

(8) Descriptions of available policy tools and how such tools will be used to reduce fragility, prevent the spread of extremism and violence, and stabilize conflict-affected areas in each such country or region.

(9) A description of how planning and implementation of assistance under the Global Fragility Strategy for each such country or region will be coordinated in a manner that strengthens partnerships and leverages the unique expertise and resources of the United States Government and—

(A) governments of such countries;

(B) international development organizations;

(C) relevant international donors;

(D) multilateral organizations; and

(E) the private sector.

(10) A regional component outlining plans to address relevant transnational issues and how each such country is affected by or at risk of regional fragility or violence.

(11) When a region is selected, a component outlining plans to address factors at the individual country level that affect regional fragility or violence.

SEC. 507. IMPLEMENTATION.

The President, in coordination with the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Defense, the heads of other relevant Federal departments and agencies, relevant United States ambassadors, USAID mission directors, geographic combatant commanders, and other relevant individuals with responsibility over activities in each priority country or region selected pursuant to section 505, shall ensure that—

(1) the Global Fragility Strategy required under section 504, including each of the country plans developed under section 506, is implemented, updated, and coordinated on a regular basis; and

(2) the strategy is used to guide United States Government policy at a senior level and incorporated into relevant strategies and plans across the United States Government such that the activities of all relevant Federal departments and agencies are consistent with the strategy.

SEC. 508. BIENNIAL REPORTS AND CONGRESSIONAL CONSULTATION.

(a) BIENNIAL REPORTS.—Not later than two years after the submission of the plans required in section 506, and every two years thereafter until the date that is ten years after the date of submission of such plans, the President, the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Defense, and the heads of other relevant Federal departments and agencies shall jointly submit to the appropriate congressional committees an unclassified report, which may include a classified annex, on progress made and lessons learned with respect to implementation of the Global Fragility Strategy established pursuant to section 504. The report shall include the following elements:

(1) Descriptions of steps taken to incorporate the strategy into any relevant, existing country and regional plans or strategies.

(2) Accountings of all funding received and obligated to implement each such country and regional plan during the previous two years, and, to the extent feasible, projections of funding to be requested, planned, and implemented for the following two years.

(3) Descriptions of progress made towards achieving specific targets, metrics, and indicators for each priority country and region.

(4) Descriptions of any changes made to programs based on the results of assessment, monitoring, and evaluation for each priority country and region.

(b) CONGRESSIONAL CONSULTATION.—The Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of Defense shall provide to any appropriate congressional committee briefings on the implementation of this title upon the request of any such committee.

SEC. 509. AUTHORIZATION OF APPROPRIATIONS.

(a) PREVENTION AND STABILIZATION FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, which shall be known as the ''Prevention and Stabilization Fund'' (in this subsection referred to as ''The Fund''), to be administered by the Department of State and USAID, as appropriate, to support stabilization of conflict-affected areas and to mitigate fragility, including through the Global Fragility Strategy established pursuant to section 504, which shall replace the Relief and Recovery Fund.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund $200,000,000 for each of the fiscal years 2020 through 2024.

(3) PURPOSES OF THE FUND.—

(A) IN GENERAL.—Amounts authorized to be appropriated to the Fund shall be used—

(i) to support stabilization of conflict-affected areas and prevent global fragility, including through the Global Fragility Strategy established pursuant to section 504; and

(ii) to provide assistance to areas liberated or at risk from, or under the control of, the Islamic State of Iraq and Syria, other terrorist organizations, or violent extremist organizations, including for stabilization assistance for vulnerable ethnic and religious minority communities affected by conflict.

(B) AMOUNTS IN ADDITION.—Amounts authorized to be appropriated to the Fund under this section are in addition to any funds otherwise made available for the purposes described in paragraph (1).

(4) CONGRESSIONAL NOTIFICATION.—Funds may not be obligated under this section unless the congressional committees specified in section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1) are notified of the amount and nature of such proposed obligation at least 15 days in advance of such proposed obligation, in accordance with the procedures applicable to notifications regarding reprogrammings pursuant to such section.

(b) COMPLEX CRISIS FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, which shall be known as the ''Complex Crises Fund'' (in this subsection referred to as the ''Fund''), to be administered by USAID, to support programs and activities to prevent or respond to emerging or unforeseen events overseas, including to support the Global Fragility Strategy established pursuant to section 504.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund $30,000,000 for each of the fiscal years 2020 through 2024, which shall remain available until expended.

(3) PURPOSES OF THE FUND.—

(A) IN GENERAL.—Notwithstanding any other provision of law, except section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d), amounts in the Fund may be used to carry out the provisions of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to support programs and activities to prevent or respond to emerging or unforeseen foreign challenges and complex crises overseas, including through the Global Fragility Strategy established pursuant to section 504.

(B) AMOUNTS IN ADDITION.—Amounts authorized to be appropriated to the Fund are in addition to any amounts otherwise made available for the purposes described in subparagraph (A).

(4) LIMITATIONS.—

(A) IN GENERAL.—Amounts in the Fund may not be expended for lethal assistance or to respond to natural disasters.

(B) ADMINISTRATIVE EXPENSES.—Not more than five percent of the amounts in the Fund may be used for administrative expenses.

(5) CONGRESSIONAL NOTIFICATION.—The United States Agency for International Development shall notify the appropriate congressional committees not less than five days prior to the obligation of amounts in the Fund.

(6) WAIVER.—The notification requirement under paragraph (5) may be waived if—

(A) notification by the deadline specified in such paragraph would pose a substantial risk to human health or welfare; and

(B) the appropriate congressional committees—

(i) are notified as early as practicable but in no event later than three days after an obligation of amounts from the Fund; and

(ii) are provided with an explanation of the emergency circumstances that necessitated such waiver.

SEC. 510. IMPROVING AND LEVERAGING ASSISTANCE FOR THE GLOBAL FRAGILITY STRATEGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the President, the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Defense, and the heads of other relevant Federal departments and agencies should—

(1) develop more adaptive and responsive policy and program planning, implementation, and scaling under the Global Fragility Strategy established pursuant to section 504, and work with the appropriate congressional committees to identify any legislative

changes that may be necessary to support such efforts;

(2) better integrate the strategy and other conflict and violence reduction objectives and activities into other policy and program areas, where appropriate; and

(3) support transparent and accountable multilateral funds, initiatives, and strategies to enhance and better coordinate private and public efforts to stabilize conflict-affected areas and prevent violence and fragility globally.

(b) OTHER FUNDING AND COST MATCHING.—The Global Fragility Strategy established pursuant to section 504—

(1) may, after consultation with the appropriate congressional committees, be supported with funds other than funds authorized to be appropriated pursuant to section 509; and

(2) shall seek to leverage funds from sources other than the United States Government in order to promote coordination and cost-matching to the maximum extent practicable.

(c) MULTI-DONOR GLOBAL FRAGILITY FUND.—

(1) AUTHORITY.—Pursuant to sections 607 and 632 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357 and 2392), and consistent with subsection (b), and after consultation with the appropriate congressional committees, the Secretary of State is authorized to establish funding mechanisms, to include the establishment of a Global Fragility Fund, to leverage, receive, coordinate, and program funds provided by other donors and private sector partners to carry out the purposes of this title.

(2) PURPOSES.—A funding mechanism established pursuant to paragraph (1) should—

(A) include input from and participation by key bilateral and multilateral donors, representatives of civil society, relevant nongovernmental organizations and private sector entities, and developing countries where fragility threatens to exacerbate violent extremism and undermine development;

(B) enhance donor coordination and cooperation;

(C) advance clearly defined goals, objectives, and metrics for monitoring, evaluating, and measuring progress; and

(D) focus on strengthening national and local good governance and conflict resolution capacity in fragile and conflict-affected areas over the long-term through comprehensive, compact-based agreements that support country-led strategies.

(3) CONGRESSIONAL NOTIFICATION.—Funds may not be obligated under this section except in consultation with the appropriate congressional committees and subject to the notification of such committees of the amount and proposed uses of such funds at least 15 days in advance of such proposed obligation.

SEC. 511. RULE OF CONSTRUCTION.

Nothing in this title shall be construed as a declaration of war or an authorization for the use of military force.

TITLE VI—COMBATING WILDLIFE TRAFFICKING

SEC. 601. SHORT TITLE.

This title may be cited as the ''Rescuing Animals With Rewards Act of 2019'' or the ''RAWR Act''.

SEC. 602. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Wildlife trafficking is a major transnational crime that is estimated to generate over $10 billion a year in illegal profits and which is increasingly perpetrated by organized, sophisticated criminal enterprises, including known terrorist organizations.

(2) Wildlife trafficking not only threatens endangered species worldwide, but also jeopardizes local security, spreads disease, undermines rule of law, fuels corruption, and damages economic development.

(3) Combating wildlife trafficking requires a coordinated and sustained approach at the global, regional, national, and local levels.

(4) Congress stated in the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 that it is the policy of the United States to take immediate actions to stop the illegal global trade in wildlife and wildlife products and associated transnational organized crime.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of State's rewards program is a powerful tool in combating sophisticated international crime and that the Department of State and Federal law enforcement should work in concert to offer rewards that target wildlife traffickers.

SEC. 603. WILDLIFE TRAFFICKING PREVENTION AWARDS PROGRAM.

Subparagraph (B) of section 36(k)(5) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(k)(5)) is amended by inserting ''wildlife trafficking (as defined by section 2(12) of the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7601(12); Public Law 114–231)) and'' after ''includes''.

TITLE VII—CHAMPIONING AMERICAN BUSINESS THROUGH DIPLOMACY

SEC. 701. SHORT TITLE.

This title may be cited as the ''Championing American Business Through Diplomacy Act of 2019''.

SEC. 702. FINDINGS.

Congress makes the following findings:

(1) According to the 2017 National Security Strategy of the United States of America, ''Retaining our position as the world's preeminent economic actor strengthens our ability to use the tools of economic diplomacy for the good of Americans and others.''.

(2) A November 7, 2018, cable from Secretary of State Michael R. Pompeo to all diplomatic and consular posts—''Boosting Commercial Diplomacy Around the World''—stated that ''helping American companies is a foreign policy priority. . .Promoting broad-based, responsible, and sustainable economic growth helps to stabilize regions and creates new and growing markets for U.S. companies. A transparent and level playing field for U.S. investment in these countries counters real and growing challenges such as China's Belt and Road initiative.''.

(3) In the January–February 2019 issue of The Foreign Service Journal, Ambassador Barbara Stephenson, the President of the American Foreign Service Association, wrote, ''Foreign Service support for American business. . .is a major reason why the U.S. Foreign Service was created.''.

SEC. 703. ECONOMIC DIPLOMACY WITHIN THE DEPARTMENT OF STATE.

Subsection (c) of section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) ASSISTANT SECRETARY FOR ECONOMIC AND BUSINESS MATTERS.—

''(A) IN GENERAL.—Subject to the numerical limitation specified in paragraph (1), there is authorized to be established in the Department of State an Assistant Secretary of State who shall be responsible to the Secretary of State for matters pertaining to international economics and business matters in the conduct of foreign policy.

''(B) MATTERS CONTEMPLATED.—The matters referred to in subparagraph (A) include the following:

''(i) International trade and investment policy.

''(ii) International finance, economic development, and debt policy.

''(iii) Economic sanctions and combating terrorist financing.

''(iv) International transportation policy.

''(v) Support for United States businesses.

''(vi) Economic policy analysis and private sector outreach.

''(vii) International data privacy and innovation policies.

''(viii) Such other related duties as the Secretary may from time to time designate.''.

SEC. 704. CHIEF OF MISSION RESPONSIBILITIES.

Section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) is amended by adding at the end the following new subsection:

''(d) PROMOTION OF UNITED STATES ECONOMIC INTERESTS.—Each chief of mission to a foreign country shall have as a principal duty the promotion of United States economic and commercial interests in such country.''.

SEC. 705. INCREASED TRAINING IN ECONOMIC AND COMMERCIAL DIPLOMACY.

Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding at the end the following new subsection:

''(d) ECONOMIC AND COMMERCIAL DIPLOMACY.—The Secretary of State, with the assistance of other relevant officials and the private sector, shall establish as part of the standard training provided for economic and commercial officers of the Foreign Service, chiefs of mission, and deputy chiefs of mission, training on matters related to economic and commercial diplomacy, with particular attention to market access and other elements of an enabling framework for United States businesses, commercial advocacy, and United States foreign economic policy, in addition to awareness about the support of the United States Government available to United States businesses, including support provided by the Department of Agriculture, the Department of Commerce, the Export-Import Bank of the United States, the Millennium Challenge Corporation, the Trade and Development Agency, the Department of the Treasury, the United States Agency for International Development, and the United States International Development Finance Corporation.''.

SEC. 706. REPORT FROM EACH MISSION ON MATTERS OF COMMERCIAL RELATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act and annually thereafter, the chief of mission at each bilateral diplomatic mission of the United States and the Director of the American Institute in Taiwan shall submit to the Secretary of State mission plans that include the following:

(1) Data and other information regarding actions taken by each such mission or Institute during the previous year to foster commercial relations and safeguard United States economic and business interests in the country or region in which each such chief of mission and the Director serves.

(2) Each such mission's and Institute's anticipated economic and commercial priorities for the coming year.

(b) REPORT TO CONGRESS.—The Secretary of State, after receiving the information required under subsection (a), shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report, disaggregated by country or region, on activities and initiatives, including with appropriate examples, to create an enabling environment and otherwise promote United

States economic and business interests in each such country or region, as well as information about significant foreign competition to United States businesses in the relevant country or region, including state-directed investments by foreign governments and United States strategic competitors in such country or region.

SEC. 707. CONSOLIDATED REPORT ON UNIFIED INVESTMENT CLIMATE STATEMENT AND COUNTRY COMMERCIAL GUIDE.

(a) IN GENERAL.—The Secretary of State and the Secretary of Commerce shall jointly produce and make publicly available on a United States Government internet website an annual country- and region-specific report regarding commercial relations with foreign countries and regions and safeguarding United States economic and business interests abroad, including with regard to United States exports and investments, including by small- and medium-size enterprises.

(b) MATTERS TO BE INCLUDED.—Each report required under subsection (a) shall include the following with respect to each country or region covered by each such report:

(1) Information about doing business in each country or region.

(2) Background information about each country's or region's political environment.

(3) Information about selling United States products and services in each country or region.

(4) Leading sectors for United States exports and investment in each country or region.

(5) Information about trade regulations, customs, and standards in each country or region, such as—

(A) information on import tariffs; and

(B) documentation about which United States businesses should be aware when exporting, including any prohibited items or temporary entry procedures.

(6) Investment climate statements describing each country's or region's openness to foreign investments, such as information relating to each country's or region's—

(A) investment policies;

(B) market barriers;

(C) business risks;

(D) legal and regulatory system, including dispute resolution;

(E) level of public and private sector corruption;

(F) level of political violence and instability;

(G) adherence to internationally recognized core labor standards; and

(H) protection of property rights.

(7) Information about trade and project financing in each country or region, such as each country's or region's—

(A) banking and financial system, and how United States businesses typically get paid;

(B) foreign exchange controls; and

(C) important sources of funding for project financing.

(8) Relevant business travel information and business customs in each country or region.

(9) Information about services and personnel of the diplomatic mission of the United States available to United States businesses to support their activities in each country or region.

(10) Any significant trade or commercial agreement that exists between the United States and each country or region.

(11) A point of contact at the diplomatic or consular mission of the United States in each country or region for United States businesses.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require the duplication of existing reports.

SEC. 708. WHOLE-OF-GOVERNMENT COORDINATION AND CONSULTATION TO SUPPORT UNITED STATES ECONOMIC AND BUSINESS INTERESTS.

(a) IN GENERAL.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Commerce, the Secretary of the Treasury, and the United States Trade Representative, shall have primary responsibility for coordinating a whole-of-government effort to expand United States efforts in supporting United States economic and business interests abroad. The Secretary may delegate responsibilities under this Act to a senior, Senate-confirmed Department of State official.

(b) RESPONSIBILITIES.—The Secretary shall—

(1) chair the interagency coordinating committee established under subsection (c);

(2) develop and implement the joint strategic plan required under subsection (c)(4) for all United States trade-related and trade capacity building and related technical assistance programs, in consultation with the coordinating committee established under subsection (c);

(3) advise the Federal departments and agencies designated by the President to participate in the interagency coordinating committee under this section in identifying the most needed and effective ways for United States diplomatic and consular posts and the departments and agencies that staff such posts to support the expansion of United States trade relations with host governments;

(4) consult with the private sector in the development of government-wide trade expansion efforts, including establishing a point of contact and lead office within the Department of State to receive private-sector recommendations and comments concerning trade capacity assistance, coordination, consultations, and country-specific issues;

(5) consult with the Office of Management and Budget regarding the administrative and human resources needs that may be required to implement the provisions of this title; and

(6) brief Congress on trade capacity building programs and make recommendations, as appropriate, to Congress for improvements in trade capacity building efforts.

(c) ECONOMIC DIPLOMACY ACTION GROUP.—

(1) ESTABLISHMENT.—The President shall establish an interagency coordinating committee, to be known as the ''Economic Diplomacy Action Group'', to coordinate and carry out the purposes of this section.

(2) LEADERSHIP.—The Group shall be chaired by the Secretary of State and the vice-chairs shall be the United States Trade Representative and the Secretary of Commerce. The Secretaries and the United States Trade Representative may delegate responsibilities under this Act to appropriate, senior, Senate-confirmed officials.

(3) MEMBERSHIP.—The President may appoint to the Group senior officials from the United States Agency for International Development, the Department of Agriculture, the Department of the Treasury, the Export-Import Bank, the United States Development Finance Corporation, and any such other relevant executive branch department or agency as the President determines to be substantially involved in trade capacity building and related assistance efforts in developing countries.

(4) DEVELOPMENT OF JOINT STRATEGIC PLAN.—The Group shall develop a joint strategic plan for all United States capacity building and technical assistance programs.

(d) DIPLOMACY TRADE EXPANSION ADVISORY COMMITTEE.—

(1) ESTABLISHMENT OF TEAC.—The Chair and Vice-Chairs of the Economic Diplomacy Action Group shall establish a trade expansion advisory committee with selected representatives of the United States private sector and other organizations, including labor organizations, with direct and relevant operational experience in importing from and exporting into developing countries, as appropriate, to provide comment and advice on priorities for trade expansion initiatives. The Chair and Vice-Chairs of the Group may also appoint representatives from select nonprofit organizations to the advisory committee if such representatives can demonstrate both a presence in and relevant operational or programmatic experience with trade capacity building efforts in developing countries.

(2) MEETINGS.—The trade expansion advisory committee shall convene at least twice annually or more often as necessary at the call of the Chair and Vice-Chairs of the Group.

(3) STRATEGIC PLANNING ADVICE.—The trade expansion advisory committee shall advise the Chair and Vice-Chairs of the Group on ways that embassies can better support the United States private sector abroad, including assisting the Chair and Vice-Chairs—

(A) in soliciting private-sector advice;

(B) with respect to implementation of strategic planning; and

(C) in advancing the overall mission and goals of United States national security.

SEC. 709. PRIVATE SECTOR CONSULTATION AND COORDINATION.

(a) CONSULTATION WITH PRIVATE SECTOR BY EMBASSY.—In developing the priorities for trade expansion initiatives described in section 708(d), embassy mission teams shall convene local representatives of the United States private sector and the private sector of host countries to consult on issues affecting trade at the borders of such countries and take into account the private sector's operational expertise and experience confronting the trade barriers in such countries as well as its recommendations for reform and best practices.

(b) INCLUSION OF PRIVATE-SECTOR COMMENTS IN MISSION PLANS.—Written comments from local United States private sector representatives shall be included in the trade expansion component of mission plans submitted by the chief of mission to the Secretary of State, with recommendations and comments from the mission team, for the purpose of informing the development of the joint strategic plan on trade expansion priorities required pursuant to section 708(c)(4) and recommended funding for the implementation of such plan.

(c) DESIGNATED EMBASSY POINT OF CONTACT FOR PRIVATE SECTOR CONSULTATION.—Each chief of mission shall designate an appropriate point of contact within the embassy who shall receive recommendations from appropriate private sector representatives regarding the implementation of the strategic plan required under section 708(c)(4) and ongoing trade barriers negatively impacting priority trade expansion. The chief of mission shall ensure that the designated point of contact shall be reasonably available for consultations with appropriate private sector representatives and to receive recommendations with respect to country-specific issues that may arise that will foreseeably disrupt trade.

(d) REQUIREMENT TO PROTECT BUSINESS CONFIDENTIAL INFORMATION.—

(1) IN GENERAL.—The Secretary of State, Secretary of Commerce, and United States Trade Representative as well as the heads of all other agencies involved in the Economic Diplomacy Action Group established under section 708(c) shall protect from disclosure any proprietary information submitted by any private sector representative and

marked as ''business confidential information'', unless the party submitting the confidential business information had notice, at the time of submission, that such information would be released by the head of any such department or agency, or such party subsequently consents to the release of the information. To the extent business confidential information is provided, a non-confidential version of the information shall also be provided, in which the business confidential information is summarized or, if necessary, deleted.

(2) TREATMENT AS TRADE SECRETS.—Proprietary information submitted by a private party in accordance with this Act shall be considered to be a matter falling within the meaning of trade secrets and commercial or financial information exemption under section 552(b)(4) of title 5, United States Code, and shall be exempt from disclosure without the express approval of the private party.

SEC. 710. IMPROVING AWARENESS OF UNITED STATES GOVERNMENT TOOLS AND SERVICES TO SUPPORT UNITED STATES BUSINESSES OVERSEAS.

The Secretary of State and the Secretary of Commerce shall take actions to improve the awareness of United States businesses with respect to United States Government tools and services to assist such businesses overseas, especially small and medium-sized enterprises, including by coordinating with State trade agencies, Export Assistance Centers, and Small Businesses Development Centers.

SEC. 711. REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on United States economic and commercial diplomacy.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include an assessment of the following:

(1) What is known about the effectiveness of United States economic and commercial diplomacy in influencing foreign governments and supporting United States businesses abroad.

(2) Coordination between the Department of State and the Department of Commerce with respect to United States economic and commercial diplomacy.

(3) The effectiveness of training provided pursuant to subsection (d) of section 708 of the Foreign Service Act of 1980 (as added by section 705 of this title) on matters relating to economic and commercial diplomacy.

(4) The status and effectiveness of actions taken by the Secretary of State under section 710 of this title regarding commercial relations with foreign countries and regions and safeguarding United States economic and business interests abroad.

(5) The status of the U.S. Commercial Service of the Department of Commerce and its effectiveness in advancing the economic and business interests of the United States abroad.

(6) The status of the Foreign Service economics officers and their effectiveness in advancing the economic and business interests of the United States abroad.

(7) Recommendations to improve United States economic and commercial diplomacy.

TITLE VIII—UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM REAUTHORIZATION

SEC. 801. SHORT TITLE.

This title may be cited as the ''United States Commission on International Religious Freedom Reauthorization Act of 2019''.

SEC. 802. REAUTHORIZATION.

Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) is amended by striking ''2019'' and inserting ''2022''.

SEC. 803. COMPOSITION OF COMMISSION.

Section 201 of the International Religious Freedom Act of 1998 (22 U.S.C. 6431) is amended—

(1) in subsection (b)(2)—

(A) by striking ''(A) IN GENERAL.—''; and

(B) by striking subparagraph (B);

(2) by amending subsection (d) to read as follows:

''(d) ELECTION OF CHAIR AND VICE CHAIR.—At the first meeting of the Commission after May 30 of each year, a majority of the members of the Commission who are present and voting shall elect a Chair and a Vice Chair. The Vice Chair shall have been appointed by an officeholder from a different political party than the officeholder who appointed the member of the Commission who was elected Chair. The positions of Chair and Vice Chair shall be rotated annually between members who were appointed to the Commission by officeholders of different political parties.'';

(3) in subsection (f), by striking ''Country Report on Human Rights Practices'' and inserting ''International Religious Freedom Report''; and

(4) by adding at the end the following:

''(j) REMOVAL.—If a payment is made under section 415(a) of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) for an award or settlement in connection with a claim alleging a violation of unlawful harassment, intimidation, reprisal, or discrimination under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) that was committed personally by an individual who, at the time of committing the violation, was a Member of the Commission, the Member shall be removed from the Commission.''.

SEC. 804. DUTIES AND POWERS OF THE COMMISSION.

(a) DUTIES.—Section 202(e) of the International Religious Freedom Act of 1998 (22 U.S.C. 6432) is amended—

(1) by striking ''The Commission'' and inserting the following:

''(1) IN GENERAL.—The Commission''; and

(2) by adding at the end the following:

''(2) TRACKING; REVIEW.—The Commission shall regularly—

''(A) track the implementation by the United States Government of the recommendations it makes under paragraph (1); and

''(B) review, to the extent practicable, the effectiveness of such implemented recommendations in advancing religious freedom internationally.''.

(b) POWERS.—Section 203(e) of the International Religious Freedom Act of 1998 (22 U.S.C. 6432a(e)) is amended by adding at the end the following: ''If a Member of the Commission is invited to speak at an event in his or her capacity as a Commissioner, the Member shall provide notice of the request to all Commissioners and the Executive Director as soon as the Commissioner becomes aware of such invitation. Speeches and responses to questions at official events shall reflect the views of the Commission. Official speeches and other prepared materials shall be made available to all Commissioners in advance of the event. If a Commissioner is speaking in his or her private capacity, he or she shall include qualifying language that the views they are representing are his or her own views and not the views of the Commission.''.

SEC. 805. COMMISSION PERSONNEL MATTERS.

(a) IN GENERAL.—Section 204 of the International Religious Freedom Act of 1998 (22 U.S.C. 6432b) is amended—

(1) in subsection (b)—

(A) by striking ''fix the compensation of the Executive Director and other personnel'' and inserting ''provide reasonable compensation to the Executive Director'';

(B) by striking ''and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316'' and inserting ''may not exceed the rate payable under level II of the Executive Schedule under section 5313''; and

(C) by adding at the end the following: ''The rate of pay for other personnel of the Commission may not exceed the rate payable for level IV of the Executive Schedule under section 5315 of such title. All employees of the Commission shall otherwise be treated as employees whose pay is disbursed by the Secretary of the Senate, including for purposes of applying the Standing Rules of the Senate. The Commission shall be treated as an employing office of the Senate.'';

(2) in subsection (f), by striking ''the commission, for the executive director'' and inserting ''the Commission, for the Executive Director''; and

(3) by striking subsection (g).

(b) COVERAGE OF COMMISSION EMPLOYEES.—Section 101(b) of the Congressional Accountability Act (2 U.S.C. 1301(b)) is amended—

(1) in paragraph (1), by inserting ''the United States Commission on International Religious Freedom,'' after ''With respect to'';

(2) in paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) by inserting ''(A)'' before ''Subject to paragraph (3),''; and

(C) by adding at the end the following:

''(B) Legal assistance and representation under this chapter, including assistance and representation with respect to the proposal or acceptance of the disposition of a claim under this chapter, shall be provided to the United States Commission on International Religious Freedom by the Office of Senate Chief Counsel for Employment of the Senate, in the case of assistance and representation in connection with a claim filed under subchapter IV (including all subsequent proceedings under such subchapter in connection with such claim).''; and

(3) in paragraph (3)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) the term 'United States Commission on International Religious Freedom' means the Commission established under section 201 of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.).''.

SEC. 806. COMMISSION TRAVEL AND ANNUAL DISCLOSURES.

(a) DUTIES.—Section 201(i) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431(i)) is amended by striking ''are subject to'' and inserting ''shall comply with''.

(b) POWERS.—Section 203(f) of the International Religious Freedom Act of 1998 (22 U.S.C. 6432a(f)) is amended—

(1) by striking ''The Members of the Commission'' and inserting the following:

''(1) IN GENERAL.—The Members of the Commission''; and

(2) by adding at the end the following:

''(2) PROHIBITION AGAINST PAYMENT OF OFFICIAL TRAVEL BY NON-FEDERAL SOURCES.—Members of the Commission and Commission staff may not accept payment from a non-Federal source for expenses related to official travel on behalf of the Commission.''.

(c) ANNUAL DISCLOSURES.—Section 203 of the International Religious Freedom Act of 1998, as amended by subsection (b), is further amended by adding at the end the following:

''(g) ANNUAL DISCLOSURES.—Not later than March 1 of each year, each Member of the Commission shall submit a report to the appropriate congressional committees (as defined in section 4(a) of the United States Commission on International Religious Freedom Reauthorization Act of 2015 (22 U.S.C. 6433a(a)) with respect to the most recently concluded 12-month period, that discloses any travel by the Member outside of the United States that was paid for or reimbursed by a person or entity other than the Member, a relative of the Member, or the Federal Government, including—

''(1) who paid for or reimbursed the travel;

''(2) a good faith estimate of the cost of the travel, if the travel was funded by a person or entity that does not employ the Member; and

''(3) brief details of the travel and events related to such travel.''.

SEC. 807. STRATEGIC PLAN.

Section 4(d) of the United States Commission on International Religious Freedom Reauthorization Act of 2015 (22 U.S.C. 6433a(d)) is amended by striking ''Not later than 180 days after the date of the enactment of the Act, and not less frequently than biennially thereafter'' and inserting ''Not later than 180 days after the date of the enactment of this Act, and every 2 years thereafter''.

SEC. 808. AUTHORIZATION OF APPROPRIATIONS.

Section 207(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6435(a)) is amended by striking ''2016 to 2019'' and inserting ''2019 through 2022''.

SEC. 809. RECORD RETENTION.

Section 208 of the International Religious Freedom Act of 1998 (22 U.S.C. 6435a) is amended by adding at the end the following:

''(f) COMMISSION RECORDS.—The Commission shall comply with all of the records management requirements set forth in chapter 31 of title 44, United States Code (commonly referred to as the 'Federal Records Act of 1950').

''(g) OFFICIAL EMAIL FOR COMMISSION BUSINESS.—When conducting any Commission business on electronic accounts, Commission Members and staff shall use official Commission electronic accounts.''.

TITLE IX—OTHER MATTERS

SEC. 901. SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR DEPARTMENT OF STATE PERSONNEL UNDER CHIEF OF MISSION AUTHORITY.

(a) ADJUSTMENT OF COMPENSATION FOR CERTAIN INJURIES.—

(1) INCREASE.—The Secretary of State may pay an additional monthly monetary benefit, provided that the covered employee is receiving benefits under section 8105 or 8106 of title 5, United States Code, and may determine the amount of each monthly monetary benefit amount by taking into account—

(A) the severity of the qualifying injury;

(B) the circumstances by which the covered employee became injured; and

(C) the seniority of the covered employee, particularly for purposes of compensating for lost career growth.

(2) MAXIMUM.—Notwithstanding chapter 81 of title 5, United States Code, the total amount of monthly compensation increased under paragraph (1) may not exceed the monthly pay of the maximum rate of basic pay for GS–15 of the General Schedule under section 5332 of such title.

(b) COSTS FOR TREATING QUALIFYING INJURIES.—The Secretary of State may pay the costs of or reimburse for diagnosing and treating—

(1) a qualifying injury of a covered employee for such costs, that are not otherwise covered by chapter 81 of title 5, United States Code, or other provision of Federal law; or

(2) a covered individual, or a covered dependent, for such costs that are not otherwise covered by Federal law.

(c) INFORMATION EXCHANGE.—To avoid duplicate or otherwise improper payments under this subsection, the Secretary of Labor and the Secretary of State shall exchange information about the amounts paid for treatment of qualifying injuries.

(d) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall—

(1) prescribe regulations ensuring the fair and equitable implementation of this section; and

(2) submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives such regulations.

(e) DEFINITIONS.—In this section:

(1) COVERED DEPENDENT.—The term ''covered dependent'' means a family member (as defined by the Secretary of State) of a employee who, on or after January 1, 2016—

(A) accompanies the employee to an assigned duty station in a foreign country under chief of mission authority; and

(B) becomes injured by reason of a qualifying injury.

(2) COVERED EMPLOYEE.—The term ''covered employee'' means an employee of the Department of State who, on or after January 1, 2016, becomes injured by reason of a qualifying injury and was assigned to a duty station in the Republic of Cuba, the People's Republic of China, or another foreign country designated by the Secretary of State pursuant to subsection (f).

(3) COVERED INDIVIDUAL.—The term ''covered individual'' means an individual who, on or after January 1, 2016, becomes injured by reason of a qualifying injury and is—

(A) detailed to a duty station in the Republic of Cuba, the People's Republic of China, or another foreign country designated by the Secretary of State pursuant to subsection (f); or

(B) affiliated with the Department of State, as determined by the Secretary of State.

(4) QUALIFYING INJURY.—The term ''qualifying injury'' means the following:

(A) With respect to a covered dependent, an injury incurred—

(i) during a period in which the covered dependent is accompanying an employee to an assigned duty station in the Republic of Cuba, the People's Republic of China, or another foreign country designated by the Secretary of State pursuant to subsection (f);

(ii) in connection with war, insurgency, hostile act, terrorist activity, or other incident designated by the Secretary of State; and

(iii) that was not the result of the willful misconduct of the covered dependent.

(B) With respect to a covered employee or a covered individual, an injury incurred—

(i) during a period of assignment to a duty station in the Republic of Cuba, the People's Republic of China, or another country designated by the Secretary of State pursuant to subsection (f);

(ii) in connection with war, insurgency, hostile act, terrorist activity, or other incident designated by the Secretary of State; and

(iii) that was not the result of the willful misconduct of the covered employee or the covered individual.

(f) DESIGNATION BY THE SECRETARY OF STATE OF ANOTHER FOREIGN COUNTRY OR DUTY STATION.—The Secretary of State may designate another foreign country for the purposes of this section, provided that the Secretary reports such designation to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, and includes in such report a rationale for each such designation. The Secretary of State may not designate an added foreign country or duty station for purposes of providing additional monetary benefit pursuant to subsection (a) or (b) for a qualifying injury to covered employees, covered dependents, or covered individuals under this section unless the Secretary of State—

(1) provides to the Committees on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives 30 days' notice of the designation of a particular additional country or duty station and the rationale for such addition; and

(2) provides no such additional monetary benefit pursuant to subsection (a) or (b) to covered employees, covered dependents, or covered individuals for a qualifying injury until the 30-day notice period expires, unless there is written agreement by both the Chair and Ranking Members of both the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that there is no objection to proceeding with provision of such monetary benefit compensation in less than 30 days.

(g) TREATMENT OF AMOUNTS.—For purposes of section 104 of the Internal Revenue Code of 1986, amounts paid pursuant to this section shall be treated as amounts described in subsection (a)(5) of such section.

(h) APPLICATION.—

(1) IN GENERAL.—This section shall apply with respect to—

(A) payments made to covered employees (as defined in such section) under section 8105 or 8106 of title 5, United States Code, beginning on or after January 1, 2016; and

(B) diagnosis or treatment described in subsection (b) occurring on or after January 1, 2016.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall modify or otherwise supersede chapter 81 of title 5, or chapter 11 of title 42 United States Code. Monetary benefits and treatment expenses paid under this section shall not be considered payments under any workers' compensation law.

SEC. 902. DECLASSIFICATION OF INFORMATION RELATED TO CERTAIN ACTIONS BY SAUDI ARABIAN OFFICIALS.

Not later than 30 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation, in coordination with the Director of National Intelligence, shall declassify, with any redactions necessary to protect intelligence sources and methods, any and all information related to whether the Government of Saudi Arabia materially assisted or facilitated any citizen or national of Saudi Arabia in departing from the United States while the citizen or national was awaiting trial or sentencing for a criminal offense committed in the United States.

SEC. 903. PROMOTING SECURITY AND JUSTICE FOR VICTIMS OF TERRORISM.

(a) SHORT TITLE.—This section may be cited as the Promoting Security and Justice for Victims of Terrorism Act of 2019.

(b) FACILITATION OF THE SETTLEMENT OF TERRORISM-RELATED CLAIMS OF NATIONALS OF THE UNITED STATES.—

(1) COMPREHENSIVE PROCESS TO FACILITATE THE RESOLUTION OF ANTI-TERRORISM ACT CLAIMS.—The Secretary of State, in consultation with the Attorney General, shall, not later than 30 days after the date of enactment of this Act, develop and initiate a comprehensive process for the Department of State to facilitate the resolution and settlement of covered claims.

(2) ELEMENTS OF COMPREHENSIVE PROCESS.—The comprehensive process developed under

paragraph (1) shall include, at a minimum, the following:

(A) Not later than 45 days after the date of enactment of this Act, the Department of State shall publish a notice in the Federal Register identifying the method by which a national of the United States, or a representative of a national of the United States, who has a covered claim, may contact the Department of State to give notice of the covered claim.

(B) Not later than 120 days after the date of enactment of this Act, the Secretary of State, or a designee of the Secretary, shall meet (and make every effort to continue to meet on a regular basis thereafter) with any national of the United States, or a representative of a national of the United States, who has a covered claim and has informed the Department of State of the covered claim using the method established pursuant to subparagraph (A) to discuss the status of the covered claim, including the status of any settlement discussions with the Palestinian Authority or the Palestine Liberation Organization.

(C) Not later than 180 days after the date of enactment of this Act, the Secretary of State, or a designee of the Secretary, shall make every effort to meet (and make every effort to continue to meet on a regular basis thereafter) with representatives of the Palestinian Authority and the Palestine Liberation Organization to discuss the covered claims identified pursuant to subparagraph (A) and potential settlement of the covered claims.

(3) REPORT TO CONGRESS.—The Secretary of State shall, not later than 240 days after the date of enactment of this Act, and annually thereafter for 5 years, submit to the Committee on the Judiciary and the Committee on Foreign Relations of the Senate and the Committee on the Judiciary and the Committee on Foreign Affairs of the House of Representatives a report describing activities that the Department of State has undertaken to comply with this subsection, including specific updates regarding subparagraphs (B) and (C) of paragraph (2).

(4) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) covered claims should be resolved in a manner that provides just compensation to the victims;

(B) covered claims should be resolved and settled in favor of the victim to the fullest extent possible and without subjecting victims to unnecessary or protracted litigation;

(C) the United States Government should take all practicable steps to facilitate the resolution and settlement of all covered claims, including engaging directly with the victims or their representatives and the Palestinian Authority and the Palestine Liberation Organization; and

(D) the United States Government should strongly urge the Palestinian Authority and the Palestine Liberation Organization to commit to good-faith negotiations to resolve and settle all covered claims.

(5) DEFINITION.—In this subsection, the term ''covered claim'' means any pending action by, or final judgment in favor of, a national of the United States, or any action by a national of the United States dismissed for lack of personal jurisdiction, under section 2333 of title 18, United States Code, against the Palestinian Authority or the Palestine Liberation Organization.

(c) JURISDICTIONAL AMENDMENTS TO FACILITATE RESOLUTION OF TERRORISM-RELATED CLAIMS OF NATIONALS OF THE UNITED STATES.—

(1) IN GENERAL.—Section 2334(e) of title 18, United States Code, is amended—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of any civil action under section 2333 of this title, a defendant shall be deemed to have consented to personal jurisdiction in such civil action if, regardless of the date of the occurrence of the act of international terrorism upon which such civil action was filed, the defendant—

''(A) after the date that is 120 days after the date of the enactment of the Promoting Security and Justice for Victims of Terrorism Act of 2019, makes any payment, directly or indirectly—

''(i) to any payee designated by any individual who, after being fairly tried or pleading guilty, has been imprisoned for committing any act of terrorism that injured or killed a national of the United States, if such payment is made by reason of such imprisonment; or

''(ii) to any family member of any individual, following such individual's death while committing an act of terrorism that injured or killed a national of the United States, if such payment is made by reason of the death of such individual; or

''(B) after 15 days after the date of enactment of the Promoting Security and Justice for Victims of Terrorism Act of 2019—

''(i) continues to maintain any office, headquarters, premises, or other facilities or establishments in the United States;

''(ii) establishes or procures any office, headquarters, premises, or other facilities or establishments in the United States; or

''(iii) conducts any activity while physically present in the United States on behalf of the Palestine Liberation Organization or the Palestinian Authority.'';

(B) in paragraph (2), by adding at the end the following: ''Except with respect to payments described in paragraph (1)(A), no court may consider the receipt of any assistance by a nongovernmental organization, whether direct or indirect, as a basis for consent to jurisdiction by a defendant.''; and

(C) by adding at the end the following:

''(3) EXCEPTION FOR CERTAIN ACTIVITIES AND LOCATIONS.—In determining whether a defendant shall be deemed to have consented to personal jurisdiction under paragraph (1)(B), no court may consider—

''(A) any office, headquarters, premises, or other facility or establishment used exclusively for the purpose of conducting official business of the United Nations;

''(B) any activity undertaken exclusively for the purpose of conducting official business of the United Nations;

''(C) any activity involving officials of the United States that the Secretary of State determines is in the national interest of the United States if the Secretary reports to the appropriate congressional committees annually on the use of the authority under this subparagraph;

''(D) any activity undertaken exclusively for the purpose of meetings with officials of the United States or other foreign governments, or participation in training and related activities funded or arranged by the United States Government;

''(E) any activity related to legal representation—

''(i) for matters related to activities described in this paragraph;

''(ii) for the purpose of adjudicating or resolving claims filed in courts of the United States; or

''(iii) to comply with this subsection; or

''(F) any personal or official activities conducted ancillary to activities listed under this paragraph.

''(4) RULE OF CONSTRUCTION.—Notwithstanding any other law (including any treaty), any office, headquarters, premises, or other facility or establishment within the territory of the United States that is not specifically exempted by paragraph (3)(A) shall be considered to be in the United States for purposes of paragraph (1)(B).

''(5) DEFINED TERM.—In this subsection, the term 'defendant' means—

''(A) the Palestinian Authority;

''(B) the Palestine Liberation Organization;

''(C) any organization or other entity that is a successor to or affiliated with the Palestinian Authority or the Palestine Liberation Organization; or

''(D) any organization or other entity that—

''(i) is identified in subparagraph (A), (B), or (C); and

''(ii) self identifies as, holds itself out to be, or carries out conduct in the name of, the 'State of Palestine' or 'Palestine' in connection with official business of the United Nations.''.

(2) PRIOR CONSENT NOT ABROGATED.—The amendments made by this subsection shall not abrogate any consent deemed to have been given under section 2334(e) of title 18, United States Code, as in effect on the day before the date of enactment of this Act.

(d) RULES OF CONSTRUCTION; APPLICABILITY; SEVERABILITY.—

(1) RULES OF CONSTRUCTION.—

(A) IN GENERAL.—This section, and the amendments made by this section, should be liberally construed to carry out the purposes of Congress to provide relief for victims of terrorism.

(B) CASES AGAINST OTHER PERSONS.—Nothing in this section may be construed to affect any law or authority, as in effect on the day before the date of enactment of this Act, relating to a case brought under section 2333(a) of title 18, United States Code, against a person who is not a defendant, as defined in paragraph (5) of section 2334(e) of title 18, United States Code, as added by subsection (c)(1) of this section.

(2) APPLICABILITY.—This section, and the amendments made by this section, shall apply to any case pending on or after August 30, 2016.

(3) SEVERABILITY.—If any provision of this section, an amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this section, the amendments made by this section, and the application of such provisions to any person or circumstance shall not be affected thereby.

SEC. 904. DEBT RELIEF FOR SOMALIA.

(a) DEBT RELIEF.—(1) Of the funds appropriated under titles III and IV of division G of this Act and under such titles in prior Acts making appropriations for the Department of State, foreign operations, and related programs, not to exceed $35,000,000 may be transferred to the ''Department of the Treasury, Debt Restructuring'' account for the same purposes and under the same authorities and conditions (other than the period of availability) as other funds provided under that heading for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, or for the cost of selling, reducing, or cancelling amounts owed to the United States as a result of loans made to Somalia, in the event that Somalia meets the domestic and internationally-agreed conditions and the transfer is consistent with United States law and foreign policy considerations.

(2) For the purposes of this section, no amounts may be transferred from amounts designated for Overseas Contingency Operations/Global War on Terrorism or as emergency requirements pursuant to a concurrent resolution on the budget or section

251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(3) Prior to the initial obligation of funds made available pursuant to this section, the Secretary of State shall submit to the appropriate congressional committees a report on the outcome of the Paris Club meeting on debt cancellation for Somalia, the estimate of amounts needed and over what time period, and the proposed sources of funds to be transferred pursuant to this section: *Provided*, That such funds shall also be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of such committees.

(b) DEBT RESTRUCTURING.—Section 501(i) of title V of H.R. 3425, as enacted into law by section 1000(a)(5) of Public Law 106–113 (113 Stat. 1501A–313), as most recently amended by section 699H(b)(1) of division J of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2372), is further amended by striking ''2000–2010'' and inserting ''2000–2021''.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

DIVISION K—NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN

SEC. 101. SHORT TITLE.

This division may be cited as the ''National Law Enforcement Museum Commemorative Coin Act''.

SEC. 102. FINDINGS.

The Congress finds the following:

(1) In 2000, Congress passed and President William J. Clinton signed into law the National Law Enforcement Museum Act (Public Law 106–492), which authorized the National Law Enforcement Officers Memorial Fund, Inc., to build the National Law Enforcement Museum on Federal land in the District of Columbia to honor and commemorate the service and sacrifice of law enforcement officers in the United States.

(2) In April 2016, construction began on the National Law Enforcement Museum in the District of Columbia across the street from the National Law Enforcement Officers Memorial in Judiciary Square.

(3) The National Law Enforcement Museum formally opened in October of 2018.

(4) The National Law Enforcement Museum's mission is—

(A) to honor and commemorate the extraordinary service and sacrifice of America's law enforcement officers;

(B) to serve as an important bridge between law enforcement's past and present, between the heroes of yesteryear and those who have followed in their footsteps, and between America's peace officers and the public they serve;

(C) increase public understanding and support for law enforcement and to promote law enforcement safety; and

(D) strengthen the relationship between law enforcement and the communities they serve with thought-provoking programs at the Museum and around the country that promote dialogue on topics of current interest.

SEC. 103. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—The Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue the following coin:

(1) $5 GOLD COINS.—Not more than 50,000 $5 coins, which shall—

(A) weigh 8.359 grams;

(B) have a diameter of 0.850 inches; and

(C) contain not less than 90 percent gold.

(2) $1 SILVER COINS.—Not more than 400,000 $1 coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain not less than 90 percent silver.

(3) HALF-DOLLAR CLAD COINS.—Not more than 750,000 half-dollar coins which shall—

(A) weigh 11.34 grams;

(B) have a diameter of 1.205 inches; and

(C) be minted to the specifications for half-dollar coins contained in section 5112(b) of title 31, United States Code.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 104. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the National Law Enforcement Museum and the service and sacrifice of law enforcement officers throughout the history of the United States.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2021''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Commission of Fine Arts and the National Law Enforcement Officers Memorial Fund, Inc.; and

(2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 105. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITIES.—Only one facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2021.

SEC. 106. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in section 107(a) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 107. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued under this Act shall include a surcharge of—

(1) $35 per coin for the $5 coin;

(2) $10 per coin for the $1 coin; and

(3) $5 per coin for the half-dollar coin.

(b) DISTRIBUTION.—Subject to section 5134(f)(1) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the National Law Enforcement Officers Memorial Fund, Inc., for educational and outreach programs and exhibits.

(c) AUDITS.—The National Law Enforcement Officers Memorial Fund, Inc., shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received under subsection (b).

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual two commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

SEC. 108. FINANCIAL ASSURANCES.

The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this Act will not result in any net cost to the United States Government; and

(2) no funds, including applicable surcharges, are disbursed to any recipient designated in section 107 until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

DIVISION L—DHS CYBER HUNT AND INCIDENT RESPONSE TEAMS

SEC. 101. SHORT TITLE.

This division may be cited as the ''DHS Cyber Hunt and Incident Response Teams Act of 2019''.

SEC. 102. DEPARTMENT OF HOMELAND SECURITY CYBER HUNT AND INCIDENT RESPONSE TEAMS.

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659) is amended—

(1) in subsection (d)(1)(B)(iv), by inserting '', including cybersecurity specialists'' after ''entities'';

(2) by redesignating subsections (f) through (m) as subsections (g) through (n), respectively;

(3) by inserting after subsection (e) the following:

''(f) CYBER HUNT AND INCIDENT RESPONSE TEAMS.—

''(1) IN GENERAL.—The Center shall maintain cyber hunt and incident response teams for the purpose of leading Federal asset response activities and providing timely technical assistance to Federal and non-Federal entities, including across all critical infrastructure sectors, regarding actual or potential security incidents, as appropriate and upon request, including—

''(A) assistance to asset owners and operators in restoring services following a cyber incident;

''(B) identification and analysis of cybersecurity risk and unauthorized cyber activity;

''(C) mitigation strategies to prevent, deter, and protect against cybersecurity risks;

''(D) recommendations to asset owners and operators for improving overall network and control systems security to lower cybersecurity risks, and other recommendations, as appropriate; and

''(E) such other capabilities as the Secretary determines appropriate.

''(2) ASSOCIATED METRICS.—The Center shall—

''(A) define the goals and desired outcomes for each cyber hunt and incident response team; and

''(B) develop metrics—

''(i) to measure the effectiveness and efficiency of each cyber hunt and incident response team in achieving the goals and desired outcomes defined under subparagraph (A); and

''(ii) that—

''(I) are quantifiable and actionable; and

''(II) the Center shall use to improve the effectiveness and accountability of, and service delivery by, cyber hunt and incident response teams.

''(3) CYBERSECURITY SPECIALISTS.—After notice to, and with the approval of, the entity requesting action by or technical assistance from the Center, the Secretary may include cybersecurity specialists from the private sector on a cyber hunt and incident response team.''; and

(4) in subsection (g), as so redesignated—

(A) in paragraph (1), by inserting '', or any team or activity of the Center,'' after ''Center''; and

(B) in paragraph (2), by inserting '', or any team or activity of the Center,'' after ''Center''.

(b) REPORT.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Center'' means the national cybersecurity and communications integration center established under section 2209(b) of the Homeland Security Act of 2002 (6 U.S.C. 659(b));

(B) the term ''cyber hunt and incident response team'' means a cyber hunt and incident response team maintained under section 2209(f) of the Homeland Security Act of 2002 (6 U.S.C. 659(f)), as added by this Act; and

(C) the term ''incident'' has the meaning given the term in section 2209(a) of the Homeland Security Act of 2002 (6 U.S.C. 659(a)).

(2) REPORT.—At the conclusion of each of the first 4 fiscal years after the date of enactment of the DHS Cyber Hunt and Incident Response Teams Act of 2019, the Center shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report that includes—

(A) information relating to the metrics used for evaluation and assessment of the cyber hunt and incident response teams and operations under section 2209(f)(2) of the Homeland Security Act of 2002 (6 U.S.C. 659(f)(2)), as added by this Act, including the resources and staffing of those cyber hunt and incident response teams; and

(B) for the period covered by the report—

(i) the total number of incident response requests received;

(ii) the number of incident response tickets opened; and

(iii) a statement of—

(I) all interagency staffing of cyber hunt and incident response teams; and

(II) the interagency collaborations established to support cyber hunt and incident response teams.

(c) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized to be appropriated.

DIVISION M—BIPARTISAN AMERICAN MINERS

SEC. 101. SHORT TITLE.

This division may be cited as the ''Bipartisan American Miners Act of 2019''.

SEC. 102. TRANSFERS TO 1974 UMWA PENSION PLAN.

(a) IN GENERAL.—Subsection (i) of section 402 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232) is amended—

(1) in paragraph (3)(A), by striking ''$490,000,000'' and inserting ''$750,000,000'';

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

''(4) ADDITIONAL AMOUNTS.—

''(A) CALCULATION.—If the dollar limitation specified in paragraph (3)(A) exceeds the aggregate amount required to be transferred under paragraphs (1) and (2) for a fiscal year, the Secretary of the Treasury shall transfer an additional amount equal to the difference between such dollar limitation and such aggregate amount to the trustees of the 1974 UMWA Pension Plan to pay benefits required under that plan.

''(B) CESSATION OF TRANSFERS.—The transfers described in subparagraph (A) shall cease as of the first fiscal year beginning after the first plan year for which the funded percentage (as defined in section 432(j)(2) of the Internal Revenue Code of 1986) of the 1974 UMWA Pension Plan is at least 100 percent.

''(C) PROHIBITION ON BENEFIT INCREASES, ETC.—During a fiscal year in which the 1974 UMWA Pension Plan is receiving transfers under subparagraph (A), no amendment of such plan which increases the liabilities of the plan by reason of any increase in benefits, any change in the accrual of benefits, or any change in the rate at which benefits become nonforfeitable under the plan may be adopted unless the amendment is required as a condition of qualification under part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986.

''(D) CRITICAL STATUS TO BE MAINTAINED.—Until such time as the 1974 UMWA Pension Plan ceases to be eligible for the transfers described in subparagraph (A)—

''(i) the Plan shall be treated as if it were in critical status for purposes of sections 412(b)(3), 432(e)(3), and 4971(g)(1)(A) of the Internal Revenue Code of 1986 and sections 302(b)(3) and 305(e)(3) of the Employee Retirement Income Security Act;

''(ii) the Plan shall maintain and comply with its rehabilitation plan under section 432(e) of such Code and section 305(e) of such Act, including any updates thereto; and

''(iii) the provisions of subsections (c) and (d) of section 432 of such Code and subsections (c) and (d) of section 305 of such Act shall not apply.

''(E) TREATMENT OF TRANSFERS FOR PURPOSES OF WITHDRAWAL LIABILITY UNDER ERISA.—The amount of any transfer made under subparagraph (A) (and any earnings attributable thereto) shall be disregarded in determining the unfunded vested benefits of the 1974 UMWA Pension Plan and the allocation of such unfunded vested benefits to an employer for purposes of determining the employer's withdrawal liability under section 4201 of the Employee Retirement Income Security Act of 1974.

''(F) REQUIREMENT TO MAINTAIN CONTRIBUTION RATE.—A transfer under subparagraph (A) shall not be made for a fiscal year unless the persons that are obligated to contribute to the 1974 UMWA Pension Plan on the date of the transfer are obligated to make the contributions at rates that are no less than those in effect on the date which is 30 days before the date of enactment of the Bipartisan American Miners Act of 2019.

''(G) ENHANCED ANNUAL REPORTING.—

''(i) IN GENERAL.—Not later than the 90th day of each plan year beginning after the date of enactment of the Bipartisan American Miners Act of 2019, the trustees of the 1974 UMWA Pension Plan shall file with the Secretary of the Treasury or the Secretary's delegate and the Pension Benefit Guaranty Corporation a report (including appropriate documentation and actuarial certifications from the plan actuary, as required by the Secretary of the Treasury or the Secretary's delegate) that contains—

''(I) whether the plan is in endangered or critical status under section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 as of the first day of such plan year;

''(II) the funded percentage (as defined in section 432(j)(2) of such Code) as of the first day of such plan year, and the underlying actuarial value of assets and liabilities taken into account in determining such percentage;

''(III) the market value of the assets of the plan as of the last day of the plan year preceding such plan year;

''(IV) the total value of all contributions made during the plan year preceding such plan year;

''(V) the total value of all benefits paid during the plan year preceding such plan year;

''(VI) cash flow projections for such plan year and either the 6 or 10 succeeding plan years, at the election of the trustees, and the assumptions relied upon in making such projections;

''(VII) funding standard account projections for such plan year and the 9 succeeding plan years, and the assumptions relied upon in making such projections;

''(VIII) the total value of all investment gains or losses during the plan year preceding such plan year;

''(IX) any significant reduction in the number of active participants during the plan year preceding such plan year, and the reason for such reduction;

''(X) a list of employers that withdrew from the plan in the plan year preceding such plan year, and the resulting reduction in contributions;

''(XI) a list of employers that paid withdrawal liability to the plan during the plan year preceding such plan year and, for each employer, a total assessment of the withdrawal liability paid, the annual payment amount, and the number of years remaining in the payment schedule with respect to such withdrawal liability;

''(XII) any material changes to benefits, accrual rates, or contribution rates during the plan year preceding such plan year;

''(XIII) any scheduled benefit increase or decrease in the plan year preceding such plan year having a material effect on liabilities of the plan;

''(XIV) details regarding any funding improvement plan or rehabilitation plan and updates to such plan;

''(XV) the number of participants and beneficiaries during the plan year preceding such plan year who are active participants, the number of participants and beneficiaries in pay status, and the number of terminated vested participants and beneficiaries;

''(XVI) the information contained on the most recent annual funding notice submitted by the plan under section 101(f) of the Employee Retirement Income Security Act of 1974;

''(XVII) the information contained on the most recent Department of Labor Form 5500 of the plan; and

''(XVIII) copies of the plan document and amendments, other retirement benefit or ancillary benefit plans relating to the plan and contribution obligations under such plans, a breakdown of administrative expenses of the plan, participant census data and distribution of benefits, the most recent actuarial

valuation report as of the plan year, copies of collective bargaining agreements, and financial reports, and such other information as the Secretary of the Treasury or the Secretary's delegate, in consultation with the Secretary of Labor and the Director of the Pension Benefit Guaranty Corporation, may require.

''(ii) ELECTRONIC SUBMISSION.—The report required under clause (i) shall be submitted electronically.

''(iii) INFORMATION SHARING.—The Secretary of the Treasury or the Secretary's delegate shall share the information in the report under clause (i) with the Secretary of Labor.

''(iv) PENALTY.—Any failure to file the report required under clause (i) on or before the date described in such clause shall be treated as a failure to file a report required to be filed under section 6058(a) of the Internal Revenue Code of 1986, except that section 6652(e) of such Code shall be applied with respect to any such failure by substituting '$100' for '$25'. The preceding sentence shall not apply if the Secretary of the Treasury or the Secretary's delegate determines that reasonable diligence has been exercised by the trustees of such plan in attempting to timely file such report.

''(H) 1974 UMWA PENSION PLAN DEFINED.—For purposes of this paragraph, the term '1974 UMWA Pension Plan' has the meaning given the term in section 9701(a)(3) of the Internal Revenue Code of 1986, but without regard to the limitation on participation to individuals who retired in 1976 and thereafter.''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to fiscal years beginning after September 30, 2016.

(2) REPORTING REQUIREMENTS.—Section 402(i)(4)(G) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(i)(4)(G)), as added by this section, shall apply to plan years beginning after the date of the enactment of this Act.

SEC. 103. INCLUSION IN MULTIEMPLOYER HEALTH BENEFIT PLAN.

Section 402(h)(2)(C) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(h)(2)(C)) is amended—

(1) by striking ''the Health Benefits for Miners Act of 2017'' both places it appears in clause (ii) and inserting ''the Bipartisan American Miners Act of 2019'';

(2) by striking '', would be denied or reduced as a result of a bankruptcy proceeding commenced in 2012 or 2015'' in clause (ii)(II) and inserting ''or a related coal wage agreement, would be denied or reduced as a result of a bankruptcy proceeding commenced in 2012, 2015, 2018, or 2019'';

(3) by striking ''and'' at the end of clause (ii)(I), by striking the period at the end of clause (ii)(II) and inserting ''; and'', and by inserting after clause (ii)(II) the following new subclause:

''(III) the cost of administering the resolution of disputes process administered (as of the date of the enactment of the Bipartisan American Miners Act of 2019) by the Trustees of the Plan.'',

(4) by striking ''January 1, 2017'' in clause (ii) and inserting ''January 1, 2019''; and

(5) by adding at the end the following new clause:

''(vi) RELATED COAL WAGE AGREEMENT.—For purposes of clause (ii), the term 'related coal wage agreement' means an agreement between the United Mine Workers of America and an employer in the bituminous coal industry that—

''(I) is a signatory operator; or

''(II) is or was a debtor in a bankruptcy proceeding that was consolidated, administratively or otherwise, with the bankruptcy proceeding of a signatory operator or a related person to a signatory operator (as those terms are defined in section 9701(c) of the Internal Revenue Code of 1986).''.

SEC. 104. REDUCTION IN MINIMUM AGE FOR ALLOWABLE IN-SERVICE DISTRIBUTIONS.

(a) IN GENERAL.—Section 401(a)(36) of the Internal Revenue Code of 1986 is amended by striking ''age 62'' and inserting ''age 59½''.

(b) APPLICATION TO GOVERNMENTAL SECTION 457(b) PLANS.—Clause (i) of section 457(d)(1)(A) of the Internal Revenue Code of 1986 is amended by inserting ''(in the case of a plan maintained by an employer described in subsection (e)(1)(A), age 59½)'' before the comma at the end.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2019.

DIVISION N—HEALTH AND HUMAN SERVICES EXTENDERS

TITLE I—HEALTH AND HUMAN SERVICES EXTENDERS

Subtitle A—Medicare Provisions

Sec. 101. Extension of the work geographic index floor under the Medicare program.
Sec. 102. Extension of funding for quality measure endorsement, input, and selection.
Sec. 103. Extension of funding outreach and assistance for low-income programs.
Sec. 104. Extension of appropriations to the Patient-Centered Outcomes Research Trust Fund; extension of certain health insurance fees.
Sec. 105. Laboratory Access for Beneficiaries.
Sec. 106. Exclusion of complex rehabilitative manual wheelchairs from medicare competitive acquisition program; non-application of medicare fee-schedule adjustments for certain wheelchair accessories and cushions.
Sec. 107. Extending pass-through status for certain drugs under part B of the Medicare program.
Sec. 108. Hematopoietic stem cell acquisition payments.

Subtitle B—Medicaid Provisions

Sec. 201. Extension of Community Mental Health Services demonstration program.
Sec. 202. Medicaid funding for the territories.
Sec. 203. Delay of DSH reductions.
Sec. 204. Extension of spousal impoverishment protections.
Sec. 205. Extension of the Money Follows the Person rebalancing demonstration program.

Subtitle C—Human Services and Other Health Programs

Sec. 301. Extension of demonstration projects to address health professions workforce needs.
Sec. 302. Extension of the temporary assistance for needy families program and related programs.
Sec. 303. Extension of sexual risk avoidance education program.
Sec. 304. Extension of personal responsibility education program.

Subtitle D—Public Health Provisions

Sec. 401. Extension for community health centers, the national health service corps, and teaching health centers that operate GME programs.
Sec. 402. Diabetes programs.
Sec. 403. Poison Center Network Enhancement.
Sec. 404. Kay Hagan Tick Act.

Subtitle E—Revenue Provisions

Sec. 501. Repeal of medical device excise tax.
Sec. 502. Repeal of annual fee on health insurance providers.
Sec. 503. Repeal of excise tax on high cost employer-sponsored health coverage.

Subtitle F—Miscellaneous Provisions

Sec. 601. Alaska native regional health entities.
Sec. 602. Addressing expiration of child welfare demonstration projects and supporting Family First implementation.
Sec. 603 Minimum age of sale of tobacco products.
Sec. 604. Sale of tobacco products to individuals under the age of 21.
Sec. 605. Biological product definition.
Sec. 606. Protecting access to biological products.
Sec. 607. Streamlining the transition of biological products.
Sec. 608. Reenrollment of certain individuals in qualified health plans in certain Exchanges.
Sec. 609. Protection of silver loading practice.
Sec. 610. Actions for delays of generic drugs and biosimilar biological products.

Subtitle A—Medicare Provisions

SEC. 101. EXTENSION OF THE WORK GEOGRAPHIC INDEX FLOOR UNDER THE MEDICARE PROGRAM.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking ''January 1, 2020'' and inserting ''May 23, 2020''.

SEC. 102. EXTENSION OF FUNDING FOR QUALITY MEASURE ENDORSEMENT, INPUT, AND SELECTION.

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

(1) in the first sentence, by striking ''$1,665,000 for the period beginning on October 1, 2019, and ending on December 20, 2019'' and inserting ''$4,830,000 for the period beginning on October 1, 2019, and ending on May 22, 2020''; and

(2) in the third sentence, by striking ''December 20, 2019,'' and inserting ''May 22, 2020''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (Public Law 116–69).

SEC. 103. EXTENSION OF FUNDING OUTREACH AND ASSISTANCE FOR LOW-INCOME PROGRAMS.

(a) ADDITIONAL FUNDING FOR STATE HEALTH INSURANCE PROGRAMS.—Subsection (a)(1)(B) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note), as amended by section 3306 of the Patient Protection and Affordable Care Act (Public Law 111–148), section 610 of the American Taxpayer Relief Act of 2012 (Public Law 112–240), section 1110 of the Pathway for SGR Reform Act of 2013 (Public Law 113–67), section 110 of the Protecting Access to Medicare Act of 2014 (Public Law 113–93), section 208 of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10), section 50207 of division E of the Bipartisan Budget Act of 2018 (Public Law 115–123), section 1402 of the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Public Law 116–59), and section 1402 of the Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (Public Law 116–69), is amended—

(1) in clause (x), by striking ''and'' at the end;

(2) in clause (xi), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (xi) the following new clause:

''(xii) for the period beginning on December 21, 2019, and ending on May 22, 2020, of $5,485,000.''.

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

(1) in clause (x), by striking ''and'' at the end;

(2) in clause (xi), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (xi) the following new clause:

''(xii) for the period beginning on December 21, 2019, and ending on May 22, 2020, of $3,165,000.''.

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

(1) in clause (x), by striking ''and'' at the end;

(2) in clause (xi), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (xi) the following new clause:

''(xii) for the period beginning on December 21, 2019, and ending on May 22, 2020, of $2,110,000.''.

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

(1) in clause (x), by striking ''and'' at the end;

(2) in clause (xi), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (xi) the following new clause:

''(xii) for the period beginning on December 21, 2019, and ending on May 22, 2020, of $5,063,000.''.

SEC. 104. EXTENSION OF APPROPRIATIONS TO THE PATIENT-CENTERED OUTCOMES RESEARCH TRUST FUND; EXTENSION OF CERTAIN HEALTH INSURANCE FEES.

(a) IN GENERAL.—Section 9511 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting after subparagraph (E) the following new subparagraph:

''(F) For each of fiscal years 2020 through 2029—

''(i) an amount equivalent to the net revenues received in the Treasury from the fees imposed under subchapter B of chapter 34 (relating to fees on health insurance and self-insured plans) for such fiscal year; and

''(ii) the applicable amount (as defined in paragraph (4)) for the fiscal year.''; and

(ii) by striking ''and (E)(ii)'' in the last sentence and inserting ''(E)(ii), and (F)(ii)''; and

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

''(4) APPLICABLE AMOUNT DEFINED.—In paragraph (1)(F)(ii), the term 'applicable amount' means—

''(A) for fiscal year 2020, $275,500,000;

''(B) for fiscal year 2021, $285,000,000;

''(C) for fiscal year 2022, $293,500,000;

''(D) for fiscal year 2023, $311,500,000;

''(E) for fiscal year 2024, $320,000,000;

''(F) for fiscal year 2025, $338,000,000;

''(G) for fiscal year 2026, $355,500,000;

''(H) for fiscal year 2027, $363,500,000;

''(I) for fiscal year 2028, $381,000,000; and

''(J) for fiscal year 2029, $399,000,000.'';

(2) in subsection (d)(2)(A), by striking ''2019'' and inserting ''2029''; and

(3) in subsection (f), by striking ''December 20, 2019'' and inserting ''September 30, 2029''.

(b) HEALTH INSURANCE POLICIES.—Section 4375(e) of the Internal Revenue Code of 1986 is amended by striking ''2019'' and inserting ''2029''.

(c) SELF-INSURED HEALTH PLANS.—Section 4376(e) of the Internal Revenue Code of 1986 is amended by striking ''2019'' and inserting ''2029''.

(d) IDENTIFICATION OF RESEARCH PRIORITIES.—Subsection (d)(1)(A) of section 1181 of the Social Security Act (42 U.S.C. 1320e) is amended by adding at the end the following: ''Such national priorities shall include research with respect to intellectual and developmental disabilities and maternal mortality. Such priorities should reflect a balance between long-term priorities and short-term priorities, and be responsive to changes in medical evidence and in health care treatments.''.

(e) CONSIDERATION OF FULL RANGE OF OUTCOMES DATA.—Subsection (d)(2) of such section 1181 is amended by adding at the end the following subparagraph:

''(F) CONSIDERATION OF FULL RANGE OF OUTCOMES DATA.—Research shall be designed, as appropriate, to take into account and capture the full range of clinical and patient-centered outcomes relevant to, and that meet the needs of, patients, clinicians, purchasers, and policy-makers in making informed health decisions. In addition to the relative health outcomes and clinical effectiveness, clinical and patient-centered outcomes shall include the potential burdens and economic impacts of the utilization of medical treatments, items, and services on different stakeholders and decision-makers respectively. These potential burdens and economic impacts include medical out-of-pocket costs, including health plan benefit and formulary design, non-medical costs to the patient and family, including caregiving, effects on future costs of care, workplace productivity and absenteeism, and healthcare utilization.''.

(f) BOARD COMPOSITION.—Subsection (f) of such section 1181 is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)—

(i) in the matter preceding clause (i)—

(I) by striking ''Seventeen'' and inserting ''At least nineteen, but no more than twenty-one''; and

(II) by striking '', not later than 6 months after the date of enactment of this section,''; and

(ii) in clause (iii), by striking ''3'' and inserting ''at least 3, but no more than 5''; and

(2) in paragraph (3)—

(A) in the first sentence—

(i) by striking the ''the members'' and inserting ''members''; and

(ii) by inserting the following before the period at the end: ''to the extent necessary to preserve the evenly staggered terms of the Board.''; and

(B) by inserting the following after the first sentence: ''Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed for the remainder of that term and thereafter may be eligible for reappointment to a full term. A member may serve after the expiration of that member's term until a successor has been appointed.''.

(g) METHODOLOGY COMMITTEE APPOINTMENTS.—Such section 1181 is amended—

(1) in subsection (d)(6)(B), by striking ''Comptroller General of the United States'' and inserting ''Board''; and

(2) in subsection (h)(4)—

(A) in subparagraph (A)(ii), by striking ''Comptroller General'' and inserting ''Board''; and

(B) in the first sentence of subparagraph (B), by striking ''and of the Government Accountability Office''.

(h) REPORTS BY THE COMPTROLLER GENERAL OF THE UNITED STATES.—Subsection (g)(2)(A) of such section 1181 is amended—

(1) by striking clause (iv) and inserting the following:

''(iv) Not less frequently than every 5 years, the overall effectiveness of activities conducted under this section and the dissemination, training, and capacity building activities conducted under section 937 of the Public Health Service Act. Such review shall include the following:

''(I) A description of those activities and the financial commitments related to research, training, data capacity building, and dissemination and uptake of research findings.

''(II) The extent to which the Institute and the Agency for Healthcare Research and Quality have collaborated with stakeholders, including provider and payer organizations, to facilitate the dissemination and uptake of research findings.

''(III) An analysis of available data and performance metrics, such as the estimated public availability and dissemination of research findings and uptake and utilization of research findings in clinical guidelines and decision support tools, on the extent to which such research findings are used by health care decision-makers, the effect of the dissemination of such findings on changes in medical practice and reducing practice variation and disparities in health care, and the effect of the research conducted and disseminated on innovation and the health care economy of the United States.''; and

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

''(vi) Not less frequently than every 5 years, any barriers that researchers funded by the Institute have encountered in conducting studies or clinical trials, including challenges covering the cost of any medical treatments, services, and items described in subsection (a)(2)(B) for purposes of the research study.''.

SEC. 105. LABORATORY ACCESS FOR BENEFICIARIES.

(a) AMENDMENTS RELATING TO REPORTING REQUIREMENTS WITH RESPECT TO CLINICAL DIAGNOSTIC LABORATORY TESTS.—

(1) REVISED REPORTING PERIOD FOR REPORTING OF PRIVATE SECTOR PAYMENT RATES FOR ESTABLISHMENT OF MEDICARE PAYMENT RATES.—Section 1834A(a) of the Social Security Act (42 U.S.C. 1395m–1(a)) is amended—

(A) in paragraph (1)—

(i) by striking ''Beginning January 1, 2016'' and inserting the following:

''(A) GENERAL REPORTING REQUIREMENTS.—Subject to subparagraph (B), beginning January 1, 2016'';

(ii) in subparagraph (A), as added by subparagraph (A) of this paragraph, by inserting ''(referred to in this subsection as the 'reporting period')'' after ''at a time specified by the Secretary''; and

(iii) by adding at the end the following:

''(B) REVISED REPORTING PERIOD.—In the case of reporting with respect to clinical diagnostic laboratory tests that are not advanced diagnostic laboratory tests, the Secretary shall revise the reporting period under subparagraph (A) such that—

''(i) no reporting is required during the period beginning January 1, 2020, and ending December 31, 2020;

''(ii) reporting is required during the period beginning January 1, 2021, and ending March 31, 2021; and

''(iii) reporting is required every three years after the period described in clause (ii).''; and

(B) in paragraph (4)—

(i) by striking ''In this section'' and inserting the following:

''(A) IN GENERAL.—Subject to subparagraph (B), in this section''; and

(ii) by adding at the end the following:

''(B) EXCEPTION.—In the case of the reporting period described in paragraph (1)(B)(ii) with respect to clinical diagnostic laboratory tests that are not advanced diagnostic laboratory tests, the term 'data collection period' means the period beginning January 1, 2019, and ending June 30, 2019.''.

(2) CORRECTIONS RELATING TO PHASE-IN OF REDUCTIONS FROM PRIVATE PAYOR RATE IMPLEMENTATION.—Section 1834A(b)(3) of the Social Security Act (42 U.S.C. 1395m–1(b)(3)) is amended—

(A) in subparagraph (A), by striking ''through 2022'' and inserting ''through 2023''; and

(B) in subparagraph (B)—

(i) in clause (i), by striking ''through 2019'' and inserting ''through 2020''; and

(ii) in clause (ii), by striking ''2020 through 2022'' and inserting ''2021 through 2023''.

(b) STUDY AND REPORT BY MEDPAC.—

(1) IN GENERAL.—The Medicare Payment Advisory Commission (in this subsection referred to as the ''Commission'') shall conduct a study to review the methodology the Administrator of the Centers for Medicare & Medicaid Services has implemented for the private payor rate-based clinical laboratory fee schedule under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(2) SCOPE OF STUDY.—In carrying out the study described in paragraph (1), the Commission shall consider the following:

(A) How best to implement the least burdensome data collection process required under section 1834A(a)(1) of such Act (42 U.S.C. 1395m–1(a)(1)) that would—

(i) result in a representative and statistically valid data sample of private market rates from all laboratory market segments, including hospital outreach laboratories, physician office laboratories, and independent laboratories; and

(ii) consider the variability of private payor payment rates across market segments.

(B) Appropriate statistical methods for estimating rates that are representative of the market.

(3) REPORT TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Commission shall submit to the Administrator, the Committee on Finance of the Senate, and the Committees on Ways and Means and Energy and Commerce of the House of Representatives a report that includes—

(A) conclusions about the methodology described in paragraph (1); and

(B) any recommendations the Commission deems appropriate.

SEC. 106. EXCLUSION OF COMPLEX REHABILITATIVE MANUAL WHEELCHAIRS FROM MEDICARE COMPETITIVE ACQUISITION PROGRAM; NON-APPLICATION OF MEDICARE FEE-SCHEDULE ADJUSTMENTS FOR CERTAIN WHEELCHAIR ACCESSORIES AND CUSHIONS.

(a) EXCLUSION OF COMPLEX REHABILITATIVE MANUAL WHEELCHAIRS FROM COMPETITIVE ACQUISITION PROGRAM.—Section 1847(a)(2)(A) of the Social Security Act (42 U.S.C. 1395w–3(a)(2)(A)) is amended—

(1) by inserting '', complex rehabilitative manual wheelchairs (as determined by the Secretary), and certain manual wheelchairs (identified, as of October 1, 2018, by HCPCS codes E1235, E1236, E1237, E1238, and K0008 or any successor to such codes)'' after ''group 3 or higher''; and

(2) by striking ''such wheelchairs'' and inserting ''such complex rehabilitative power wheelchairs, complex rehabilitative manual wheelchairs, and certain manual wheelchairs''.

(b) NON-APPLICATION OF MEDICARE FEE SCHEDULE ADJUSTMENTS FOR WHEELCHAIR ACCESSORIES AND SEAT AND BACK CUSHIONS WHEN FURNISHED IN CONNECTION WITH COMPLEX REHABILITATIVE MANUAL WHEELCHAIRS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not, during the period beginning on January 1, 2020, and ending on June 30, 2021, use information on the payment determined under the competitive acquisition programs under section 1847 of the Social Security Act (42 U.S.C. 1395w–3) to adjust the payment amount that would otherwise be recognized under section 1834(a)(1)(B)(ii) of such Act (42 U.S.C. 1395m(a)(1)(B)(ii)) for wheelchair accessories (including seating systems) and seat and back cushions when furnished in connection with complex rehabilitative manual wheelchairs (as determined by the Secretary), and certain manual wheelchairs (identified, as of October 1, 2018, by HCPCS codes E1235, E1236, E1237, E1238, and K0008 or any successor to such codes).

(2) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement this subsection by program instruction or otherwise.

SEC. 107. EXTENDING PASS-THROUGH STATUS FOR CERTAIN DRUGS UNDER PART B OF THE MEDICARE PROGRAM.

(a) IN GENERAL.—Section 1833(t)(6) of the Social Security Act (42 U.S.C. 1395l(t)(6)) is amended—

(1) in subparagraph (E)(i), by striking ''2018'' and inserting ''2018 or 2020''; and

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

''(J) ADDITIONAL PASS-THROUGH EXTENSION AND SPECIAL PAYMENT ADJUSTMENT RULE FOR CERTAIN DIAGNOSTIC RADIOPHARMACEUTICALS.—In the case of a drug or biological furnished in the context of a clinical study on diagnostic imaging tests approved under a coverage with evidence development determination whose period of pass-through status under this paragraph concluded on December 31, 2018, and for which payment under this subsection was packaged into a payment for a covered OPD service (or group of services) furnished beginning January 1, 2019, the Secretary shall—

''(i) extend such pass-through status for such drug or biological for the 9-month period beginning on January 1, 2020;

''(ii) remove, during such period, the packaged costs of such drug or biological (as determined by the Secretary) from the payment amount under this subsection for the covered OPD service (or group of services) with which it is packaged; and

''(iii) not make any adjustments to payment amounts under this subsection for a covered OPD service (or group of services) for which no costs were removed under clause (ii).''.

(b) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Service may implement the amendments made by subsection (a) by program instruction or otherwise.

SEC. 108. HEMATOPOIETIC STEM CELL ACQUISITION PAYMENTS.

Section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended—

(1) in subsection (a)(4), in the second sentence, by inserting ''for cost reporting periods beginning on or after October 1, 2020, costs related to hematopoietic stem cell acquisition for the purpose of an allogeneic hematopoietic stem cell transplant (as described in subsection (d)(5)(M)),'' after ''October 1, 1987),'';

(2) in subsection (d)—

(A) in paragraph (4)(C)(iii)—

(i) by inserting ''or payments under paragraph (5)(M) (beginning with fiscal year 2021)'' after ''fiscal year 1991)''; and

(ii) by inserting ''or payments under paragraph (5)(M)'' before the period at the end; and

(B) in paragraph (5), by adding at the end the following new subparagraph:

''(M)(i) For cost reporting periods beginning on or after October 1, 2020, in the case of a subsection (d) hospital that furnishes an allogeneic hematopoietic stem cell transplant to an individual during such a period, payment to such hospital for hematopoietic stem cell acquisition shall be made on a reasonable cost basis. The items included in such hematopoietic stem cell acquisition shall be specified by the Secretary through rulemaking.

''(ii) For purposes of this subparagraph, the term 'allogeneic hematopoietic stem cell transplant' means, with respect to an individual, the intravenous infusion of hematopoietic cells derived from bone marrow, peripheral blood stem cells, or cord blood, but not including embryonic stem cells, of a donor to an individual that are or may be used to restore hematopoietic function in such individual having an inherited or acquired deficiency or defect.''.

Subtitle B—Medicaid Provisions

SEC. 201. EXTENSION OF COMMUNITY MENTAL HEALTH SERVICES DEMONSTRATION PROGRAM.

Section 223(d)(3) of the Protecting Access to Medicare Act of 2014 (42 U.S.C. 1396a note) is amended by striking ''December 20, 2019'' and inserting ''May 22, 2020''.

SEC. 202. MEDICAID FUNDING FOR THE TERRITORIES.

(a) TREATMENT OF CAP.—Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''subject to and section 1323(a)(2) of the Patient Protection and Affordable Care Act paragraphs (3) and (5)'' and inserting ''subject to section 1323(a)(2) of the Patient Protection and Affordable Care Act and paragraphs (3) and (5)'';

(B) in subparagraph (A)—

(i) by striking ''Puerto Rico shall not exceed the sum of'' and inserting ''Puerto Rico shall not exceed—

''(i) except as provided in clause (ii), the sum of'';

(ii) by striking ''$100,000;'' and inserting ''$100,000; and''; and

(iii) by adding at the end the following new clause:

''(ii) for each of fiscal years 2020 through 2021, the amount specified in paragraph (6) for each such fiscal year;'';

(C) in subparagraph (B)—

(i) by striking ''the Virgin Islands shall not exceed the sum of'' and inserting ''the Virgin Islands shall not exceed—

''(i) except as provided in clause (ii), the sum of'';

(ii) by striking ''$10,000;'' and inserting ''$10,000; and''; and

(iii) by adding at the end the following new clause:

''(ii) for each of fiscal years 2020 through 2021, $126,000,000;'';

(D) in subparagraph (C)—

(i) by striking ''Guam shall not exceed the sum of'' and inserting ''Guam shall not exceed—

''(i) except as provided in clause (ii), the sum of'';

(ii) by striking ''$10,000;'' and inserting ''$10,000; and''; and

(iii) by adding at the end the following new clause:

''(ii) for each of fiscal years 2020 through 2021, $127,000,000;'';

(E) in subparagraph (D)—

(i) by striking ''the Northern Mariana Islands shall not exceed the sum of'' and inserting ''the Northern Mariana Islands shall not exceed—

''(i) except as provided in clause (ii), the sum of''; and

(ii) by adding at the end the following new clause:

''(ii) for each of fiscal years 2020 through 2021, $60,000,000; and'';

(F) in subparagraph (E)—

(i) by striking ''American Samoa shall not exceed the sum of'' and inserting ''American Samoa shall not exceed—

''(i) except as provided in clause (ii), the sum of'';

(ii) by striking ''$10,000.'' and inserting ''$10,000; and''; and

(iii) by adding at the end the following new clause:

''(ii) for each of fiscal years 2020 through 2021, $84,000,000.''; and

(G) by adding at the end the following flush sentence:

''For each fiscal year after fiscal year 2021, the total amount certified for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa under subsection (f) and this subsection for the fiscal year shall be determined as if the preceding subparagraphs were applied to each of fiscal years 2020 through 2021 without regard to clause (ii) of each such subparagraph.''; and

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

''(6) APPLICATION TO PUERTO RICO FOR FISCAL YEARS 2020 THROUGH 2021.—

''(A) IN GENERAL.—Subject to subparagraph (B), the amount specified in this paragraph is—

''(i) for fiscal year 2020, $2,623,188,000; and

''(ii) for fiscal year 2021, $2,719,072,000.

''(B) ADDITIONAL INCREASE FOR PUERTO RICO.—

''(i) IN GENERAL.—For each of fiscal years 2020 through 2021, the amount specified in this paragraph for the fiscal year shall be equal to the amount specified for such fiscal year under subparagraph (A) increased by $200,000,000 if the Secretary certifies that, with respect to such fiscal year, Puerto Rico's State plan under title XIX (or a waiver of such plan) establishes a reimbursement floor, implemented through a directed payment arrangement plan, for physician services that are covered under the Medicare part B fee schedule in the Puerto Rico locality established under section 1848(b) that is not less than 70 percent of the payment that would apply to such services if they were furnished under part B of title XVIII during such fiscal year.

''(ii) APPLICATION TO MANAGED CARE.—In certifying whether Puerto Rico has established a reimbursement floor under a directed payment arrangement plan that satisfies the requirements of clause (i)—

''(I) for fiscal year 2020, the Secretary shall apply such requirements to payments for physician services under a managed care contract entered into or renewed after the date of enactment of this paragraph and disregard payments for physician services under any managed care contract that was entered into prior to such date; and

''(II) for each of fiscal years 2020 through 2021—

''(aa) the Secretary shall disregard payments made under sub-capitated arrangements for services such as primary care case management; and

''(bb) if the reimbursement floor for physician services applicable under a managed care contract satisfies the requirements of clause (i) for the fiscal year in which the contract is entered into or renewed, such reimbursement floor shall be deemed to satisfy such requirements for the subsequent fiscal year.

''(7) PUERTO RICO PROGRAM INTEGRITY REQUIREMENTS.—

''(A) IN GENERAL.—

''(i) PROGRAM INTEGRITY LEAD.—Not later than 6 months after the date of enactment of this paragraph, the agency responsible for the administration of Puerto Rico's Medicaid program under title XIX shall designate an officer (other than the director of such agency) to serve as the Program Integrity Lead for such program.

''(ii) PERM REQUIREMENT.—Not later than 18 months after the date of enactment of this paragraph, Puerto Rico shall publish a plan, developed by Puerto Rico in coordination with the Administrator of the Centers for Medicare & Medicaid Services and approved by the Administrator, for how Puerto Rico will develop measures to satisfy the payment error rate measurement (PERM) requirements under subpart Q of part 431 of title 42, Code of Federal Regulations (or any successor regulation).

''(iii) CONTRACTING REFORM.—Not later than 12 months after the date of enactment of this paragraph, Puerto Rico shall publish a contracting reform plan to combat fraudulent, wasteful, or abusive contracts under Puerto Rico's Medicaid program under title XIX that includes—

''(I) metrics for evaluating the success of the plan; and

''(II) a schedule for publicly releasing status reports on the plan.

''(iv) MEQC.—Not later than 18 months after the date of enactment of this paragraph, Puerto Rico shall publish a plan, developed by Puerto Rico in coordination with the Administrator of the Centers for Medicare & Medicaid Services and approved by the Administrator, for how Puerto Rico will comply with the Medicaid eligibility quality control (MEQC) requirements of subpart P of part 431 of title 42, Code of Federal Regulations (or any successor regulation).

''(B) FMAP REDUCTION FOR FAILURE TO MEET ADDITIONAL REQUIREMENTS.—

''(i) IN GENERAL.—For each fiscal quarter during the period beginning on January 1, 2020, and ending on September 30, 2021:

''(I) For every clause under subparagraph (A) with respect to which Puerto Rico does not fully satisfy the requirements described in the clause (including requirements imposed under the terms of a plan described in the clause) in the fiscal quarter, the Federal medical assistance percentage applicable to Puerto Rico under section 1905(ff) shall be reduced by the number of percentage points determined for the clause and fiscal quarter under subclause (II).

''(II) The number of percentage points determined under this subclause with respect to a clause under subparagraph (A) and a fiscal quarter shall be the number of percentage points (not to exceed 2.5 percentage points) equal to—

''(aa) 0.25 percentage points; multiplied by

''(bb) the total number of consecutive fiscal quarters for which Puerto Rico has not fully satisfied the requirements described in such clause.

''(ii) EXCEPTION FOR EXTENUATING CIRCUMSTANCES OR REASONABLE PROGRESS.—For purposes of clause (i), Puerto Rico shall be deemed to have fully satisfied the requirements of a clause under subparagraph (A) (including requirements imposed under the terms of a plan described in the clause) for a fiscal quarter if—

''(I) the Secretary approves an application from Puerto Rico describing extenuating circumstances that prevented Puerto Rico from fully satisfying the requirements of the clause; or

''(II) in the case of a requirement imposed under the terms of a plan described in a clause under subparagraph (A), Puerto Rico has made objectively reasonable progress towards satisfying such terms and has submitted a timely request for an exception to the imposition of a penalty to the Secretary.

''(8) PROGRAM INTEGRITY LEAD REQUIREMENT FOR THE VIRGIN ISLANDS, GUAM, THE NORTHERN MARIANA ISLANDS, AND AMERICAN SAMOA.—

''(A) PROGRAM INTEGRITY LEAD REQUIREMENT.—Not later than October 1, 2020, the agency responsible for the administration of the Medicaid program under title XIX of each territory specified in subparagraph (C) shall designate an officer (other than the director of such agency) to serve as the Program Integrity Lead for such program.

''(B) FMAP REDUCTION.—For each fiscal quarter during fiscal year 2021, if the territory fails to satisfy the requirement of subparagraph (A) for the fiscal quarter, the Federal medical assistance percentage applicable to the territory under section 1905(ff) for such fiscal quarter shall be reduced by the number of percentage points (not to exceed 5 percentage points) equal to—

''(i) 0.25 percentage points; multiplied by

''(ii) the total number of fiscal quarters during the fiscal year in which the territory failed to satisfy such requirement.

''(C) SCOPE.—This paragraph shall apply to the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa.''.

(b) TREATMENT OF FUNDING UNDER ENHANCED ALLOTMENT PROGRAM.—Section 1935(e) of the Social Security Act (42 U.S.C. 1396u–5(e)) is amended—

(1) in paragraph (1)(B), by striking ''if the State'' and inserting ''subject to paragraph (4), if the State'';

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

''(4) TREATMENT OF FUNDING FOR CERTAIN FISCAL YEARS.—Notwithstanding paragraph (1)(B), in the case that Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, or American Samoa establishes and submits to the Secretary a plan described in paragraph (2) with respect to any of fiscal years 2020 through 2021, the amount specified for such a year in paragraph (3) for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, or American Samoa, as the case may be, shall be taken into account in applying, as applicable, subparagraph (A)(ii), (B)(ii), (C)(ii), (D)(ii), or (E)(ii) of section 1108(g)(2) for such year.''.

(c) INCREASED FMAP.—Subsection (ff) of section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended to read as follows:

''(ff) TEMPORARY INCREASE IN FMAP FOR TERRITORIES FOR CERTAIN FISCAL YEARS.—Notwithstanding subsection (b) or (z)(2)—

''(1) for the period beginning October 1, 2019, and ending December 20, 2019, the Federal medical assistance percentage for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa shall be equal to 100 percent;

''(2) subject to section 1108(g)(7)(C), for the period beginning December 21, 2019, and ending September 30, 2021, the Federal medical assistance percentage for Puerto Rico shall be equal to 76 percent; and

''(3) subject to section 1108(g)(8)(B), for the period beginning December 21, 2019, and ending September 30, 2021, the Federal medical assistance percentage for the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa shall be equal to 83 percent.''.

(d) ANNUAL REPORT.—Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)), as

amended by subsection (a), is further amended by adding at the end the following new paragraph:

''(9) ANNUAL REPORT.—

''(A) IN GENERAL.—Not later than the date that is 30 days after the end of each fiscal year (beginning with fiscal year 2020 and ending with fiscal year 2021), in the case that a specified territory receives a Medicaid cap increase, or an increase in the Federal medical assistance percentage for such territory under section 1905(ff), for such fiscal year, such territory shall submit to the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives and the Chair and Ranking Member of the Committee on Finance of the Senate a report, employing the most up-to-date information available, that describes how such territory has used such Medicaid cap increase, or such increase in the Federal medical assistance percentage, as applicable, to increase access to health care under the State Medicaid plan of such territory under title XIX (or a waiver of such plan). Such report may include—

''(i) the extent to which such territory has, with respect to such plan (or waiver)—

''(I) increased payments to health care providers;

''(II) increased covered benefits;

''(III) expanded health care provider networks; or

''(IV) improved in any other manner the carrying out of such plan (or waiver); and

''(ii) any other information as determined necessary by such territory.

''(B) DEFINITIONS.—In this paragraph:

''(i) MEDICAID CAP INCREASE.—The term 'Medicaid cap increase' means, with respect to a specified territory and fiscal year, any increase in the amounts otherwise determined under this subsection for such territory for such fiscal year by reason of the amendments made by section 202 of division N of the Further Consolidated Appropriations Act, 2020.

''(ii) SPECIFIED TERRITORY.—The term 'specified territory' means Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa.''.

(e) APPLICATION OF CERTAIN DATA REPORTING AND PROGRAM INTEGRITY REQUIREMENTS TO NORTHERN MARIANA ISLANDS, AMERICAN SAMOA, AND GUAM.—

(1) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by adding at the end the following new subsection:

''(qq) APPLICATION OF CERTAIN DATA REPORTING AND PROGRAM INTEGRITY REQUIREMENTS TO NORTHERN MARIANA ISLANDS, AMERICAN SAMOA, AND GUAM.—

''(1) IN GENERAL.—Not later than October 1, 2021, the Northern Mariana Islands, American Samoa, and Guam shall—

''(A) demonstrate progress in implementing methods, satisfactory to the Secretary, for the collection and reporting of reliable data to the Transformed Medicaid Statistical Information System (T–MSIS) (or a successor system); and

''(B) demonstrate progress in establishing a State medicaid fraud control unit described in section 1903(q).

''(2) DETERMINATION OF PROGRESS.—For purposes of paragraph (1), the Secretary shall deem that a territory described in such paragraph has demonstrated satisfactory progress in implementing methods for the collection and reporting of reliable data or establishing a State medicaid fraud control unit if the territory has made a good faith effort to implement such methods or establish such a unit, given the circumstances of the territory.''.

(2) CONFORMING AMENDMENT.—Section 1902(j) of the Social Security Act (42 U.S.C. 1396a(j)) is amended—

(A) by striking ''or the requirement'' and inserting '', the requirement''; and

(B) by inserting before the period at the end the following: '', or the requirement under subsection (qq)(1) (relating to data reporting)''.

(3) REEVALUATION OF WAIVERS OF MEDICAID FRAUD CONTROL UNIT REQUIREMENT.—

(A) IN GENERAL.—Not later than the date that is 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall reevaluate any waiver approved (and in effect as of the date of enactment of this Act) for Guam, the Northern Mariana Islands, or American Samoa under subsection (a)(61) or subsection (j) of section 1902 of the Social Security Act (42 U.S.C.1396a) with respect to the requirement to establish a State medicaid fraud control unit (as described in section 1903(q) of such Act (42 U.S.C. 1396b(q))).

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as requiring the Secretary of Health and Human Services to terminate or refuse to extend a waiver described in subparagraph (A).

(f) ADDITIONAL PROGRAM INTEGRITY REQUIREMENTS.—

(1) DEFINITIONS.—In this subsection:

(A) INSPECTOR GENERAL.—The term ''Inspector General'' means the Inspector General of the Department of Health and Human Services.

(B) PUERTO RICO'S MEDICAID PROGRAM.—The term ''Puerto Rico's Medicaid program'' means, collectively, Puerto Rico's State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and any waiver of such plan.

(2) REPORT ON CONTRACTING OVERSIGHT AND APPROVAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall issue, and submit to the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives and the Chair and Ranking Member of the Committee on Finance of the Senate, a report on contracting oversight and approval with respect to Puerto Rico's State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (or a waiver of such plan). Such report shall—

(A) examine—

(i) the process used by Puerto Rico to evaluate bids and award contracts under such plan (or waiver);

(ii) which contracts are not subject to competitive bidding or requests for proposals under such plan (or waiver); and

(iii) oversight by the Centers for Medicare & Medicaid Services of contracts awarded under such plan (or waiver); and

(B) include any recommendations for Congress, the Secretary of Health and Human Services, or Puerto Rico relating to changes that the Comptroller General determines necessary to improve the program integrity of such plan (or waiver).

(3) AUDITS OF MANAGED CARE PAYMENTS.—Not later than the date that is 1 year after the date of enactment of this Act, the Inspector General shall develop and submit to Congress—

(A) a report identifying payments made under Puerto Rico's Medicaid program to managed care organizations that the Inspector General determines to be at high risk for waste, fraud, or abuse; and

(B) a plan for auditing and investigating such payments.

(4) SYSTEM FOR TRACKING FEDERAL FUNDING PROVIDED TO PUERTO RICO; MEDICAID AND CHIP SCORECARD REPORTING.—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as amended by subsection (e), is further amended by adding at the end the following new subsection:

''(rr) PROGRAM INTEGRITY REQUIREMENTS FOR PUERTO RICO.—

''(1) SYSTEM FOR TRACKING FEDERAL MEDICAID FUNDING PROVIDED TO PUERTO RICO.—

''(A) IN GENERAL.—Puerto Rico shall establish and maintain a system, which may include the use of a quarterly Form CMS–64, for tracking any amounts paid by the Federal Government to Puerto Rico with respect to the State plan of Puerto Rico (or a waiver of such plan). Under such system, Puerto Rico shall ensure that information is available, with respect to each quarter in a fiscal year (beginning with the first quarter beginning on or after the date that is 1 year after the date of the enactment of this subsection), on the following:

''(i) In the case of a quarter other than the first quarter of such fiscal year—

''(I) the total amount expended by Puerto Rico during any previous quarter of such fiscal year under the State plan of Puerto Rico (or a waiver of such plan); and

''(II) a description of how such amount was so expended.

''(ii) The total amount that Puerto Rico expects to expend during the quarter under the State plan of Puerto Rico (or a waiver of such plan), and a description of how Puerto Rico expects to expend such amount.

''(B) REPORT TO CMS.—For each quarter with respect to which Puerto Rico is required under subparagraph (A) to ensure that information described in such subparagraph is available, Puerto Rico shall submit to the Administrator of the Centers for Medicare & Medicaid Services a report on such information for such quarter, which may include the submission of a quarterly Form CMS–37.

''(2) SUBMISSION OF DOCUMENTATION ON CONTRACTS UPON REQUEST.—Puerto Rico shall, upon request, submit to the Administrator of the Centers for Medicare & Medicaid Services all documentation requested with respect to contracts awarded under the State plan of Puerto Rico (or a waiver of such plan).

''(3) REPORTING ON MEDICAID AND CHIP SCORECARD MEASURES.—Beginning 12 months after the date of enactment of this subsection, Puerto Rico shall begin to report to the Administrator of the Centers for Medicare & Medicaid Services on selected measures included in the Medicaid and CHIP Scorecard developed by the Centers for Medicare & Medicaid Services.''.

(5) APPROPRIATION.—Out of any funds in the Treasury not otherwise appropriated, there is appropriated to the Secretary of Health and Human Services $5,000,000 for each of fiscal years 2020 through 2021 to carry out this subsection.

SEC. 203. DELAY OF DSH REDUCTIONS.

Section 1923(f)(7)(A) of the Social Security Act (42 U.S.C. 1396r–4(f)(7)(A)) is amended by striking ''December 21, 2019'' each place it appears and inserting ''May 23, 2020''.

SEC. 204. EXTENSION OF SPOUSAL IMPOVERISHMENT PROTECTIONS.

(a) IN GENERAL.—Section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) is amended by striking ''December 31, 2019'' and inserting ''May 22, 2020''.

(b) RULE OF CONSTRUCTION.—Nothing in section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) or section 1902(a)(17) or 1924 of the Social Security Act (42 U.S.C. 1396a(a)(17), 1396r–5) shall be construed as prohibiting a State from—

(1) applying an income or resource disregard under a methodology authorized under section 1902(r)(2) of such Act (42 U.S.C. 1396a(r)(2))—

(A) to the income or resources of an individual described in section

1902(a)(10)(A)(ii)(VI) of such Act (42 U.S.C. 1396a(a)(10)(A)(ii)(VI)) (including a disregard of the income or resources of such individual's spouse); or

(B) on the basis of an individual's need for home and community-based services authorized under subsection (c), (d), (i), or (k) of section 1915 of such Act (42 U.S.C. 1396n) or under section 1115 of such Act (42 U.S.C. 1315); or

(2) disregarding an individual's spousal income and assets under a plan amendment to provide medical assistance for home and community-based services for individuals by reason of being determined eligible under section 1902(a)(10)(C) of such Act (42 U.S.C. 1396a(a)(10)(C)) or by reason of section 1902(f) of such Act (42 U.S.C. 1396a(f)) or otherwise on the basis of a reduction of income based on costs incurred for medical or other remedial care under which the State disregarded the income and assets of the individual's spouse in determining the initial and ongoing financial eligibility of an individual for such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396r–5).

SEC. 205. EXTENSION OF THE MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION PROGRAM.

Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (1)—

(A) in subparagraph (E), by striking ''and'' after the semicolon;

(B) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(G) subject to paragraph (3), $176,000,000 for the period beginning on January 1, 2020, and ending on May 22, 2020.''; and

(2) in paragraph (3)—

(A) in the paragraph header, by striking ''FOR FY 2019''; and

(B) by striking ''paragraph (1)(F)'' and inserting ''subparagraphs (F) and (G) of paragraph (1)''.

Subtitle C—Human Services and Other Health Programs

SEC. 301. EXTENSION OF DEMONSTRATION PROJECTS TO ADDRESS HEALTH PROFESSIONS WORKFORCE NEEDS.

Activities authorized by section 2008 of the Social Security Act shall continue through May 22, 2020, in the manner authorized for fiscal year 2019, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the date so specified at the pro rata portion of the total amount authorized for such activities in fiscal year 2019.

SEC. 302. EXTENSION OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM AND RELATED PROGRAMS.

Activities authorized by part A of title IV and section 1108(b) of the Social Security Act shall continue through May 22, 2020, in the manner authorized for fiscal year 2019, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

SEC. 303. EXTENSION OF SEXUAL RISK AVOIDANCE EDUCATION PROGRAM.

Section 510 of the Social Security Act (42 U.S.C. 710) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''December 20, 2019'' and inserting ''May 22, 2020'';

(B) in paragraph (2)(A), by striking ''December 20, 2019'' and inserting ''May 22, 2020''; and

(2) in subsection (f)(1), by striking ''$16,643,836 for the period beginning October 1, 2019, and ending December 20, 2019'' and inserting ''$48,287,671 for the period beginning October 1, 2019, and ending May 22, 2020''.

SEC. 304. EXTENSION OF PERSONAL RESPONSIBILITY EDUCATION PROGRAM.

Section 513 of the Social Security Act (42 U.S.C. 713) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), in the matter preceding clause (i), by striking ''December 20, 2019'' and inserting ''May 22, 2020'';

(B) in subparagraph (B)(i), by striking by striking ''December 20, 2019'' and inserting ''May 22, 2020''; and

(2) in subsection (f), by striking ''$16,643,836 for the period beginning October 1, 2019, and ending December 20, 2019'' and inserting ''$48,287,671 for the period beginning October 1, 2019, and ending May 22, 2020''.

Subtitle D—Public Health Provisions

SEC. 401. EXTENSION FOR COMMUNITY HEALTH CENTERS, THE NATIONAL HEALTH SERVICE CORPS, AND TEACHING HEALTH CENTERS THAT OPERATE GME PROGRAMS.

(a) COMMUNITY HEALTH CENTERS.—Section 10503(b)(1)(F) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(1)(F)) is amended by—

(1) striking ''$887,671,223'' and inserting ''$2,575,342,466''; and

(2) striking ''December 20, 2019'' and inserting ''May 22, 2020''.

(b) NATIONAL HEALTH SERVICE CORPS.—Section 10503(b)(2)(G) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(2)(G)) is amended—

(1) by striking ''$68,794,521'' and inserting ''$199,589,041''; and

(2) by striking ''December 20, 2019'' and inserting ''May 22, 2020''.

(c) TEACHING HEALTH CENTERS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS.—Section 340H(g)(1) of the Public Health Service Act (42 U.S.C. 256h(g)(1)) is amended—

(1) by striking ''$28,072,603'' and inserting ''$81,445,205''; and

(2) by striking ''December 20, 2019'' and inserting ''May 22, 2020''.

(d) APPLICATION OF PROVISIONS.—Amounts appropriated pursuant to the amendments made by this section for the period beginning on October 1, 2019, and ending on May 22, 2020, shall be subject to the requirements contained in Public Law 115–245 for funds for programs authorized under sections 330 through 340 of the Public Health Service Act (42 U.S.C. 254 through 256).

(e) CONFORMING AMENDMENT.—Paragraph (4) of section 3014(h) of title 18, United States Code, as amended by section 1101(e) of division B of Public Law 116–69, is amended by striking ''section 1101(d) of division B of the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019, and section 1101(d) of the Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019'' and inserting '', and section 401(d) of division N of the Further Consolidated Appropriations Act, 2020''.

SEC. 402. DIABETES PROGRAMS.

(a) TYPE I.—Section 330B(b)(2)(D) of the Public Health Service Act (42 U.S.C. 254c–2(b)(2)(D)) is amended—

(1) by striking ''$33,287,671'' and inserting ''$96,575,342''; and

(2) by striking ''December 20, 2019'' and inserting ''May 22, 2020''.

(b) INDIANS.—Section 330C(c)(2)(D) of the Public Health Service Act (42 U.S.C. 254c–3(c)(2)(D)) is amended—

(1) by striking ''$33,287,671'' and inserting ''$96,575,342''; and

(2) by striking ''December 20, 2019'' and inserting ''May 22, 2020''.

SEC. 403. POISON CENTER NETWORK ENHANCEMENT.

(a) NATIONAL TOLL-FREE NUMBER.—Section 1271 of the Public Health Service Act (42 U.S.C. 300d–71) is amended—

(1) in the section heading, by inserting before the period the following: ''**AND OTHER COMMUNICATION CAPABILITIES**''; and

(2) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary—

''(1) shall provide coordination and assistance to poison control centers for the establishment and maintenance of a nationwide toll-free phone number, to be used to access such centers; and

''(2) may provide coordination and assistance to poison control centers and consult with professional organizations for the establishment, implementation, and maintenance of other communication technologies to be used to access such centers.'';

(3) by redesignating subsection (b) as subsection (c);

(4) by inserting after subsection (a) the following:

''(b) ROUTING CONTACTS WITH POISON CONTROL CENTERS.—Not later than 18 months after the date of enactment of this subsection, the Secretary shall coordinate with the Chairman of the Federal Communications Commission, to the extent technically and economically feasible, to ensure that communications with the national toll-free number are routed to the appropriate poison control center based on the physical location of the contact rather than the area code of the contact device.''; and

(5) in subsection (c), as so redesignated—

(A) by striking ''2015 through 2019'' and inserting ''2020 through 2024''; and

(B) by striking ''maintenance of the nationwide toll free phone number under subsection (a)'' and inserting ''establishment, implementation, and maintenance activities carried out under subsections (a) and (b)''.

(b) NATIONWIDE MEDIA CAMPAIGN.—Section 1272 of the Public Health Service Act (42 U.S.C. 300d–72) is amended—

(1) in the section heading, by striking ''**NATIONWIDE MEDIA CAMPAIGN TO PROMOTE**'' and inserting ''**PROMOTING**'';

(2) in subsection (a)—

(A) by inserting ''and support outreach to'' after ''educate'';

(B) by striking ''poison prevention'' and inserting ''poisoning and toxic exposure prevention''; and

(C) by striking ''established under'' and inserting ''and other available communication technologies established, implemented, or maintained under'';

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''nationwide poison prevention'' and inserting ''nationwide poisoning and toxic exposure prevention''; and

(B) in paragraph (1), by striking ''poison prevention and poison control center'' and inserting ''poisoning and toxic exposure prevention awareness materials, applicable public health emergency preparedness and response information, and poison control center'' after ''distribution of''; and

(4) by striking subsection (c);

(5) by redesignating subsection (d) as subsection (c); and

(6) in subsection (c) (as so redesignated), by striking ''2015 through 2019'' and inserting ''2020 through 2024''.

(c) MAINTENANCE OF PROGRAM.—Section 1273 of the Public Health Service Act (42 U.S.C. 300d–73) is amended—

(1) in subsection (a), by inserting ''and toxic exposures'' after ''poisonings''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''for poison'' and inserting ''for poisoning and toxic exposure''; and

(ii) by striking ''and preparedness'' and inserting ''preparedness and response'';

(B) in paragraph (3)—

(i) by striking ''United States and'' and inserting ''United States,''; and

(ii) by inserting before the semicolon the following: '', and other government agencies as determined to be appropriate and nonduplicative by the Secretary''; and

(C) in paragraph (8), by striking ''calls'' and inserting ''contacts'';

(3) in subsection (d) , by striking paragraph (3) and inserting the following:

''(3) LIMITATION.—

''(A) IN GENERAL.—The sum of the number of years for a waiver under paragraph (1) and a renewal under paragraph (2) may not exceed 5 years.

''(B) PUBLIC HEALTH EMERGENCY.—Notwithstanding any previous waivers, in the case of a poison control center whose accreditation is affected by a public health emergency declared pursuant to section 319, the Secretary may, as the circumstances of the emergency reasonably require, provide a waiver under paragraph (1) or a renewal under paragraph (2), not to exceed 2 years. The Secretary may require quarterly reports and other information related to such a waiver or renewal under this paragraph.'';

(4) by striking subsection (f) and inserting the following:

''(f) MAINTENANCE OF EFFORT.—With respect to activities for which a grant is awarded under this section, the Secretary may require that poison control centers agree to maintain the expenditures of the center for such activities at a level that is not less than the level of expenditures maintained by the center for the fiscal year preceding the fiscal year for which the grant is received.'';

(5) In subsection (g), by striking ''2015 through 2019'' and inserting ''2020 through 2024''; and

(6) by adding at the end the following:

''(h) BIENNIAL REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this subsection, and every 2 years thereafter, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and Committee on Energy and Commerce of the House of Representatives a report concerning the operations of, and trends identified by, the Poison Control Network. Such report shall include—

''(1) descriptions of the activities carried out pursuant to sections 1271, 1272, and 1273, and the alignment of such activities with the purposes provided under subsection (a);

''(2) a description of trends in volume of contacts to poison control centers;

''(3) a description of trends in poisonings and toxic exposures reported to poison control centers, as applicable and appropriate;

''(4) an assessment of the impact of the public awareness campaign, including any geographic variations;

''(5) a description of barriers, if any, preventing poison control centers from achieving the purposes and programs under this section and sections 1271 and 1272;

''(6) a description of the standards for accreditation described in subsection (c), including any variations in those standards, and any efforts to create and maintain consistent standards across organizations that accredit poison control centers; and

''(7) the number of and reason for any waivers provided under subsection (d).''.

SEC. 404. KAY HAGAN TICK ACT.

(a) SHORT TITLE.—This section may be cited as the ''Kay Hagan Tick Act''.

(b) COMBATING VECTOR-BORNE DISEASES.—Title III of the Public Health Service Act is amended by inserting after section 317T (42 U.S.C. 247b–22) the following:

''SEC. 317U. NATIONAL STRATEGY AND REGIONAL CENTERS OF EXCELLENCE IN VECTOR-BORNE DISEASES.

''(a) IN GENERAL.—The Secretary shall—

''(1)(A) ensure the development and implementation of a national strategy to address vector-borne diseases, including tick-borne diseases, that—

''(i) identifies and assesses gaps and any unnecessary duplication in federally-funded programs; and

''(ii) identifies strategic goals to address such diseases and appropriate benchmarks to measure progress toward achieving such goals; and

''(B) update such strategy, as appropriate; and

''(2) coordinate programs and activities, including related to data collection, research, and the development of diagnostics, treatments, vaccines, and other related activities, to address vector-borne diseases, including tick-borne diseases, across the Department of Health and Human Services and with other Federal agencies or departments, as appropriate.

''(b) CONSULTATION.—In carrying out subsection (a)(1), the Secretary shall consult with the Tick-Borne Disease Working Group established under section 2062 of the 21st Century Cures Act (42 U.S.C. 284s) and other individuals, as appropriate, such as—

''(1) epidemiologists with experience in vector-borne diseases;

''(2) representatives of patient advocacy and research organizations that focus on vector-borne diseases, including such organizations that have demonstrated experience in related research, public health, data collection, or patient access to care;

''(3) health information technology experts or other information management specialists;

''(4) clinicians, entomologists, vector management professionals, public health professionals, and others with expertise in vector-borne diseases; and

''(5) researchers, including researchers with experience conducting translational research.

''(c) CENTERS OF EXCELLENCE.—The Secretary, in coordination with the Director of the Centers for Disease Control and Prevention, shall award grants, contracts, or cooperative agreements to institutions of higher education for the establishment or continued support of regional centers of excellence in vector-borne diseases to address vector-borne diseases, including tick-borne diseases, by—

''(1) facilitating collaboration between academia and public health organizations for public health surveillance, prevention, and response activities related to vector-borne diseases, including tick-borne diseases;

''(2) providing training for public health entomologists and other health care professionals, as appropriate, to address vector-borne diseases, including tick-borne diseases;

''(3) conducting research to develop and validate prevention and control tools and methods, including evidence-based and innovative, evidence-informed tools and methods to anticipate and respond to disease outbreaks; or

''(4) preparing for and responding to outbreaks of vector-borne diseases, including tick-borne diseases.

''(d) ELIGIBILITY.—To be eligible to receive a grant, contract, or cooperative agreement under subsection (c), an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a description of how the entity will conduct the activities described in such subsection.

''(e) REPORTS.—

''(1) PROGRAM SUMMARY.—An entity receiving an award under subsection (c) shall, not later than one year after receiving such award, and annually thereafter, submit to the Secretary a summary of programs and activities funded under the award.

''(2) PROGRESS REPORT.—Not later than 4 years after the date of enactment of this section, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report on the progress made in addressing vector-borne diseases, including tick-borne diseases, through activities carried out under this section.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $10,000,000 for each of fiscal years 2021 through 2025.''.

(c) ENHANCING CAPACITY TO ADDRESS VECTOR-BORNE DISEASES.—Subtitle C of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh-31 et seq.) is amended by adding at the end the following:

''SEC. 2822. ENHANCED SUPPORT TO ASSIST HEALTH DEPARTMENTS IN ADDRESSING VECTOR-BORNE DISEASES.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may enter into cooperative agreements with health departments of States, political subdivisions of States, and Indian Tribes and Tribal organizations in areas at high risk of vector-borne diseases in order to increase capacity to identify, report, prevent, and respond to such diseases and related outbreaks.

''(b) ELIGIBILITY.—To be eligible to enter into a cooperative agreement under this section, an entity described in subsection (a) shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a plan that describes—

''(1) how the applicant proposes to develop or expand programs to address vector-borne disease risks, including through—

''(A) related training and workforce development;

''(B) programmatic efforts to improve capacity to identify, report, prevent, and respond to such disease and related outbreaks; and

''(C) other relevant activities identified by the Director of the Centers for Disease Control and Prevention, as appropriate;

''(2) the manner in which the applicant will coordinate with other Federal, Tribal, and State agencies and programs, as applicable, related to vector-borne diseases, as well as other relevant public and private organizations or agencies; and

''(3) the manner in which the applicant will evaluate the effectiveness of any program carried out under the cooperative agreement.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this section, there are authorized to be appropriated $20,000,000 for each of fiscal years 2021 through 2025.''.

Subtitle E—Revenue Provisions

SEC. 501. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 4221 of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(2) Paragraph (2) of section 6416(b) of such Code is amended by striking the last sentence.

(c) CLERICAL AMENDMENT.—The table of subchapters for chapter 32 of the Internal Revenue Code of 1986 is amended by striking the item relating to subchapter E.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to sales after December 31, 2019.

SEC. 502. REPEAL OF ANNUAL FEE ON HEALTH INSURANCE PROVIDERS.

(a) IN GENERAL.—Subtitle A of title IX of the Patient Protection and Affordable Care Act is amended by striking section 9010.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to calendar years beginning after December 31, 2020.

SEC. 503. REPEAL OF EXCISE TAX ON HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) CONFORMING AMENDMENTS.—

(1) Section 6051 of such Code is amended—

(A) by striking ''section 4980I(d)(1)'' in subsection (a)(14) and inserting ''subsection (g)'', and

(B) by adding at the end the following new subsection:

''(g) APPLICABLE EMPLOYER-SPONSORED COVERAGE.—For purposes of subsection (a)(14)—

''(1) IN GENERAL.—The term 'applicable employer-sponsored coverage' means, with respect to any employee, coverage under any group health plan made available to the employee by an employer which is excludable from the employee's gross income under section 106, or would be so excludable if it were employer-provided coverage (within the meaning of such section 106).

''(2) EXCEPTIONS.—The term 'applicable employer-sponsored coverage' shall not include—

''(A) any coverage (whether through insurance or otherwise) described in section 9832(c)(1) (other than subparagraph (G) thereof) or for long-term care,

''(B) any coverage under a separate policy, certificate, or contract of insurance which provides benefits substantially all of which are for treatment of the mouth (including any organ or structure within the mouth) or for treatment of the eye, or

''(C) any coverage described in section 9832(c)(3) the payment for which is not excludable from gross income and for which a deduction under section 162(l) is not allowable.

''(3) COVERAGE INCLUDES EMPLOYEE PAID PORTION.—Coverage shall be treated as applicable employer-sponsored coverage without regard to whether the employer or employee pays for the coverage.

''(4) GOVERNMENTAL PLANS INCLUDED.—Applicable employer-sponsored coverage shall include coverage under any group health plan established and maintained primarily for its civilian employees by the Government of the United States, by the government of any State or political subdivision thereof, or by any agency or instrumentality of any such government.''.

(2) Section 9831(d)(1) of such Code is amended by striking ''except as provided in section 4980I(f)(4)''.

(3) The table of sections for chapter 43 of such Code is amended by striking the item relating to section 4980I.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

Subtitle F—Miscellaneous Provisions

SEC. 601. ALASKA NATIVE REGIONAL HEALTH ENTITIES.

Section 424(a) of the Consolidated Appropriations Act, 2014 (Public Law 113–76), as amended by section 428 of the Consolidated Appropriations Act, 2018 (Public Law 115–141), shall be applied by substituting ''May 22, 2020'' for ''October 1, 2019''.

SEC. 602. ADDRESSING EXPIRATION OF CHILD WELFARE DEMONSTRATION PROJECTS AND SUPPORTING FAMILY FIRST IMPLEMENTATION.

(a) SHORT TITLE.—This section may be cited as the ''Family First Transition Act''.

(b) EVIDENCE STANDARD TRANSITION.—

(1) TEMPORARY SUSPENSION OF REQUIREMENT THAT AT LEAST 50 PERCENT OF A STATE'S REIMBURSEMENT FOR PREVENTION AND FAMILY SERVICES AND PROGRAMS BE FOR PROGRAMS AND SERVICES THAT MEET THE WELL-SUPPORTED PRACTICE REQUIREMENT.—With respect to quarters in fiscal years 2020 and 2021, section 474(a)(6)(A) of the Social Security Act (42 U.S.C. 674(a)(6)(A)) shall be applied without regard to clause (ii) of such section.

(2) SUPPORTED PRACTICES TEMPORARILY TREATED AS WELL-SUPPORTED PRACTICES.—With respect to quarters in fiscal years 2022 and 2023, practices that meet the criteria specified for supported practices in section 471(e)(4)(C) of the Social Security Act (42 U.S.C. 671(e)(4)(C)) shall be considered well-supported practices for purposes of section 474(a)(6)(A)(ii) of such Act (42 U.S.C. 674(a)(6)(A)(ii)).

(c) ENHANCED FUNDING FOR TRANSITION ACTIVITIES.—

(1) TRANSITION FUNDING.—

(A) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary of Health and Human Services (in this section referred to as the ''Secretary'') to carry out this subsection $500,000,000 for fiscal year 2020, which shall remain available through fiscal year 2021.

(B) DISTRIBUTION OF FUNDS.—

(i) IN GENERAL.—The Secretary shall allot the amount appropriated by subparagraph (A) of this paragraph in accordance with section 423 of the Social Security Act (42 U.S.C. 623), and shall pay each State to which an allotment is so made, the total amount so allotted, subject to clause (ii) of this subparagraph.

(ii) RESERVATION OF FUNDS FOR INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—Before applying clause (i) of this subparagraph, the Secretary shall reserve 3 percent of the amount appropriated by subparagraph (A) of this paragraph for allotment to the Indian tribes and tribal organizations with a plan approved under subpart 1 of part B of title IV of the Social Security Act, based on each tribe or tribal organization's share of the total tribal child population among all such tribes and tribal organizations.

(2) FUNDING CERTAINTY FOR STATES WITH EXPIRING DEMONSTRATION PROJECTS.—

(A) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary, for payment to each State that was operating a demonstration project approved under section 1130 of the Social Security Act on September 30, 2019, for each fiscal year specified in subparagraph (B) of this paragraph, an amount equal to the amount (if any) by which—

(i)(I) the applicable percentage for the fiscal year so specified of the maximum capped allocation due to the State or sub-State jurisdiction for fiscal year 2019 for foster care maintenance, administration, or training costs, under the demonstration project, as specified in section 4.3 of the State waiver terms and conditions document capped allocation payment table in effect on August 31, 2019; or

(II) if the terms and conditions do not specify a maximum amount payable for fiscal year 2019 for the State or sub-State jurisdiction (due to the use of a comparison jurisdiction to ensure cost neutrality), the final cost neutrality limit for the State or sub-State jurisdiction for fiscal year 2018, as most recently reported by the State or sub-State jurisdiction as of September 30, 2019, for foster care maintenance, administration, or training costs under the demonstration project that were included in the waiver; exceeds

(ii) the total amount payable to the State or sub-State jurisdiction under part E of title IV of such Act for the fiscal year so specified for foster care expenditures (whether payable under paragraph (1) or (3) of section 474(a) of such Act) that were maintenance, administration, or training costs of the demonstration project taken into account by the Secretary in determining the total amount referred to in clause (i) of this subparagraph.

(B) APPLICABLE PERCENTAGE DEFINED.—In this subparagraph, the term ''applicable percentage'' means—

(i) 90 percent, in the case of fiscal year 2020; or

(ii) 75 percent, in the case of fiscal year 2021.

(C) SPECIAL RULE.—The calculation under subparagraph (A) with respect to a State shall be made without regard to—

(i) any change approved after August 31, 2019, in the capped allocation or the terms and conditions referred to in clause (i) of subparagraph (A) with respect to the State; or

(ii) any change made after such date to the financial form submitted by the State that is used in determining the capped allocation.

(D) DISTRIBUTION OF FUNDS.—Each State that receives funds under this paragraph shall distribute the funds to jurisdictions in the State that were operating demonstration projects under section 1130 of the Social Security Act in a manner consistent with each sub-State jurisdiction's proportionate loss as compared with fiscal year 2019.

(E) RECONCILIATION PROCESS.—Each State seeking a payment under this paragraph shall report expenditures pursuant to part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.) in a manner determined by the Secretary and the Secretary shall account for any revisions to spending for fiscal years 2020 and 2021 after the end of the respective fiscal year that are reported by the State agency administering the State plan approved under such part, and received by the Department of Health and Human Services, within 2 years after the last day of the fiscal quarter in which the expenditure was made.

(F) AVAILABILITY OF FUNDS.—The amounts made available for payments to States under this paragraph for a fiscal year shall remain available through the end of the third succeeding fiscal year.

(3) USE OF FUNDS.—

(A) IN GENERAL.—In addition to the purposes specified in part B of title IV of the Social Security Act (42 U.S.C. 671 et seq.), a State may use funds provided under this subsection for activities previously funded under a demonstration project under section 1130 of such Act (42 U.S.C. 1320a–9) to reduce any adverse fiscal impacts as jurisdictions transition funding sources for the projects, and for activities directly associated with the implementation of title VII of division E of Public Law 115–123 (also known as the Family First Prevention Services Act).

(B) LIMITATION.—None of the funds provided under this subsection may be used to match Federal funds under any program.

(d) REPORTING ON ENHANCED FUNDING FOR TRANSITION ACTIVITIES.—

(1) IN GENERAL.—Each State to which funds are paid under subsection (c) of this section shall submit to the Secretary, in a manner

specified by the Secretary, a written report on—

(A) how the grant is used to implement each part of title VII of division E of Public Law 115–123 (also known as the Family First Prevention Services Act), with a separate statement with respect to each such part;

(B) all programs, services, and operational costs to which the grant is put;

(C) the characteristics of the families and children served by use of the grant; and

(D)(i) the use by the State of amounts provided for each fiscal year to continue activities previously funded under a waiver provided under section 1130 of the Social Security Act (42 U.S.C. 1320a–9); and

(ii)(I) the plan of the State to transition the activities so that needed activities can be provided under the State plan approved under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.); or

(II) if expenditures for the activities would not be eligible for payment under the State plan approved under such part E—

(aa) the reason therefor; and

(bb) the funding sources the State plans to use to cover the costs of needed activities.

(2) APPLICABILITY OF OTHER LAWS.—For purposes of subpart 2 of part B of title IV of the Social Security Act (42 U.S.C. 629 et seq.), each report required by paragraph (1) of this subsection shall be considered to be required by section 432(a)(8) of such Act (42 U.S.C. 629b(a)(8)), and shall contain such additional information as the Secretary may require.

(e) DEFINITION OF STATE.—In this section, the term ''State'' has the meaning given the term in section 431(a)(4) of the Social Security Act (42 U.S.C. 629a(a)(4)).

(f) RENAMING OF TITLE IV–B–2 OF THE SOCIAL SECURITY ACT.—The subpart heading for subpart 2 of part B of title IV of the Social Security Act is amended by striking ''**Promoting Safe and Stable Families**'' and inserting ''**MaryLee Allen Promoting Safe and Stable Families Program**''.

(g) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect as if included in the Bipartisan Budget Act of 2018 on the date of the enactment of such Act.

(h) TECHNICAL CORRECTION.—Section 50701 of the Bipartisan Budget Act of 2018 (42 U.S.C. 1305 note; Public Law 115–123) is amended by striking ''Bipartisan Budget Act of 2018'' and inserting ''Family First Prevention Services Act''.

SEC. 603. MINIMUM AGE OF SALE OF TOBACCO PRODUCTS.

(a) IN GENERAL.—Section 906(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387f(d)) is amended—

(1) in paragraph (3)(A)(ii), by striking ''18 years'' and inserting ''21 years''; and

(2) by adding at the end the following:

''(5) MINIMUM AGE OF SALE.—It shall be unlawful for any retailer to sell a tobacco product to any person younger than 21 years of age.''.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall publish in the Federal Register a final rule to update the regulations issued under chapter IX of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387 et seq.) as appropriate, only to carry out the amendments made by subsection (a), including to update all references to persons younger than 18 years of age in subpart B of part 1140 of title 21, Code of Federal Regulations, and to update the relevant age verification requirements under such part 1140 to require age verification for individuals under the age of 30. Such final rule shall—

(A) take full effect not later than 90 days after the date on which such final rule is published; and

(B) be deemed to be in compliance with all applicable provisions of chapter 5 of title 5, United States Code and all other provisions of law relating to rulemaking procedures.

(2) OTHER REGULATIONS.—Prior to making amendments to part 1140 of title 21, Code of Federal Regulations other than the amendments described in paragraph (1), the Secretary shall promulgate a proposed rule in accordance with chapter 5 of title 5, United States Code.

(c) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act, the Secretary shall provide written notification to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives regarding the progress of the Department of Health and Human Services towards promulgating the final rule under subsection (b). If, 180 days after the date of enactment of this Act, such rule has not been promulgated in accordance with subsection (b), the Secretary shall provide a written notification and a justification for the delay in rulemaking to such committees.

(d) PENALTIES FOR VIOLATIONS.—

(1) IN GENERAL.—Section 103(q)(2) of the Family Smoking Prevention and Tobacco Control Act (Public Law 111–31) is amended—

(A) in subparagraph (A), in the matter preceding clause (i), by inserting ''section 906(d)(5) or of'' after ''violations of''; and

(B) in subparagraph (C), by inserting ''section 906(d)(5) or of'' after ''a retailer of''.

(2) REPEATED VIOLATIONS.—Section 303(f)(8) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(f)(8)) is amended by inserting ''section 906(d)(5) or of'' after ''repeated violations of''.

(3) MISBRANDED PRODUCTS.—Section 903(a)(7)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387c) is amended by inserting ''section 906(d)(5) or of'' after ''violation of''.

SEC. 604. SALE OF TOBACCO PRODUCTS TO INDIVIDUALS UNDER THE AGE OF 21.

(a) IN GENERAL.—Section 1926 of the Public Health Service Act (42 U.S.C. 300x–26) is amended—

(1) in the heading—

(A) by striking ''**STATE LAW REGARDING**''; and

(B) by striking ''**18**'' and inserting ''**21**'';

(2) by striking subsections (a) and (d);

(3) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(4) by amending subsection (a), as so redesignated, to read as follows:

''(a) IN GENERAL.—A funding agreement for a grant under section 1921 is that the State involved will—

''(1) annually conduct random, unannounced inspections to ensure that retailers do not sell tobacco products to individuals under the age of 21; and

''(2) annually submit to the Secretary a report describing—

''(A) the activities carried out by the State to ensure that retailers do not sell tobacco products to individuals under the age of 21;

''(B) the extent of success the State has achieved in ensuring that retailers do not sell tobacco products to individuals under the age of 21; and

''(C) the strategies to be utilized by the State to ensure that retailers do not sell tobacco products to individuals under the age of 21 during the fiscal year for which the grant is sought.'';

(5) in subsection (b), as so redesignated—

(A) by striking paragraphs (1), (2), (3), and (4);

(B) by striking ''Before making'' and inserting the following:

''(1) IN GENERAL.—Before making'';

(C) by striking ''for the first applicable fiscal year or any subsequent fiscal year'';

(D) by striking ''subsections (a) and (b)'' and inserting ''subsection (a)'';

(E) by striking ''equal to—'' and inserting ''up to 10 percent of the amount determined under section 1933 for the State for the applicable fiscal year.''; and

(F) by adding at the end the following:

''(2) LIMITATION.—

''(A) IN GENERAL.—A State shall not have funds withheld pursuant to paragraph (1) if such State for which the Secretary has made a determination of noncompliance under such paragraph—

''(i) certifies to the Secretary by May 1 of the fiscal year for which the funds are appropriated, consistent with subparagraph (B), that the State will commit additional State funds, in accordance with paragraph (1), to ensure that retailers do not sell tobacco products to individuals under 21 years of age;

''(ii) agrees to comply with a negotiated agreement for a corrective action plan that is approved by the Secretary and carried out in accordance with guidelines issued by the Secretary; or

''(iii) is a territory that receives less than $1,000,000 for a fiscal year under section 1921.

''(B) CERTIFICATION.—

''(i) IN GENERAL.—The amount of funds to be committed by a State pursuant to subparagraph (A)(i) shall be equal to 1 percent of such State's substance abuse allocation determined under section 1933 for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary.

''(ii) STATE EXPENDITURES.—For a fiscal year in which a State commits funds as described in clause (i), such State shall maintain State expenditures for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for the preceding fiscal year, plus the additional funds for tobacco compliance activities required under clause (i). The State shall submit a report to the Secretary on all State obligations of funds for such fiscal year and all State expenditures for the preceding fiscal year for tobacco prevention and compliance activities by program activity by July 31 of such fiscal year.

''(iii) DISCRETION.—The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subparagraph (A)(i) as late as July 31 of such fiscal year.

''(C) FAILURE TO CERTIFY.—If a State described in subparagraph (A) fails to certify to the Secretary pursuant to subparagraph (A)(i) or enter into, or comply with, a negotiated agreement under subparagraph (A)(ii), the Secretary may take action pursuant to paragraph (1).''; and

(6) by adding at the end the following:

''(c) IMPLEMENTATION OF REPORTING REQUIREMENTS.—

''(1) TRANSITION PERIOD.—The Secretary shall—

''(A) not withhold amounts under subsection (b) for the 3-year period immediately following the date of enactment of division N of the Further Consolidated Appropriations Act, 2020; and

''(B) use discretion in exercising its authority under subsection (b) during the 2-year period immediately following the 3-year period described in subparagraph (A), to allow for a transition period for implementation of the reporting requirements under subsection (a)(2).

''(2) REGULATIONS OR GUIDANCE.—Not later than 180 days after the date of enactment of division N of the Further Consolidated Appropriations Act, 2020, the Secretary shall update regulations under part 96 of title 45, Code of Federal Regulations or guidance on the retailer compliance rate goal under subsection (b), the use of funds provided under section 1921 for purposes of meeting the requirements of this section, and reporting requirements under subsection (a)(2).

''(3) COORDINATION.—The Secretary shall ensure the Assistant Secretary for Mental Health and Substance Use coordinates, as appropriate, with the Commissioner of Food and Drugs to ensure that the technical assistance provided to States under subsection (e) is consistent with applicable regulations for retailers issued under part 1140 of title 21, Code of Federal Regulations.

''(d) TRANSITIONAL GRANTS.—

''(1) IN GENERAL.—The Secretary shall award grants under this subsection to each State that receives funding under section 1921 to ensure compliance of each such State with this section.

''(2) USE OF FUNDS.—A State receiving a grant under this subsection—

''(A) shall use amounts received under such grant for activities to plan for or ensure compliance in the State with subsection (a); and

''(B) in the case of a State for which the Secretary has made a determination under subsection (b) that the State is prepared to meet, or has met, the requirements of subsection (a), may use such funds for tobacco cessation activities, strategies to prevent the use of tobacco products by individuals under the age of 21, or allowable uses under section 1921.

''(3) SUPPLEMENT NOT SUPPLANT.—Grants under this subsection shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities under paragraph (2).

''(4) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection, there are authorized to be appropriated $18,580,790 for each of fiscal years 2020 through 2024.

''(5) SUNSET.—This subsection shall have no force or effect after September 30, 2024.

''(e) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to States related to the activities required under this section.''.

(b) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the status of implementing the requirements of section 1926 of the Public Health Service Act (42 U.S.C. 300x–26), as amended by subsection (a), and a description of any technical assistance provided under subsection (e) of such section, including the number of meetings requested and held related to technical assistance.

(c) CONFORMING AMENDMENT.—Section 212 of division D of the Consolidated Appropriations Act, 2010 (Public Law 111–117) is repealed.

SEC. 605. BIOLOGICAL PRODUCT DEFINITION.

Section 351(i)(1) of the Public Health Service Act (42 U.S.C. 262(i)(1)) is amended by striking ''(except any chemically synthesized polypeptide)''.

SEC. 606. PROTECTING ACCESS TO BIOLOGICAL PRODUCTS.

Section 351(k)(7) of the Public Health Service Act (42 U.S.C. 262(k)(7)) is amended by adding at the end the following:

''(D) DEEMED LICENSES.—

''(i) NO ADDITIONAL EXCLUSIVITY THROUGH DEEMING.—An approved application that is deemed to be a license for a biological product under this section pursuant to section 7002(e)(4) of the Biologics Price Competition and Innovation Act of 2009 shall not be treated as having been first licensed under subsection (a) for purposes of subparagraphs (A) and (B).

''(ii) APPLICATION OF LIMITATIONS ON EXCLUSIVITY.—Subparagraph (C) shall apply with respect to a reference product referred to in such subparagraph that was the subject of an approved application that was deemed to be a license pursuant to section 7002(e)(4) of the Biologics Price Competition and Innovation Act of 2009.

''(iii) APPLICABILITY.—The exclusivity periods described in section 527, section 505A(b)(1)(A)(ii), and section 505A(c)(1)(A)(ii) of the Federal Food, Drug, and Cosmetic Act shall continue to apply to a biological product after an approved application for the biological product is deemed to be a license for the biological product under subsection (a) pursuant to section 7002(e)(4) of the Biologics Price Competition and Innovation Act of 2009.''.

SEC. 607. STREAMLINING THE TRANSITION OF BIOLOGICAL PRODUCTS.

Section 7002(e)(4) of the Biologics Price Competition and Innovation Act of 2009 (Public Law 111–148) is amended—

(1) by striking ''An approved application'' and inserting the following:

''(A) IN GENERAL.—An approved application''; and

(2) by adding at the end the following:

''(B) TREATMENT OF CERTAIN APPLICATIONS.—

''(i) IN GENERAL.—With respect to an application for a biological product submitted under subsection (b) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) that is filed not later than March 23, 2019, and is not approved as of March 23, 2020, the Secretary shall continue to review such application under such section 505 after March 23, 2020.

''(ii) EFFECT ON LISTED DRUGS.—Only for purposes of carrying out clause (i), with respect to any applicable listed drug with respect to such application, the following shall apply:

''(I) Any drug that is a biological product that has been deemed licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) pursuant to subparagraph (A) and that is referenced in an application described in clause (i), shall continue to be identified as a listed drug on the list published pursuant to section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, and the information for such drug on such list shall not be revised after March 20, 2020, until—

''(aa) such drug is removed from such list in accordance with subclause (III) or subparagraph (C) of such section 505(j)(7); or

''(bb) this subparagraph no longer has force or effect.

''(II) Any drug that is a biological product that has been deemed licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) pursuant to subparagraph (A) and that is referenced in an application described in clause (i) shall be subject only to requirements applicable to biological products licensed under such section.

''(III) Upon approval under subsection (c) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act of an application described in clause (i), the Secretary shall remove from the list published pursuant to section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act any listed drug that is a biological product that has been deemed licensed under section 351 of the Public Health Service Act pursuant to subparagraph (A) and that is referenced in such approved application, unless such listed drug is referenced in one or more additional applications described in clause (i).

''(iii) DEEMED LICENSURE.—Upon approval of an application described in clause (i), such approved application shall be deemed to be a license for the biological product under section 351 of the Public Health Service Act.

''(iv) RULE OF CONSTRUCTION.—

''(I) APPLICATION OF CERTAIN PROVISIONS.—

''(aa) PATENT CERTIFICATION OR STATEMENT.—An application described in clause (i) shall contain a patent certification or statement described in, as applicable, section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act or clauses (vii) and (viii) of section 505(j)(2)(A) of such Act and, with respect to any listed drug referenced in such application, comply with related requirements concerning any timely filed patent information listed pursuant to section 505(j)(7) of such Act.

''(bb) DATE OF APPROVAL.—The earliest possible date on which any pending application described in clause (i) may be approved shall be determined based on—

''(AA) the last expiration date of any applicable period of exclusivity that would prevent such approval and that is described in section 505(c)(3)(E), 505(j)(5)(B)(iv), 505(j)(5)(F), 505A, 505E, or 527 of the Federal Food, Drug, and Cosmetic Act; and

''(BB) if the application was submitted pursuant to section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act and references any listed drug, the last applicable date determined under subparagraph (A), (B), or (C) of section 505(c)(3) of such Act, or, if the application was submitted under section 505(j) of such Act, the last applicable date determined under clause (i), (ii), or (iii) of section 505(j)(5)(B) of such Act.

''(II) EXCLUSIVITY.—Nothing in this subparagraph shall be construed to affect section 351(k)(7)(D) of the Public Health Service Act.

''(v) LISTING.—The Secretary may continue to review an application after March 23, 2020, pursuant to clause (i), and continue to identify any applicable listed drug pursuant to clause (ii) on the list published pursuant to section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, even if such review or listing may reveal the existence of such application and the identity of any listed drug for which the investigations described in section 505(b)(1)(A) of the Federal Food, Drug, and Cosmetic Act are relied upon by the applicant for approval of the pending application. Nothing in this subparagraph shall be construed as authorizing the Secretary to disclose any other information that is a trade secret or confidential information described in section 552(b)(4) of title 5, United States Code.

''(vi) SUNSET.—Beginning on October 1, 2022, this subparagraph shall have no force or effect and any applications described in clause (i) that have not been approved shall be deemed withdrawn.''.

SEC. 608. REENROLLMENT OF CERTAIN INDIVIDUALS IN QUALIFIED HEALTH PLANS IN CERTAIN EXCHANGES.

Section 1311(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(c)) is amended by adding the end the following new paragraph:

''(7) REENROLLMENT OF CERTAIN INDIVIDUALS IN QUALIFIED HEALTH PLANS IN CERTAIN EXCHANGES.—

''(A) IN GENERAL.—In the case of an Exchange that the Secretary operates pursuant to section 1321(c)(1), the Secretary shall establish a process under which an individual described in subparagraph (B) is reenrolled for plan year 2021 in a qualified health plan offered through such Exchange. Such qualified health plan under which such individual is so reenrolled shall be—

''(i) if available for plan year 2021, the qualified health plan under which such individual is enrolled during the annual open enrollment period for such plan year; and

''(ii) if such qualified health plan is not available for plan year 2021, a qualified health plan offered through such Exchange determined appropriate by the Secretary.

''(B) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who, with respect to plan year 2020—

''(i) resides in a State with an Exchange described in subparagraph (A);

''(ii) is enrolled in a qualified health plan during such plan year and does not enroll in a qualified health plan for plan year 2021 during the annual open enrollment period for such plan year 2021; and

''(iii) does not elect to disenroll under a qualified health plan for plan year 2021 during such annual open enrollment period.''.

SEC. 609. PROTECTION OF SILVER LOADING PRACTICE.

With respect to plan year 2021, the Secretary of Health and Human Services may not take any action to prohibit or otherwise restrict the practice commonly known as ''silver loading'' (as described in the rule entitled ''Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2020'' published on April 25, 2019 (84 Fed. Reg. 17533)).

SEC. 610. ACTIONS FOR DELAYS OF GENERIC DRUGS AND BIOSIMILAR BIOLOGICAL PRODUCTS.

(a) DEFINITIONS.—In this section—

(1) the term ''commercially reasonable, market-based terms'' means—

(A) a nondiscriminatory price for the sale of the covered product at or below, but not greater than, the most recent wholesale acquisition cost for the drug, as defined in section 1847A(c)(6)(B) of the Social Security Act (42 U.S.C. 1395w–3a(c)(6)(B));

(B) a schedule for delivery that results in the transfer of the covered product to the eligible product developer consistent with the timing under subsection (b)(2)(A)(iv); and

(C) no additional conditions are imposed on the sale of the covered product;

(2) the term ''covered product''—

(A) means—

(i) any drug approved under subsection (c) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or biological product licensed under subsection (a) or (k) of section 351 of the Public Health Service Act (42 U.S.C. 262);

(ii) any combination of a drug or biological product described in clause (i); or

(iii) when reasonably necessary to support approval of an application under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), or section 351 of the Public Health Service Act (42 U.S.C. 262), as applicable, or otherwise meet the requirements for approval under either such section, any product, including any device, that is marketed or intended for use with such a drug or biological product; and

(B) does not include any drug or biological product that appears on the drug shortage list in effect under section 506E of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356e), unless—

(i) the drug or biological product has been on the drug shortage list in effect under such section 506E continuously for more than 6 months; or

(ii) the Secretary determines that inclusion of the drug or biological product as a covered product is likely to contribute to alleviating or preventing a shortage.

(3) the term ''device'' has the meaning given the term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321);

(4) the term ''eligible product developer'' means a person that seeks to develop a product for approval pursuant to an application for approval under subsection (b)(2) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or for licensing pursuant to an application under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k));

(5) the term ''license holder'' means the holder of an application approved under subsection (c) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or the holder of a license under subsection (a) or (k) of section 351 of the Public Health Service Act (42 U.S.C. 262) for a covered product;

(6) the term ''REMS'' means a risk evaluation and mitigation strategy under section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1);

(7) the term ''REMS with ETASU'' means a REMS that contains elements to assure safe use under section 505–1(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1(f));

(8) the term ''Secretary'' means the Secretary of Health and Human Services;

(9) the term ''single, shared system of elements to assure safe use'' means a single, shared system of elements to assure safe use under section 505–1(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1(f)); and

(10) the term ''sufficient quantities'' means an amount of a covered product that the eligible product developer determines allows it to—

(A) conduct testing to support an application under—

(i) subsection (b)(2) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355); or

(ii) section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)); and

(B) fulfill any regulatory requirements relating to approval of such an application.

(b) CIVIL ACTION FOR FAILURE TO PROVIDE SUFFICIENT QUANTITIES OF A COVERED PRODUCT.—

(1) IN GENERAL.—An eligible product developer may bring a civil action against the license holder for a covered product seeking relief under this subsection in an appropriate district court of the United States alleging that the license holder has declined to provide sufficient quantities of the covered product to the eligible product developer on commercially reasonable, market-based terms.

(2) ELEMENTS.—

(A) IN GENERAL.—To prevail in a civil action brought under paragraph (1), an eligible product developer shall prove, by a preponderance of the evidence—

(i) that—

(I) the covered product is not subject to a REMS with ETASU; or

(II) if the covered product is subject to a REMS with ETASU—

(aa) the eligible product developer has obtained a covered product authorization from the Secretary in accordance with subparagraph (B); and

(bb) the eligible product developer has provided a copy of the covered product authorization to the license holder;

(ii) that, as of the date on which the civil action is filed, the eligible product developer has not obtained sufficient quantities of the covered product on commercially reasonable, market-based terms;

(iii) that the eligible product developer has submitted a written request to purchase sufficient quantities of the covered product to the license holder, and such request—

(I) was sent to a named corporate officer of the license holder;

(II) was made by certified or registered mail with return receipt requested;

(III) specified an individual as the point of contact for the license holder to direct communications related to the sale of the covered product to the eligible product developer and a means for electronic and written communications with that individual; and

(IV) specified an address to which the covered product was to be shipped upon reaching an agreement to transfer the covered product; and

(iv) that the license holder has not delivered to the eligible product developer sufficient quantities of the covered product on commercially reasonable, market-based terms—

(I) for a covered product that is not subject to a REMS with ETASU, by the date that is 31 days after the date on which the license holder received the request for the covered product; and

(II) for a covered product that is subject to a REMS with ETASU, by 31 days after the later of—

(aa) the date on which the license holder received the request for the covered product; or

(bb) the date on which the license holder received a copy of the covered product authorization issued by the Secretary in accordance with subparagraph (B).

(B) AUTHORIZATION FOR COVERED PRODUCT SUBJECT TO A REMS WITH ETASU.—

(i) REQUEST.—An eligible product developer may submit to the Secretary a written request for the eligible product developer to be authorized to obtain sufficient quantities of an individual covered product subject to a REMS with ETASU.

(ii) AUTHORIZATION.—Not later than 120 days after the date on which a request under clause (i) is received, the Secretary shall, by written notice, authorize the eligible product developer to obtain sufficient quantities of an individual covered product subject to a REMS with ETASU for purposes of—

(I) development and testing that does not involve human clinical trials, if the eligible product developer has agreed to comply with any conditions the Secretary determines necessary; or

(II) development and testing that involves human clinical trials, if the eligible product developer has—

(aa)(AA) submitted protocols, informed consent documents, and informational materials for testing that include protections that provide safety protections comparable to those provided by the REMS for the covered product; or

(BB) otherwise satisfied the Secretary that such protections will be provided; and

(bb) met any other requirements the Secretary may establish.

(iii) NOTICE.—A covered product authorization issued under this subparagraph shall state that the provision of the covered product by the license holder under the terms of the authorization will not be a violation of the REMS for the covered product.

(3) AFFIRMATIVE DEFENSE.—In a civil action brought under paragraph (1), it shall be an affirmative defense, on which the defendant has the burden of persuasion by a preponderance of the evidence—

(A) that, on the date on which the eligible product developer requested to purchase sufficient quantities of the covered product from the license holder—

(i) neither the license holder nor any of its agents, wholesalers, or distributors was engaged in the manufacturing or commercial marketing of the covered product; and

(ii) neither the license holder nor any of its agents, wholesalers, or distributors otherwise had access to inventory of the covered product to supply to the eligible product developer on commercially reasonable, market-based terms;

(B) that—

(i) the license holder sells the covered product through agents, distributors, or wholesalers;

(ii) the license holder has placed no restrictions, explicit or implicit, on its agents, distributors, or wholesalers to sell covered products to eligible product developers; and

(iii) the covered product can be purchased by the eligible product developer in sufficient quantities on commercially reasonable, market-based terms from the agents, distributors, or wholesalers of the license holder; or

(C) that the license holder made an offer to the individual specified pursuant to paragraph (2)(A)(iii)(III), by a means of communication (electronic, written, or both) specified pursuant to such paragraph, to sell sufficient quantities of the covered product to the eligible product developer at commercially reasonable market-based terms—

(i) for a covered product that is not subject to a REMS with ETASU, by the date that is 14 days after the date on which the license holder received the request for the covered product, and the eligible product developer did not accept such offer by the date that is 7 days after the date on which the eligible product developer received such offer from the license holder; or

(ii) for a covered product that is subject to a REMS with ETASU, by the date that is 20 days after the date on which the license holder received the request for the covered product, and the eligible product developer did not accept such offer by the date that is 10 days after the date on which the eligible product developer received such offer from the license holder.

(4) REMEDIES.—

(A) IN GENERAL.—If an eligible product developer prevails in a civil action brought under paragraph (1), the court shall—

(i) order the license holder to provide to the eligible product developer without delay sufficient quantities of the covered product on commercially reasonable, market-based terms;

(ii) award to the eligible product developer reasonable attorney's fees and costs of the civil action; and

(iii) award to the eligible product developer a monetary amount sufficient to deter the license holder from failing to provide eligible product developers with sufficient quantities of a covered product on commercially reasonable, market-based terms, if the court finds, by a preponderance of the evidence—

(I) that the license holder delayed providing sufficient quantities of the covered product to the eligible product developer without a legitimate business justification; or

(II) that the license holder failed to comply with an order issued under clause (i).

(B) MAXIMUM MONETARY AMOUNT.—A monetary amount awarded under subparagraph (A)(iii) shall not be greater than the revenue that the license holder earned on the covered product during the period—

(i) beginning on—

(I) for a covered product that is not subject to a REMS with ETASU, the date that is 31 days after the date on which the license holder received the request; or

(II) for a covered product that is subject to a REMS with ETASU, the date that is 31 days after the later of—

(aa) the date on which the license holder received the request; or

(bb) the date on which the license holder received a copy of the covered product authorization issued by the Secretary in accordance with paragraph (2)(B); and

(ii) ending on the date on which the eligible product developer received sufficient quantities of the covered product.

(C) AVOIDANCE OF DELAY.—The court may issue an order under subparagraph (A)(i) before conducting further proceedings that may be necessary to determine whether the eligible product developer is entitled to an award under clause (ii) or (iii) of subparagraph (A), or the amount of any such award.

(c) LIMITATION OF LIABILITY.—A license holder for a covered product shall not be liable for any claim under Federal, State, or local law arising out of the failure of an eligible product developer to follow adequate safeguards to assure safe use of the covered product during development or testing activities described in this section, including transportation, handling, use, or disposal of the covered product by the eligible product developer.

(d) NO VIOLATION OF REMS.—Section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1) is amended by adding at the end the following new subsection:

''(l) PROVISION OF SAMPLES NOT A VIOLATION OF STRATEGY.—The provision of samples of a covered product to an eligible product developer (as those terms are defined in section 610(a) of division N of the Further Consolidated Appropriations Act, 2020) shall not be considered a violation of the requirements of any risk evaluation and mitigation strategy that may be in place under this section for such drug.''.

(e) RULE OF CONSTRUCTION.—

(1) DEFINITION.—In this subsection, the term ''antitrust laws''—

(A) has the meaning given the term in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12); and

(B) includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that such section applies to unfair methods of competition.

(2) ANTITRUST LAWS.—Nothing in this section shall be construed to limit the operation of any provision of the antitrust laws.

(f) REMS APPROVAL PROCESS FOR SUBSEQUENT FILERS.—Section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1), as amended by subsection (d), is further amended—

(1) in subsection (g)(4)(B)—

(A) in clause (i) by striking ''or'' after the semicolon;

(B) in clause (ii) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(iii) accommodate different, comparable aspects of the elements to assure safe use for a drug that is the subject of an application under section 505(j), and the applicable listed drug.'';

(2) in subsection (i)(1), by striking subparagraph (C) and inserting the following:

''(C)(i) Elements to assure safe use, if required under subsection (f) for the listed drug, which, subject to clause (ii), for a drug that is the subject of an application under section 505(j) may use—

''(I) a single, shared system with the listed drug under subsection (f); or

''(II) a different, comparable aspect of the elements to assure safe use under subsection (f).

''(ii) The Secretary may require a drug that is the subject of an application under section 505(j) and the listed drug to use a single, shared system under subsection (f), if the Secretary determines that no different, comparable aspect of the elements to assure safe use could satisfy the requirements of subsection (f).'';

(3) in subsection (i), by adding at the end the following:

''(3) SHARED REMS.—If the Secretary approves, in accordance with paragraph (1)(C)(i)(II), a different, comparable aspect of the elements to assure safe use under subsection (f) for a drug that is the subject of an abbreviated new drug application under section 505(j), the Secretary may require that such different comparable aspect of the elements to assure safe use can be used with respect to any other drug that is the subject of an application under section 505(j) or 505(b) that references the same listed drug.''; and

(4) by adding at the end the following:

''(m) SEPARATE REMS.—When used in this section, the term 'different, comparable aspect of the elements to assure safe use' means a risk evaluation and mitigation strategy for a drug that is the subject of an application under section 505(j) that uses different methods or operational means than the strategy required under subsection (a) for the applicable listed drug, or other application under section 505(j) with the same such listed drug, but achieves the same level of safety as such strategy.''.

(g) RULE OF CONSTRUCTION.—Nothing in this section, the amendments made by this section, or in section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1), shall be construed as—

(1) prohibiting a license holder from providing an eligible product developer access to a covered product in the absence of an authorization under this section; or

(2) in any way negating the applicability of a REMS with ETASU, as otherwise required under such section 505–1, with respect to such covered product.

DIVISION O—SETTING EVERY COMMUNITY UP FOR RETIREMENT ENHANCEMENT

SEC. 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Setting Every Community Up for Retirement Enhancement Act of 2019''.

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

Sec. 1. Short title, etc.

TITLE I—EXPANDING AND PRESERVING RETIREMENT SAVINGS

Sec. 101. Multiple employer plans; pooled employer plans.

Sec. 102. Increase in 10 percent cap for automatic enrollment safe harbor after 1st plan year.

Sec. 103. Rules relating to election of safe harbor 401(k) status.

Sec. 104. Increase in credit limitation for small employer pension plan startup costs.

Sec. 105. Small employer automatic enrollment credit.

Sec. 106. Certain taxable non-tuition fellowship and stipend payments treated as compensation for IRA purposes.

Sec. 107. Repeal of maximum age for traditional IRA contributions.

Sec. 108. Qualified employer plans prohibited from making loans through credit cards and other similar arrangements.

Sec. 109. Portability of lifetime income options.

Sec. 110. Treatment of custodial accounts on termination of section 403(b) plans.

Sec. 111. Clarification of retirement income account rules relating to church-controlled organizations.

Sec. 112. Qualified cash or deferred arrangements must allow long-term employees working more than 500 but less than 1,000 hours per year to participate.

Sec. 113. Penalty-free withdrawals from retirement plans for individuals in case of birth of child or adoption.

Sec. 114. Increase in age for required beginning date for mandatory distributions.
Sec. 115. Special rules for minimum funding standards for community newspaper plans.
Sec. 116. Treating excluded difficulty of care payments as compensation for determining retirement contribution limitations.
TITLE II—ADMINISTRATIVE IMPROVEMENTS
Sec. 201. Plan adopted by filing due date for year may be treated as in effect as of close of year.
Sec. 202. Combined annual report for group of plans.
Sec. 203. Disclosure regarding lifetime income.
Sec. 204. Fiduciary safe harbor for selection of lifetime income provider.
Sec. 205. Modification of nondiscrimination rules to protect older, longer service participants.
Sec. 206. Modification of PBGC premiums for CSEC plans.
TITLE III—OTHER BENEFITS
Sec. 301. Benefits provided to volunteer firefighters and emergency medical responders.
Sec. 302. Expansion of section 529 plans.
TITLE IV—REVENUE PROVISIONS
Sec. 401. Modification of required distribution rules for designated beneficiaries.
Sec. 402. Increase in penalty for failure to file.
Sec. 403. Increased penalties for failure to file retirement plan returns.
Sec. 404. Increase information sharing to administer excise taxes.
TITLE V—TAX RELIEF FOR CERTAIN CHILDREN
Sec. 501. Modification of rules relating to the taxation of unearned income of certain children.
TITLE VI—ADMINISTRATIVE PROVISIONS
Sec. 601. Provisions relating to plan amendments.

TITLE I—EXPANDING AND PRESERVING RETIREMENT SAVINGS

SEC. 101. MULTIPLE EMPLOYER PLANS; POOLED EMPLOYER PLANS.

(a) QUALIFICATION REQUIREMENTS.—

(1) IN GENERAL.—Section 413 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(e) APPLICATION OF QUALIFICATION REQUIREMENTS FOR CERTAIN MULTIPLE EMPLOYER PLANS WITH POOLED PLAN PROVIDERS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), if a defined contribution plan to which subsection (c) applies—

''(A) is maintained by employers which have a common interest other than having adopted the plan, or

''(B) in the case of a plan not described in subparagraph (A), has a pooled plan provider, then the plan shall not be treated as failing to meet the requirements under this title applicable to a plan described in section 401(a) or to a plan that consists of individual retirement accounts described in section 408 (including by reason of subsection (c) thereof), whichever is applicable, merely because one or more employers of employees covered by the plan fail to take such actions as are required of such employers for the plan to meet such requirements.

''(2) LIMITATIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any plan unless the terms of the plan provide that in the case of any employer in the plan failing to take the actions described in paragraph (1)—

''(i) the assets of the plan attributable to employees of such employer (or beneficiaries of such employees) will be transferred to a plan maintained only by such employer (or its successor), to an eligible retirement plan as defined in section 402(c)(8)(B) for each individual whose account is transferred, or to any other arrangement that the Secretary determines is appropriate, unless the Secretary determines it is in the best interests of the employees of such employer (and the beneficiaries of such employees) to retain the assets in the plan, and

''(ii) such employer (and not the plan with respect to which the failure occurred or any other employer in such plan) shall, except to the extent provided by the Secretary, be liable for any liabilities with respect to such plan attributable to employees of such employer (or beneficiaries of such employees).

''(B) FAILURES BY POOLED PLAN PROVIDERS.—If the pooled plan provider of a plan described in paragraph (1)(B) does not perform substantially all of the administrative duties which are required of the provider under paragraph (3)(A)(i) for any plan year, the Secretary may provide that the determination as to whether the plan meets the requirements under this title applicable to a plan described in section 401(a) or to a plan that consists of individual retirement accounts described in section 408 (including by reason of subsection (c) thereof), whichever is applicable, shall be made in the same manner as would be made without regard to paragraph (1).

''(3) POOLED PLAN PROVIDER.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'pooled plan provider' means, with respect to any plan, a person who—

''(i) is designated by the terms of the plan as a named fiduciary (within the meaning of section 402(a)(2) of the Employee Retirement Income Security Act of 1974), as the plan administrator, and as the person responsible to perform all administrative duties (including conducting proper testing with respect to the plan and the employees of each employer in the plan) which are reasonably necessary to ensure that—

''(I) the plan meets any requirement applicable under the Employee Retirement Income Security Act of 1974 or this title to a plan described in section 401(a) or to a plan that consists of individual retirement accounts described in section 408 (including by reason of subsection (c) thereof), whichever is applicable, and

''(II) each employer in the plan takes such actions as the Secretary or such person determines are necessary for the plan to meet the requirements described in subclause (I), including providing to such person any disclosures or other information which the Secretary may require or which such person otherwise determines are necessary to administer the plan or to allow the plan to meet such requirements,

''(ii) registers as a pooled plan provider with the Secretary, and provides such other information to the Secretary as the Secretary may require, before beginning operations as a pooled plan provider,

''(iii) acknowledges in writing that such person is a named fiduciary (within the meaning of section 402(a)(2) of the Employee Retirement Income Security Act of 1974), and the plan administrator, with respect to the plan, and

''(iv) is responsible for ensuring that all persons who handle assets of, or who are fiduciaries of, the plan are bonded in accordance with section 412 of the Employee Retirement Income Security Act of 1974.

''(B) AUDITS, EXAMINATIONS AND INVESTIGATIONS.—The Secretary may perform audits, examinations, and investigations of pooled plan providers as may be necessary to enforce and carry out the purposes of this subsection.

''(C) AGGREGATION RULES.—For purposes of this paragraph, in determining whether a person meets the requirements of this paragraph to be a pooled plan provider with respect to any plan, all persons who perform services for the plan and who are treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as one person.

''(D) TREATMENT OF EMPLOYERS AS PLAN SPONSORS.—Except with respect to the administrative duties of the pooled plan provider described in subparagraph (A)(i), each employer in a plan which has a pooled plan provider shall be treated as the plan sponsor with respect to the portion of the plan attributable to employees of such employer (or beneficiaries of such employees).

''(4) GUIDANCE.—

''(A) IN GENERAL.—The Secretary shall issue such guidance as the Secretary determines appropriate to carry out this subsection, including guidance—

''(i) to identify the administrative duties and other actions required to be performed by a pooled plan provider under this subsection,

''(ii) which describes the procedures to be taken to terminate a plan which fails to meet the requirements to be a plan described in paragraph (1), including the proper treatment of, and actions needed to be taken by, any employer in the plan and the assets and liabilities of the plan attributable to employees of such employer (or beneficiaries of such employees), and

''(iii) identifying appropriate cases to which the rules of paragraph (2)(A) will apply to employers in the plan failing to take the actions described in paragraph (1).

The Secretary shall take into account under clause (iii) whether the failure of an employer or pooled plan provider to provide any disclosures or other information, or to take any other action, necessary to administer a plan or to allow a plan to meet requirements applicable to the plan under section 401(a) or 408, whichever is applicable, has continued over a period of time that demonstrates a lack of commitment to compliance.

''(B) GOOD FAITH COMPLIANCE WITH LAW BEFORE GUIDANCE.—An employer or pooled plan provider shall not be treated as failing to meet a requirement of guidance issued by the Secretary under this paragraph if, before the issuance of such guidance, the employer or pooled plan provider complies in good faith with a reasonable interpretation of the provisions of this subsection to which such guidance relates.

''(5) MODEL PLAN.—The Secretary shall publish model plan language which meets the requirements of this subsection and of paragraphs (43) and (44) of section 3 of the Employee Retirement Income Security Act of 1974 and which may be adopted in order for a plan to be treated as a plan described in paragraph (1)(B).''.

(2) CONFORMING AMENDMENT.—Section 413(c)(2) of such Code is amended by striking ''section 401(a)'' and inserting ''sections 401(a) and 408(c)''.

(3) TECHNICAL AMENDMENT.—Section 408(c) of such Code is amended by inserting after paragraph (2) the following new paragraph:

''(3) There is a separate accounting for any interest of an employee or member (or spouse of an employee or member) in a Roth IRA.''.

(b) NO COMMON INTEREST REQUIRED FOR POOLED EMPLOYER PLANS.—Section 3(2) of the Employee Retirement Income Security

Act of 1974 (29 U.S.C. 1002(2)) is amended by adding at the end the following:

''(C) A pooled employer plan shall be treated as—

''(i) a single employee pension benefit plan or single pension plan; and

''(ii) a plan to which section 210(a) applies.''.

(c) POOLED EMPLOYER PLAN AND PROVIDER DEFINED.—

(1) IN GENERAL.—Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002) is amended by adding at the end the following:

''(43) POOLED EMPLOYER PLAN.—

''(A) IN GENERAL.—The term 'pooled employer plan' means a plan—

''(i) which is an individual account plan established or maintained for the purpose of providing benefits to the employees of 2 or more employers;

''(ii) which is a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code or a plan that consists of individual retirement accounts described in section 408 of such Code (including by reason of subsection (c) thereof); and

''(iii) the terms of which meet the requirements of subparagraph (B).

Such term shall not include a plan maintained by employers which have a common interest other than having adopted the plan.

''(B) REQUIREMENTS FOR PLAN TERMS.—The requirements of this subparagraph are met with respect to any plan if the terms of the plan—

''(i) designate a pooled plan provider and provide that the pooled plan provider is a named fiduciary of the plan;

''(ii) designate one or more trustees meeting the requirements of section 408(a)(2) of the Internal Revenue Code of 1986 (other than an employer in the plan) to be responsible for collecting contributions to, and holding the assets of, the plan and require such trustees to implement written contribution collection procedures that are reasonable, diligent, and systematic;

''(iii) provide that each employer in the plan retains fiduciary responsibility for—

''(I) the selection and monitoring in accordance with section 404(a) of the person designated as the pooled plan provider and any other person who, in addition to the pooled plan provider, is designated as a named fiduciary of the plan; and

''(II) to the extent not otherwise delegated to another fiduciary by the pooled plan provider and subject to the provisions of section 404(c), the investment and management of the portion of the plan's assets attributable to the employees of the employer (or beneficiaries of such employees);

''(iv) provide that employers in the plan, and participants and beneficiaries, are not subject to unreasonable restrictions, fees, or penalties with regard to ceasing participation, receipt of distributions, or otherwise transferring assets of the plan in accordance with section 208 or paragraph (44)(C)(i)(II);

''(v) require—

''(I) the pooled plan provider to provide to employers in the plan any disclosures or other information which the Secretary may require, including any disclosures or other information to facilitate the selection or any monitoring of the pooled plan provider by employers in the plan; and

''(II) each employer in the plan to take such actions as the Secretary or the pooled plan provider determines are necessary to administer the plan or for the plan to meet any requirement applicable under this Act or the Internal Revenue Code of 1986 to a plan described in section 401(a) of such Code or to a plan that consists of individual retirement accounts described in section 408 of such Code (including by reason of subsection (c) thereof), whichever is applicable, including providing any disclosures or other information which the Secretary may require or which the pooled plan provider otherwise determines are necessary to administer the plan or to allow the plan to meet such requirements; and

''(vi) provide that any disclosure or other information required to be provided under clause (v) may be provided in electronic form and will be designed to ensure only reasonable costs are imposed on pooled plan providers and employers in the plan.

''(C) EXCEPTIONS.—The term 'pooled employer plan' does not include—

''(i) a multiemployer plan; or

''(ii) a plan established before the date of the enactment of the Setting Every Community Up for Retirement Enhancement Act of 2019 unless the plan administrator elects that the plan will be treated as a pooled employer plan and the plan meets the requirements of this title applicable to a pooled employer plan established on or after such date.

''(D) TREATMENT OF EMPLOYERS AS PLAN SPONSORS.—Except with respect to the administrative duties of the pooled plan provider described in paragraph (44)(A)(i), each employer in a pooled employer plan shall be treated as the plan sponsor with respect to the portion of the plan attributable to employees of such employer (or beneficiaries of such employees).

''(44) POOLED PLAN PROVIDER.—

''(A) IN GENERAL.—The term 'pooled plan provider' means a person who—

''(i) is designated by the terms of a pooled employer plan as a named fiduciary, as the plan administrator, and as the person responsible for the performance of all administrative duties (including conducting proper testing with respect to the plan and the employees of each employer in the plan) which are reasonably necessary to ensure that—

''(I) the plan meets any requirement applicable under this Act or the Internal Revenue Code of 1986 to a plan described in section 401(a) of such Code or to a plan that consists of individual retirement accounts described in section 408 of such Code (including by reason of subsection (c) thereof), whichever is applicable; and

''(II) each employer in the plan takes such actions as the Secretary or pooled plan provider determines are necessary for the plan to meet the requirements described in subclause (I), including providing the disclosures and information described in paragraph (43)(B)(v)(II);

''(ii) registers as a pooled plan provider with the Secretary, and provides to the Secretary such other information as the Secretary may require, before beginning operations as a pooled plan provider;

''(iii) acknowledges in writing that such person is a named fiduciary, and the plan administrator, with respect to the pooled employer plan; and

''(iv) is responsible for ensuring that all persons who handle assets of, or who are fiduciaries of, the pooled employer plan are bonded in accordance with section 412.

''(B) AUDITS, EXAMINATIONS AND INVESTIGATIONS.—The Secretary may perform audits, examinations, and investigations of pooled plan providers as may be necessary to enforce and carry out the purposes of this paragraph and paragraph (43).

''(C) GUIDANCE.—The Secretary shall issue such guidance as the Secretary determines appropriate to carry out this paragraph and paragraph (43), including guidance—

''(i) to identify the administrative duties and other actions required to be performed by a pooled plan provider under either such paragraph; and

''(ii) which requires in appropriate cases that if an employer in the plan fails to take the actions required under subparagraph (A)(i)(II)—

''(I) the assets of the plan attributable to employees of such employer (or beneficiaries of such employees) are transferred to a plan maintained only by such employer (or its successor), to an eligible retirement plan as defined in section 402(c)(8)(B) of the Internal Revenue Code of 1986 for each individual whose account is transferred, or to any other arrangement that the Secretary determines is appropriate in such guidance; and

''(II) such employer (and not the plan with respect to which the failure occurred or any other employer in such plan) shall, except to the extent provided in such guidance, be liable for any liabilities with respect to such plan attributable to employees of such employer (or beneficiaries of such employees).

The Secretary shall take into account under clause (ii) whether the failure of an employer or pooled plan provider to provide any disclosures or other information, or to take any other action, necessary to administer a plan or to allow a plan to meet requirements described in subparagraph (A)(i)(II) has continued over a period of time that demonstrates a lack of commitment to compliance. The Secretary may waive the requirements of subclause (ii)(I) in appropriate circumstances if the Secretary determines it is in the best interests of the employees of the employer referred to in such clause (and the beneficiaries of such employees) to retain the assets in the plan with respect to which the employer's failure occurred.

''(D) GOOD FAITH COMPLIANCE WITH LAW BEFORE GUIDANCE.—An employer or pooled plan provider shall not be treated as failing to meet a requirement of guidance issued by the Secretary under subparagraph (C) if, before the issuance of such guidance, the employer or pooled plan provider complies in good faith with a reasonable interpretation of the provisions of this paragraph, or paragraph (43), to which such guidance relates.

''(E) AGGREGATION RULES.—For purposes of this paragraph, in determining whether a person meets the requirements of this paragraph to be a pooled plan provider with respect to any plan, all persons who perform services for the plan and who are treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 shall be treated as one person.''.

(2) BONDING REQUIREMENTS FOR POOLED EMPLOYER PLANS.—The last sentence of section 412(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1112(a)) is amended by inserting ''or in the case of a pooled employer plan (as defined in section 3(43))'' after ''section 407(d)(1))''.

(3) CONFORMING AND TECHNICAL AMENDMENTS.—Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002) is amended—

(A) in paragraph (16)(B)—

(i) by striking ''or'' at the end of clause (ii); and

(ii) by striking the period at the end and inserting '', or (iv) in the case of a pooled employer plan, the pooled plan provider.''; and

(B) by striking the second paragraph (41).

(d) POOLED EMPLOYER AND MULTIPLE EMPLOYER PLAN REPORTING.—

(1) ADDITIONAL INFORMATION.—Section 103 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1023) is amended—

(A) in subsection (a)(1)(B), by striking ''applicable subsections (d), (e), and (f)'' and inserting ''applicable subsections (d), (e), (f), and (g)''; and

(B) by amending subsection (g) to read as follows:

''(g) ADDITIONAL INFORMATION WITH RESPECT TO POOLED EMPLOYER AND MULTIPLE EMPLOYER PLANS.—An annual report under this section for a plan year shall include—

''(1) with respect to any plan to which section 210(a) applies (including a pooled employer plan), a list of employers in the plan and a good faith estimate of the percentage of total contributions made by such employers during the plan year and the aggregate account balances attributable to each employer in the plan (determined as the sum of the account balances of the employees of such employer (and the beneficiaries of such employees)); and

''(2) with respect to a pooled employer plan, the identifying information for the person designated under the terms of the plan as the pooled plan provider.''.

(2) SIMPLIFIED ANNUAL REPORTS.—Section 104(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1024(a)) is amended by striking paragraph (2)(A) and inserting the following:

''(2)(A) With respect to annual reports required to be filed with the Secretary under this part, the Secretary may by regulation prescribe simplified annual reports for any pension plan that—

''(i) covers fewer than 100 participants; or

''(ii) is a plan described in section 210(a) that covers fewer than 1,000 participants, but only if no single employer in the plan has 100 or more participants covered by the plan.''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after December 31, 2020.

(2) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall be construed as limiting the authority of the Secretary of the Treasury or the Secretary's delegate (determined without regard to such amendment) to provide for the proper treatment of a failure to meet any requirement applicable under the Internal Revenue Code of 1986 with respect to one employer (and its employees) in a multiple employer plan.

SEC. 102. INCREASE IN 10 PERCENT CAP FOR AUTOMATIC ENROLLMENT SAFE HARBOR AFTER 1ST PLAN YEAR.

(a) IN GENERAL.—Section 401(k)(13)(C)(iii) of the Internal Revenue Code of 1986 is amended by striking ''does not exceed 10 percent'' and inserting ''does not exceed 15 percent (10 percent during the period described in subclause (I))''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2019.

SEC. 103. RULES RELATING TO ELECTION OF SAFE HARBOR 401(k) STATUS.

(a) LIMITATION OF ANNUAL SAFE HARBOR NOTICE TO MATCHING CONTRIBUTION PLANS.—

(1) IN GENERAL.—Subparagraph (A) of section 401(k)(12) of the Internal Revenue Code of 1986 is amended by striking ''if such arrangement'' and all that follows and inserting ''if such arrangement—

''(i) meets the contribution requirements of subparagraph (B) and the notice requirements of subparagraph (D), or

''(ii) meets the contribution requirements of subparagraph (C).''.

(2) AUTOMATIC CONTRIBUTION ARRANGEMENTS.—Subparagraph (B) of section 401(k)(13) of such Code is amended by striking ''means'' and all that follows and inserting ''means a cash or deferred arrangement—

''(i) which is described in subparagraph (D)(i)(I) and meets the applicable requirements of subparagraphs (C) through (E), or

''(ii) which is described in subparagraph (D)(i)(II) and meets the applicable requirements of subparagraphs (C) and (D).''.

(b) NONELECTIVE CONTRIBUTIONS.—Section 401(k)(12) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (F) as subparagraph (G), and by inserting after subparagraph (E) the following new subparagraph:

''(F) TIMING OF PLAN AMENDMENT FOR EMPLOYER MAKING NONELECTIVE CONTRIBUTIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), a plan may be amended after the beginning of a plan year to provide that the requirements of subparagraph (C) shall apply to the arrangement for the plan year, but only if the amendment is adopted—

''(I) at any time before the 30th day before the close of the plan year, or

''(II) at any time before the last day under paragraph (8)(A) for distributing excess contributions for the plan year.

''(ii) EXCEPTION WHERE PLAN PROVIDED FOR MATCHING CONTRIBUTIONS.—Clause (i) shall not apply to any plan year if the plan provided at any time during the plan year that the requirements of subparagraph (B) or paragraph (13)(D)(i)(I) applied to the plan year.

''(iii) 4-PERCENT CONTRIBUTION REQUIREMENT.—Clause (i)(II) shall not apply to an arrangement unless the amount of the contributions described in subparagraph (C) which the employer is required to make under the arrangement for the plan year with respect to any employee is an amount equal to at least 4 percent of the employee's compensation.''.

(c) AUTOMATIC CONTRIBUTION ARRANGEMENTS.—Section 401(k)(13) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(F) TIMING OF PLAN AMENDMENT FOR EMPLOYER MAKING NONELECTIVE CONTRIBUTIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), a plan may be amended after the beginning of a plan year to provide that the requirements of subparagraph (D)(i)(II) shall apply to the arrangement for the plan year, but only if the amendment is adopted—

''(I) at any time before the 30th day before the close of the plan year, or

''(II) at any time before the last day under paragraph (8)(A) for distributing excess contributions for the plan year.

''(ii) EXCEPTION WHERE PLAN PROVIDED FOR MATCHING CONTRIBUTIONS.—Clause (i) shall not apply to any plan year if the plan provided at any time during the plan year that the requirements of subparagraph (D)(i)(I) or paragraph (12)(B) applied to the plan year.

''(iii) 4-PERCENT CONTRIBUTION REQUIREMENT.—Clause (i)(II) shall not apply to an arrangement unless the amount of the contributions described in subparagraph (D)(i)(II) which the employer is required to make under the arrangement for the plan year with respect to any employee is an amount equal to at least 4 percent of the employee's compensation.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2019.

SEC. 104. INCREASE IN CREDIT LIMITATION FOR SMALL EMPLOYER PENSION PLAN STARTUP COSTS.

(a) IN GENERAL.—Paragraph (1) of section 45E(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) for the first credit year and each of the 2 taxable years immediately following the first credit year, the greater of—

''(A) $500, or

''(B) the lesser of—

''(i) $250 for each employee of the eligible employer who is not a highly compensated employee (as defined in section 414(q)) and who is eligible to participate in the eligible employer plan maintained by the eligible employer, or

''(ii) $5,000, and''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2019.

SEC. 105. SMALL EMPLOYER AUTOMATIC ENROLLMENT CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45T. AUTO-ENROLLMENT OPTION FOR RETIREMENT SAVINGS OPTIONS PROVIDED BY SMALL EMPLOYERS.

''(a) IN GENERAL.—For purposes of section 38, in the case of an eligible employer, the retirement auto-enrollment credit determined under this section for any taxable year is an amount equal to—

''(1) $500 for any taxable year occurring during the credit period, and

''(2) zero for any other taxable year.

''(b) CREDIT PERIOD.—For purposes of subsection (a)—

''(1) IN GENERAL.—The credit period with respect to any eligible employer is the 3-taxable-year period beginning with the first taxable year for which the employer includes an eligible automatic contribution arrangement (as defined in section 414(w)(3)) in a qualified employer plan (as defined in section 4972(d)) sponsored by the employer.

''(2) MAINTENANCE OF ARRANGEMENT.—No taxable year with respect to an employer shall be treated as occurring within the credit period unless the arrangement described in paragraph (1) is included in the plan for such year.

''(c) ELIGIBLE EMPLOYER.—For purposes of this section, the term 'eligible employer' has the meaning given such term in section 408(p)(2)(C)(i).''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of the Internal Revenue Code of 1986 is amended by striking ''plus'' at the end of paragraph (31), by striking the period at the end of paragraph (32) and inserting '', plus'', and by adding at the end the following new paragraph:

''(33) in the case of an eligible employer (as defined in section 45T(c)), the retirement auto-enrollment credit determined under section 45T(a).''.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 45S the following new item:

''Sec. 45T. Auto-enrollment option for retirement savings options provided by small employers.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

SEC. 106. CERTAIN TAXABLE NON-TUITION FELLOWSHIP AND STIPEND PAYMENTS TREATED AS COMPENSATION FOR IRA PURPOSES.

(a) IN GENERAL.—Paragraph (1) of section 219(f) of the Internal Revenue Code of 1986 is amended by adding at the end the following: ''The term 'compensation' shall include any amount which is included in the individual's gross income and paid to the individual to aid the individual in the pursuit of graduate or postdoctoral study.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2019.

SEC. 107. REPEAL OF MAXIMUM AGE FOR TRADITIONAL IRA CONTRIBUTIONS.

(a) IN GENERAL.—Paragraph (1) of section 219(d) of the Internal Revenue Code of 1986 is repealed.

(b) COORDINATION WITH QUALIFIED CHARITABLE DISTRIBUTIONS.—Add at the end of section 408(d)(8)(A) of such Code the following:

''The amount of distributions not includible in gross income by reason of the preceding sentence for a taxable year (determined without regard to this sentence) shall be reduced (but not below zero) by an amount equal to the excess of—

''(i) the aggregate amount of deductions allowed to the taxpayer under section 219 for all taxable years ending on or after the date the taxpayer attains age 70½, over

''(ii) the aggregate amount of reductions under this sentence for all taxable years preceding the current taxable year.''.

(c) CONFORMING AMENDMENT.—Subsection (c) of section 408A of the Internal Revenue Code of 1986 is amended by striking paragraph (4) and by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to contributions made for taxable years beginning after December 31, 2019.

(2) SUBSECTION (b).—The amendment made by subsection (b) shall apply to distributions made for taxable years beginning after December 31, 2019.

SEC. 108. QUALIFIED EMPLOYER PLANS PROHIBITED FROM MAKING LOANS THROUGH CREDIT CARDS AND OTHER SIMILAR ARRANGEMENTS.

(a) IN GENERAL.—Paragraph (2) of section 72(p) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

''(D) PROHIBITION OF LOANS THROUGH CREDIT CARDS AND OTHER SIMILAR ARRANGEMENTS.—Subparagraph (A) shall not apply to any loan which is made through the use of any credit card or any other similar arrangement.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to loans made after the date of the enactment of this Act.

SEC. 109. PORTABILITY OF LIFETIME INCOME OPTIONS.

(a) IN GENERAL.—Subsection (a) of section 401 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (37) the following new paragraph:

''(38) PORTABILITY OF LIFETIME INCOME.—

''(A) IN GENERAL.—Except as may be otherwise provided by regulations, a trust forming part of a defined contribution plan shall not be treated as failing to constitute a qualified trust under this section solely by reason of allowing—

''(i) qualified distributions of a lifetime income investment, or

''(ii) distributions of a lifetime income investment in the form of a qualified plan distribution annuity contract,

on or after the date that is 90 days prior to the date on which such lifetime income investment is no longer authorized to be held as an investment option under the plan.

''(B) DEFINITIONS.—For purposes of this subsection—

''(i) the term 'qualified distribution' means a direct trustee-to-trustee transfer described in paragraph (31)(A) to an eligible retirement plan (as defined in section 402(c)(8)(B)),

''(ii) the term 'lifetime income investment' means an investment option which is designed to provide an employee with election rights—

''(I) which are not uniformly available with respect to other investment options under the plan, and

''(II) which are to a lifetime income feature available through a contract or other arrangement offered under the plan (or under another eligible retirement plan (as so defined), if paid by means of a direct trustee-to-trustee transfer described in paragraph (31)(A) to such other eligible retirement plan),

''(iii) the term 'lifetime income feature' means—

''(I) a feature which guarantees a minimum level of income annually (or more frequently) for at least the remainder of the life of the employee or the joint lives of the employee and the employee's designated beneficiary, or

''(II) an annuity payable on behalf of the employee under which payments are made in substantially equal periodic payments (not less frequently than annually) over the life of the employee or the joint lives of the employee and the employee's designated beneficiary, and

''(iv) the term 'qualified plan distribution annuity contract' means an annuity contract purchased for a participant and distributed to the participant by a plan or contract described in subparagraph (B) of section 402(c)(8) (without regard to clauses (i) and (ii) thereof).''.

(b) CASH OR DEFERRED ARRANGEMENT.—

(1) IN GENERAL.—Clause (i) of section 401(k)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of subclause (IV), by striking ''and'' at the end of subclause (V) and inserting ''or'', and by adding at the end the following new subclause:

''(VI) except as may be otherwise provided by regulations, with respect to amounts invested in a lifetime income investment (as defined in subsection (a)(38)(B)(ii)), the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the arrangement, and''.

(2) DISTRIBUTION REQUIREMENT.—Subparagraph (B) of section 401(k)(2) of such Code, as amended by paragraph (1), is amended by striking ''and'' at the end of clause (i), by striking the semicolon at the end of clause (ii) and inserting '', and'', and by adding at the end the following new clause:

''(iii) except as may be otherwise provided by regulations, in the case of amounts described in clause (i)(VI), will be distributed only in the form of a qualified distribution (as defined in subsection (a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in subsection (a)(38)(B)(iv)),''.

(c) SECTION 403(b) PLANS.—

(1) ANNUITY CONTRACTS.—Paragraph (11) of section 403(b) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', or'', and by inserting after subparagraph (C) the following new subparagraph:

''(D) except as may be otherwise provided by regulations, with respect to amounts invested in a lifetime income investment (as defined in section 401(a)(38)(B)(ii))—

''(i) on or after the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the contract, and

''(ii) in the form of a qualified distribution (as defined in section 401(a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in section 401(a)(38)(B)(iv)).''.

(2) CUSTODIAL ACCOUNTS.—Subparagraph (A) of section 403(b)(7) of such Code is amended by striking ''if—'' and all that follows and inserting ''if the amounts are to be invested in regulated investment company stock to be held in that custodial account, and under the custodial account—

''(i) no such amounts may be paid or made available to any distributee (unless such amount is a distribution to which section 72(t)(2)(G) applies) before—

''(I) the employee dies,

''(II) the employee attains age 59½,

''(III) the employee has a severance from employment,

''(IV) the employee becomes disabled (within the meaning of section 72(m)(7)),

''(V) in the case of contributions made pursuant to a salary reduction agreement (within the meaning of section 3121(a)(5)(D)), the employee encounters financial hardship, or

''(VI) except as may be otherwise provided by regulations, with respect to amounts invested in a lifetime income investment (as defined in section 401(a)(38)(B)(ii)), the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the contract, and

''(ii) in the case of amounts described in clause (i)(VI), such amounts will be distributed only in the form of a qualified distribution (as defined in section 401(a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in section 401(a)(38)(B)(iv)).''.

(d) ELIGIBLE DEFERRED COMPENSATION PLANS.—

(1) IN GENERAL.—Subparagraph (A) of section 457(d)(1) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of clause (ii), by inserting ''or'' at the end of clause (iii), and by adding after clause (iii) the following:

''(iv) except as may be otherwise provided by regulations, in the case of a plan maintained by an employer described in subsection (e)(1)(A), with respect to amounts invested in a lifetime income investment (as defined in section 401(a)(38)(B)(ii)), the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the plan,''.

(2) DISTRIBUTION REQUIREMENT.—Paragraph (1) of section 457(d) of such Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by inserting after subparagraph (C) the following new subparagraph:

''(D) except as may be otherwise provided by regulations, in the case of amounts described in subparagraph (A)(iv), such amounts will be distributed only in the form of a qualified distribution (as defined in section 401(a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in section 401(a)(38)(B)(iv)).''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2019.

SEC. 110. TREATMENT OF CUSTODIAL ACCOUNTS ON TERMINATION OF SECTION 403(b) PLANS.

Not later than six months after the date of enactment of this Act, the Secretary of the Treasury shall issue guidance to provide that, if an employer terminates the plan under which amounts are contributed to a custodial account under subparagraph (A) of section 403(b)(7), the plan administrator or custodian may distribute an individual custodial account in kind to a participant or beneficiary of the plan and the distributed custodial account shall be maintained by the custodian on a tax-deferred basis as a section 403(b)(7) custodial account, similar to the treatment of fully-paid individual annuity contracts under Revenue Ruling 2011–7, until amounts are actually paid to the participant or beneficiary. The guidance shall provide further (i) that the section 403(b)(7) status of the distributed custodial account is generally maintained if the custodial account thereafter adheres to the requirements of section 403(b) that are in effect at the time of the distribution of the account and (ii) that a custodial account would not be considered distributed to the participant or beneficiary

if the employer has any material retained rights under the account (but the employer would not be treated as retaining material rights simply because the custodial account was originally opened under a group contract). Such guidance shall be retroactively effective for taxable years beginning after December 31, 2008.

SEC. 111. CLARIFICATION OF RETIREMENT INCOME ACCOUNT RULES RELATING TO CHURCH-CONTROLLED ORGANIZATIONS.

(a) IN GENERAL.—Subparagraph (B) of section 403(b)(9) of the Internal Revenue Code of 1986 is amended by inserting ''(including an employee described in section 414(e)(3)(B))'' after ''employee described in paragraph (1)''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning before, on, or after the date of the enactment of this Act.

SEC. 112. QUALIFIED CASH OR DEFERRED ARRANGEMENTS MUST ALLOW LONG-TERM EMPLOYEES WORKING MORE THAN 500 BUT LESS THAN 1,000 HOURS PER YEAR TO PARTICIPATE.

(a) PARTICIPATION REQUIREMENT.—

(1) IN GENERAL.—Section 401(k)(2)(D) of the Internal Revenue Code of 1986 is amended to read as follows:

''(D) which does not require, as a condition of participation in the arrangement, that an employee complete a period of service with the employer (or employers) maintaining the plan extending beyond the close of the earlier of—

''(i) the period permitted under section 410(a)(1) (determined without regard to subparagraph (B)(i) thereof), or

''(ii) subject to the provisions of paragraph (15), the first period of 3 consecutive 12-month periods during each of which the employee has at least 500 hours of service.''.

(2) SPECIAL RULES.—Section 401(k) of such Code is amended by adding at the end the following new paragraph:

''(15) SPECIAL RULES FOR PARTICIPATION REQUIREMENT FOR LONG-TERM, PART-TIME WORKERS.—For purposes of paragraph (2)(D)(ii)—

''(A) AGE REQUIREMENT MUST BE MET.—Paragraph (2)(D)(ii) shall not apply to an employee unless the employee has met the requirement of section 410(a)(1)(A)(i) by the close of the last of the 12-month periods described in such paragraph.

''(B) NONDISCRIMINATION AND TOP-HEAVY RULES NOT TO APPLY.—

''(i) NONDISCRIMINATION RULES.—In the case of employees who are eligible to participate in the arrangement solely by reason of paragraph (2)(D)(ii)—

''(I) notwithstanding subsection (a)(4), an employer shall not be required to make nonelective or matching contributions on behalf of such employees even if such contributions are made on behalf of other employees eligible to participate in the arrangement, and

''(II) an employer may elect to exclude such employees from the application of subsection (a)(4), paragraphs (3), (12), and (13), subsection (m)(2), and section 410(b).

''(ii) TOP-HEAVY RULES.—An employer may elect to exclude all employees who are eligible to participate in a plan maintained by the employer solely by reason of paragraph (2)(D)(ii) from the application of the vesting and benefit requirements under subsections (b) and (c) of section 416.

''(iii) VESTING.—For purposes of determining whether an employee described in clause (i) has a nonforfeitable right to employer contributions (other than contributions described in paragraph (3)(D)(i)) under the arrangement, each 12-month period for which the employee has at least 500 hours of service shall be treated as a year of service, and section 411(a)(6) shall be applied by substituting 'at least 500 hours of service' for 'more than 500 hours of service' in subparagraph (A) thereof.

''(iv) EMPLOYEES WHO BECOME FULL-TIME EMPLOYEES.—This subparagraph (other than clause (iii)) shall cease to apply to any employee as of the first plan year beginning after the plan year in which the employee meets the requirements of section 410(a)(1)(A)(ii) without regard to paragraph (2)(D)(ii).

''(C) EXCEPTION FOR EMPLOYEES UNDER COLLECTIVELY BARGAINED PLANS, ETC.—Paragraph (2)(D)(ii) shall not apply to employees described in section 410(b)(3).

''(D) SPECIAL RULES.—

''(i) TIME OF PARTICIPATION.—The rules of section 410(a)(4) shall apply to an employee eligible to participate in an arrangement solely by reason of paragraph (2)(D)(ii).

''(ii) 12-MONTH PERIODS.—12-month periods shall be determined in the same manner as under the last sentence of section 410(a)(3)(A).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2020, except that, for purposes of section 401(k)(2)(D)(ii) of the Internal Revenue Code of 1986 (as added by such amendments), 12-month periods beginning before January 1, 2021, shall not be taken into account.

SEC. 113. PENALTY-FREE WITHDRAWALS FROM RETIREMENT PLANS FOR INDIVIDUALS IN CASE OF BIRTH OF CHILD OR ADOPTION.

(a) IN GENERAL.—Section 72(t)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(H) DISTRIBUTIONS FROM RETIREMENT PLANS IN CASE OF BIRTH OF CHILD OR ADOPTION.—

''(i) IN GENERAL.—Any qualified birth or adoption distribution.

''(ii) LIMITATION.—The aggregate amount which may be treated as qualified birth or adoption distributions by any individual with respect to any birth or adoption shall not exceed $5,000.

''(iii) QUALIFIED BIRTH OR ADOPTION DISTRIBUTION.—For purposes of this subparagraph—

''(I) IN GENERAL.—The term 'qualified birth or adoption distribution' means any distribution from an applicable eligible retirement plan to an individual if made during the 1-year period beginning on the date on which a child of the individual is born or on which the legal adoption by the individual of an eligible adoptee is finalized.

''(II) ELIGIBLE ADOPTEE.—The term 'eligible adoptee' means any individual (other than a child of the taxpayer's spouse) who has not attained age 18 or is physically or mentally incapable of self-support.

''(iv) TREATMENT OF PLAN DISTRIBUTIONS.—

''(I) IN GENERAL.—If a distribution to an individual would (without regard to clause (ii)) be a qualified birth or adoption distribution, a plan shall not be treated as failing to meet any requirement of this title merely because the plan treats the distribution as a qualified birth or adoption distribution, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds $5,000.

''(II) CONTROLLED GROUP.—For purposes of subclause (I), the term 'controlled group' means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414.

''(v) AMOUNT DISTRIBUTED MAY BE REPAID.—

''(I) IN GENERAL.—Any individual who receives a qualified birth or adoption distribution may make one or more contributions in an aggregate amount not to exceed the amount of such distribution to an applicable eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), as the case may be.

''(II) LIMITATION ON CONTRIBUTIONS TO APPLICABLE ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—The aggregate amount of contributions made by an individual under subclause (I) to any applicable eligible retirement plan which is not an individual retirement plan shall not exceed the aggregate amount of qualified birth or adoption distributions which are made from such plan to such individual. Subclause (I) shall not apply to contributions to any applicable eligible retirement plan which is not an individual retirement plan unless the individual is eligible to make contributions (other than those described in subclause (I)) to such applicable eligible retirement plan.

''(III) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM APPLICABLE ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—If a contribution is made under subclause (I) with respect to a qualified birth or adoption distribution from an applicable eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received such distribution in an eligible rollover distribution (as defined in section 402(c)(4)) and as having transferred the amount to the applicable eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

''(IV) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—If a contribution is made under subclause (I) with respect to a qualified birth or adoption distribution from an individual retirement plan, then, to the extent of the amount of the contribution, such distribution shall be treated as a distribution described in section 408(d)(3) and as having been transferred to the applicable eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

''(vi) DEFINITION AND SPECIAL RULES.—For purposes of this subparagraph—

''(I) APPLICABLE ELIGIBLE RETIREMENT PLAN.—The term 'applicable eligible retirement plan' means an eligible retirement plan (as defined in section 402(c)(8)(B)) other than a defined benefit plan.

''(II) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405, a qualified birth or adoption distribution shall not be treated as an eligible rollover distribution.

''(III) TAXPAYER MUST INCLUDE TIN.—A distribution shall not be treated as a qualified birth or adoption distribution with respect to any child or eligible adoptee unless the taxpayer includes the name, age, and TIN of such child or eligible adoptee on the taxpayer's return of tax for the taxable year.

''(IV) DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—Any qualified birth or adoption distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2019.

SEC. 114. INCREASE IN AGE FOR REQUIRED BEGINNING DATE FOR MANDATORY DISTRIBUTIONS.

(a) IN GENERAL.—Section 401(a)(9)(C)(i)(I) of the Internal Revenue Code of 1986 is amended by striking ''age 70½'' and inserting ''age 72''.

(b) SPOUSE BENEFICIARIES; SPECIAL RULE FOR OWNERS.—Subparagraphs (B)(iv)(I) and (C)(ii)(I) of section 401(a)(9) of such Code are each amended by striking ''age 70½'' and inserting ''age 72''.

(c) CONFORMING AMENDMENTS.—The last sentence of section 408(b) of such Code is amended by striking ''age 70½'' and inserting ''age 72''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions required to be made after December 31, 2019, with respect to individuals who attain age 70½ after such date.

SEC. 115. SPECIAL RULES FOR MINIMUM FUNDING STANDARDS FOR COMMUNITY NEWSPAPER PLANS.

(a) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Section 430 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(m) SPECIAL RULES FOR COMMUNITY NEWSPAPER PLANS.—

''(1) IN GENERAL.—The plan sponsor of a community newspaper plan under which no participant has had the participant's accrued benefit increased (whether because of service or compensation) after December 31, 2017, may elect to have the alternative standards described in paragraph (3) apply to such plan, and any plan sponsored by any member of the same controlled group.

''(2) ELECTION.—An election under paragraph (1) shall be made at such time and in such manner as prescribed by the Secretary. Such election, once made with respect to a plan year, shall apply to all subsequent plan years unless revoked with the consent of the Secretary.

''(3) ALTERNATIVE MINIMUM FUNDING STANDARDS.—The alternative standards described in this paragraph are the following:

''(A) INTEREST RATES.—

''(i) IN GENERAL.—Notwithstanding subsection (h)(2)(C) and except as provided in clause (ii), the first, second, and third segment rates in effect for any month for purposes of this section shall be 8 percent.

''(ii) NEW BENEFIT ACCRUALS.—Notwithstanding subsection (h)(2), for purposes of determining the funding target and normal cost of a plan for any plan year, the present value of any benefits accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect shall be determined on the basis of the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.

''(iii) UNITED STATES TREASURY OBLIGATION YIELD CURVE.—For purposes of this subsection, the term 'United States Treasury obligation yield curve' means, with respect to any day, a yield curve which shall be prescribed by the Secretary for such day on interest-bearing obligations of the United States.

''(B) SHORTFALL AMORTIZATION BASE.—

''(i) PREVIOUS SHORTFALL AMORTIZATION BASES.—The shortfall amortization bases determined under subsection (c)(3) for all plan years preceding the first plan year to which the election under paragraph (1) applies (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero under rules similar to the rules of subsection (c)(6).

''(ii) NEW SHORTFALL AMORTIZATION BASE.—Notwithstanding subsection (c)(3), the shortfall amortization base for the first plan year to which the election under paragraph (1) applies shall be the funding shortfall of such plan for such plan year (determined using the interest rates as modified under subparagraph (A)).

''(C) DETERMINATION OF SHORTFALL AMORTIZATION INSTALLMENTS.—

''(i) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting '30-plan-year' for '7-plan-year' each place it appears.

''(ii) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

''(D) EXEMPTION FROM AT-RISK TREATMENT.—Subsection (i) shall not apply.

''(4) COMMUNITY NEWSPAPER PLAN.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'community newspaper plan' means a plan to which this section applies maintained by an employer which, as of December 31, 2017—

''(i) publishes and distributes daily, either electronically or in printed form, 1 or more community newspapers in a single State,

''(ii) is not a company the stock of which is publicly traded (on a stock exchange or in an over-the-counter market), and is not controlled, directly or indirectly, by such a company,

''(iii) is controlled, directly or indirectly—

''(I) by 1 or more persons residing primarily in the State in which the community newspaper is published,

''(II) for not less than 30 years by individuals who are members of the same family,

''(III) by a trust created or organized in the State in which the community newspaper is published, the sole trustees of which are persons described in subclause (I) or (II),

''(IV) by an entity which is described in section 501(c)(3) and exempt from taxation under section 501(a), which is organized and operated in the State in which the community newspaper is published, and the primary purpose of which is to benefit communities in such State, or

''(V) by a combination of persons described in subclause (I), (III), or (IV), and

''(iv) does not control, directly or indirectly, any newspaper in any other State.

''(B) COMMUNITY NEWSPAPER.—The term 'community newspaper' means a newspaper which primarily serves a metropolitan statistical area, as determined by the Office of Management and Budget, with a population of not less than 100,000.

''(C) CONTROL.—A person shall be treated as controlled by another person if such other person possesses, directly or indirectly, the power to direct or cause the direction and management of such person (including the power to elect a majority of the members of the board of directors of such person) through the ownership of voting securities.

''(5) CONTROLLED GROUP.—For purposes of this subsection, the term 'controlled group' means all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 as of the date of the enactment of this subsection.''.

(b) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 303 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083) is amended by adding at the end the following new subsection:

''(m) SPECIAL RULES FOR COMMUNITY NEWSPAPER PLANS.—

''(1) IN GENERAL.—The plan sponsor of a community newspaper plan under which no participant has had the participant's accrued benefit increased (whether because of service or compensation) after December 31, 2017, may elect to have the alternative standards described in paragraph (3) apply to such plan, and any plan sponsored by any member of the same controlled group.

''(2) ELECTION.—An election under paragraph (1) shall be made at such time and in such manner as prescribed by the Secretary of the Treasury. Such election, once made with respect to a plan year, shall apply to all subsequent plan years unless revoked with the consent of the Secretary of the Treasury.

''(3) ALTERNATIVE MINIMUM FUNDING STANDARDS.—The alternative standards described in this paragraph are the following:

''(A) INTEREST RATES.—

''(i) IN GENERAL.—Notwithstanding subsection (h)(2)(C) and except as provided in clause (ii), the first, second, and third segment rates in effect for any month for purposes of this section shall be 8 percent.

''(ii) NEW BENEFIT ACCRUALS.—Notwithstanding subsection (h)(2), for purposes of determining the funding target and normal cost of a plan for any plan year, the present value of any benefits accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect shall be determined on the basis of the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.

''(iii) UNITED STATES TREASURY OBLIGATION YIELD CURVE.—For purposes of this subsection, the term 'United States Treasury obligation yield curve' means, with respect to any day, a yield curve which shall be prescribed by the Secretary of the Treasury for such day on interest-bearing obligations of the United States.

''(B) SHORTFALL AMORTIZATION BASE.—

''(i) PREVIOUS SHORTFALL AMORTIZATION BASES.—The shortfall amortization bases determined under subsection (c)(3) for all plan years preceding the first plan year to which the election under paragraph (1) applies (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero under rules similar to the rules of subsection (c)(6).

''(ii) NEW SHORTFALL AMORTIZATION BASE.—Notwithstanding subsection (c)(3), the shortfall amortization base for the first plan year to which the election under paragraph (1) applies shall be the funding shortfall of such plan for such plan year (determined using the interest rates as modified under subparagraph (A)).

''(C) DETERMINATION OF SHORTFALL AMORTIZATION INSTALLMENTS.—

''(i) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting '30-plan-year' for '7-plan-year' each place it appears.

''(ii) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

''(D) EXEMPTION FROM AT-RISK TREATMENT.—Subsection (i) shall not apply.

''(4) COMMUNITY NEWSPAPER PLAN.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'community newspaper plan' means a plan to which this section applies maintained by an employer which, as of December 31, 2017—

''(i) publishes and distributes daily, either electronically or in printed form—

''(I) a community newspaper, or

''(II) 1 or more community newspapers in the same State,

''(ii) is not a company the stock of which is publicly traded (on a stock exchange or in an over-the-counter market), and is not controlled, directly or indirectly, by such a company,

''(iii) is controlled, directly or indirectly—

''(I) by 1 or more persons residing primarily in the State in which the community newspaper is published,

''(II) for not less than 30 years by individuals who are members of the same family,

''(III) by a trust created or organized in the State in which the community newspaper is published, the sole trustees of which are persons described in subclause (I) or (II),

''(IV) by an entity which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code, which is organized

and operated in the State in which the community newspaper is published, and the primary purpose of which is to benefit communities in such State, or

''(V) by a combination of persons described in subclause (I), (III), or (IV), and

''(iv) does not control, directly or indirectly, any newspaper in any other State.

''(B) COMMUNITY NEWSPAPER.—The term 'community newspaper' means a newspaper which primarily serves a metropolitan statistical area, as determined by the Office of Management and Budget, with a population of not less than 100,000.

''(C) CONTROL.—A person shall be treated as controlled by another person if such other person possesses, directly or indirectly, the power to direct or cause the direction and management of such person (including the power to elect a majority of the members of the board of directors of such person) through the ownership of voting securities.

''(5) CONTROLLED GROUP.—For purposes of this subsection, the term 'controlled group' means all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 as of the date of the enactment of this subsection.

''(6) EFFECT ON PREMIUM RATE CALCULATION.—Notwithstanding any other provision of law or any regulation issued by the Pension Benefit Guaranty Corporation, in the case of a plan for which an election is made to apply the alternative standards described in paragraph (3), the additional premium under section 4006(a)(3)(E) shall be determined as if such election had not been made.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years ending after December 31, 2017.

SEC. 116. TREATING EXCLUDED DIFFICULTY OF CARE PAYMENTS AS COMPENSATION FOR DETERMINING RETIREMENT CONTRIBUTION LIMITATIONS.

(a) INDIVIDUAL RETIREMENT ACCOUNTS.—

(1) IN GENERAL.—Section 408(o) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) SPECIAL RULE FOR DIFFICULTY OF CARE PAYMENTS EXCLUDED FROM GROSS INCOME.—In the case of an individual who for a taxable year excludes from gross income under section 131 a qualified foster care payment which is a difficulty of care payment, if—

''(A) the deductible amount in effect for the taxable year under subsection (b), exceeds

''(B) the amount of compensation includible in the individual's gross income for the taxable year,

the individual may elect to increase the nondeductible limit under paragraph (2) for the taxable year by an amount equal to the lesser of such excess or the amount so excluded.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to contributions after the date of the enactment of this Act.

(b) DEFINED CONTRIBUTION PLANS.—

(1) IN GENERAL.—Section 415(c) of such Code is amended by adding at the end the following new paragraph:

''(8) SPECIAL RULE FOR DIFFICULTY OF CARE PAYMENTS EXCLUDED FROM GROSS INCOME.—

''(A) IN GENERAL.—For purposes of paragraph (1)(B), in the case of an individual who for a taxable year excludes from gross income under section 131 a qualified foster care payment which is a difficulty of care payment, the participant's compensation, or earned income, as the case may be, shall be increased by the amount so excluded.

''(B) CONTRIBUTIONS ALLOCABLE TO DIFFICULTY OF CARE PAYMENTS TREATED AS AFTER-TAX.—Any contribution by the participant which is allowable due to such increase—

''(i) shall be treated for purposes of this title as investment in the contract, and

''(ii) shall not cause a plan (and any arrangement which is part of such plan) to be treated as failing to meet any requirements of this chapter solely by reason of allowing any such contributions.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to plan years beginning after December 31, 2015.

TITLE II—ADMINISTRATIVE IMPROVEMENTS

SEC. 201. PLAN ADOPTED BY FILING DUE DATE FOR YEAR MAY BE TREATED AS IN EFFECT AS OF CLOSE OF YEAR.

(a) IN GENERAL.—Subsection (b) of section 401 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''RETROACTIVE CHANGES IN PLAN.—A stock bonus'' and inserting ''PLAN AMENDMENTS.—

''(1) CERTAIN RETROACTIVE CHANGES IN PLAN.—A stock bonus''; and

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

''(2) ADOPTION OF PLAN.—If an employer adopts a stock bonus, pension, profit-sharing, or annuity plan after the close of a taxable year but before the time prescribed by law for filing the return of the employer for the taxable year (including extensions thereof), the employer may elect to treat the plan as having been adopted as of the last day of the taxable year.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to plans adopted for taxable years beginning after December 31, 2019.

SEC. 202. COMBINED ANNUAL REPORT FOR GROUP OF PLANS.

(a) IN GENERAL.—The Secretary of the Treasury and the Secretary of Labor shall, in cooperation, modify the returns required under section 6058 of the Internal Revenue Code of 1986 and the reports required by section 104 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1024) so that all members of a group of plans described in subsection (c) may file a single aggregated annual return or report satisfying the requirements of both such sections.

(b) ADMINISTRATIVE REQUIREMENTS.—In developing the consolidated return or report under subsection (a), the Secretary of the Treasury and the Secretary of Labor may require such return or report to include any information regarding each plan in the group as such Secretaries determine is necessary or appropriate for the enforcement and administration of the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 and shall require such information as will enable a participant in a plan to identify any aggregated return or report filed with respect to the plan.

(c) PLANS DESCRIBED.—A group of plans is described in this subsection if all plans in the group—

(1) are individual account plans or defined contribution plans (as defined in section 3(34) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(34)) or in section 414(i) of the Internal Revenue Code of 1986);

(2) have—

(A) the same trustee (as described in section 403(a) of such Act (29 U.S.C. 1103(a)));

(B) the same one or more named fiduciaries (as described in section 402(a) of such Act (29 U.S.C. 1102(a)));

(C) the same administrator (as defined in section 3(16)(A) of such Act (29 U.S.C. 1002(16)(A))) and plan administrator (as defined in section 414(g) of the Internal Revenue Code of 1986); and

(D) plan years beginning on the same date; and

(3) provide the same investments or investment options to participants and beneficiaries.

A plan not subject to title I of the Employee Retirement Income Security Act of 1974 shall be treated as meeting the requirements of paragraph (2) as part of a group of plans if the same person that performs each of the functions described in such paragraph, as applicable, for all other plans in such group performs each of such functions for such plan.

(d) CLARIFICATION RELATING TO ELECTRONIC FILING OF RETURNS FOR DEFERRED COMPENSATION PLANS.—

(1) IN GENERAL.—Section 6011(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) APPLICATION OF NUMERICAL LIMITATION TO RETURNS RELATING TO DEFERRED COMPENSATION PLANS.—For purposes of applying the numerical limitation under paragraph (2)(A) to any return required under section 6058, information regarding each plan for which information is provided on such return shall be treated as a separate return.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to returns required to be filed with respect to plan years beginning after December 31, 2019.

(e) EFFECTIVE DATE.—The modification required by subsection (a) shall be implemented not later than January 1, 2022, and shall apply to returns and reports for plan years beginning after December 31, 2021.

SEC. 203. DISCLOSURE REGARDING LIFETIME INCOME.

(a) IN GENERAL.—Subparagraph (B) of section 105(a)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025(a)(2)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking ''diversification.'' and inserting ''diversification, and''; and

(3) by inserting at the end the following:

''(iii) the lifetime income disclosure described in subparagraph (D)(i).

In the case of pension benefit statements described in clause (i) of paragraph (1)(A), a lifetime income disclosure under clause (iii) of this subparagraph shall be required to be included in only one pension benefit statement during any one 12-month period.''.

(b) LIFETIME INCOME.—Paragraph (2) of section 105(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025(a)) is amended by adding at the end the following new subparagraph:

''(D) LIFETIME INCOME DISCLOSURE.—

''(i) IN GENERAL.—

''(I) DISCLOSURE.—A lifetime income disclosure shall set forth the lifetime income stream equivalent of the total benefits accrued with respect to the participant or beneficiary.

''(II) LIFETIME INCOME STREAM EQUIVALENT OF THE TOTAL BENEFITS ACCRUED.—For purposes of this subparagraph, the term 'lifetime income stream equivalent of the total benefits accrued' means the amount of monthly payments the participant or beneficiary would receive if the total accrued benefits of such participant or beneficiary were used to provide lifetime income streams described in subclause (III), based on assumptions specified in rules prescribed by the Secretary.

''(III) LIFETIME INCOME STREAMS.—The lifetime income streams described in this subclause are a qualified joint and survivor annuity (as defined in section 205(d)), based on assumptions specified in rules prescribed by the Secretary, including the assumption that

the participant or beneficiary has a spouse of equal age, and a single life annuity. Such lifetime income streams may have a term certain or other features to the extent permitted under rules prescribed by the Secretary.

''(ii) MODEL DISCLOSURE.—Not later than 1 year after the date of the enactment of the Setting Every Community Up for Retirement Enhancement Act of 2019, the Secretary shall issue a model lifetime income disclosure, written in a manner so as to be understood by the average plan participant, which—

''(I) explains that the lifetime income stream equivalent is only provided as an illustration;

''(II) explains that the actual payments under the lifetime income stream described in clause (i)(III) which may be purchased with the total benefits accrued will depend on numerous factors and may vary substantially from the lifetime income stream equivalent in the disclosures;

''(III) explains the assumptions upon which the lifetime income stream equivalent was determined; and

''(IV) provides such other similar explanations as the Secretary considers appropriate.

''(iii) ASSUMPTIONS AND RULES.—Not later than 1 year after the date of the enactment of the Setting Every Community Up for Retirement Enhancement Act of 2019, the Secretary shall—

''(I) prescribe assumptions which administrators of individual account plans may use in converting total accrued benefits into lifetime income stream equivalents for purposes of this subparagraph; and

''(II) issue interim final rules under clause (i).

In prescribing assumptions under subclause (I), the Secretary may prescribe a single set of specific assumptions (in which case the Secretary may issue tables or factors which facilitate such conversions), or ranges of permissible assumptions. To the extent that an accrued benefit is or may be invested in a lifetime income stream described in clause (i)(III), the assumptions prescribed under subclause (I) shall, to the extent appropriate, permit administrators of individual account plans to use the amounts payable under such lifetime income stream as a lifetime income stream equivalent.

''(iv) LIMITATION ON LIABILITY.—No plan fiduciary, plan sponsor, or other person shall have any liability under this title solely by reason of the provision of lifetime income stream equivalents which are derived in accordance with the assumptions and rules described in clause (iii) and which include the explanations contained in the model lifetime income disclosure described in clause (ii). This clause shall apply without regard to whether the provision of such lifetime income stream equivalent is required by subparagraph (B)(iii).

''(v) EFFECTIVE DATE.—The requirement in subparagraph (B)(iii) shall apply to pension benefit statements furnished more than 12 months after the latest of the issuance by the Secretary of—

''(I) interim final rules under clause (i);

''(II) the model disclosure under clause (ii); or

''(III) the assumptions under clause (iii).''.

SEC. 204. FIDUCIARY SAFE HARBOR FOR SELECTION OF LIFETIME INCOME PROVIDER.

Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end the following:

''(e) SAFE HARBOR FOR ANNUITY SELECTION.—

''(1) IN GENERAL.—With respect to the selection of an insurer for a guaranteed retirement income contract, the requirements of subsection (a)(1)(B) will be deemed to be satisfied if a fiduciary—

''(A) engages in an objective, thorough, and analytical search for the purpose of identifying insurers from which to purchase such contracts;

''(B) with respect to each insurer identified under subparagraph (A)—

''(i) considers the financial capability of such insurer to satisfy its obligations under the guaranteed retirement income contract; and

''(ii) considers the cost (including fees and commissions) of the guaranteed retirement income contract offered by the insurer in relation to the benefits and product features of the contract and administrative services to be provided under such contract; and

''(C) on the basis of such consideration, concludes that—

''(i) at the time of the selection, the insurer is financially capable of satisfying its obligations under the guaranteed retirement income contract; and

''(ii) the relative cost of the selected guaranteed retirement income contract as described in subparagraph (B)(ii) is reasonable.

''(2) FINANCIAL CAPABILITY OF THE INSURER.—A fiduciary will be deemed to satisfy the requirements of paragraphs (1)(B)(i) and (1)(C)(i) if—

''(A) the fiduciary obtains written representations from the insurer that—

''(i) the insurer is licensed to offer guaranteed retirement income contracts;

''(ii) the insurer, at the time of selection and for each of the immediately preceding 7 plan years—

''(I) operates under a certificate of authority from the insurance commissioner of its domiciliary State which has not been revoked or suspended;

''(II) has filed audited financial statements in accordance with the laws of its domiciliary State under applicable statutory accounting principles;

''(III) maintains (and has maintained) reserves which satisfies all the statutory requirements of all States where the insurer does business; and

''(IV) is not operating under an order of supervision, rehabilitation, or liquidation;

''(iii) the insurer undergoes, at least every 5 years, a financial examination (within the meaning of the law of its domiciliary State) by the insurance commissioner of the domiciliary State (or representative, designee, or other party approved by such commissioner); and

''(iv) the insurer will notify the fiduciary of any change in circumstances occurring after the provision of the representations in clauses (i), (ii), and (iii) which would preclude the insurer from making such representations at the time of issuance of the guaranteed retirement income contract; and

''(B) after receiving such representations and as of the time of selection, the fiduciary has not received any notice described in subparagraph (A)(iv) and is in possession of no other information which would cause the fiduciary to question the representations provided.

''(3) NO REQUIREMENT TO SELECT LOWEST COST.—Nothing in this subsection shall be construed to require a fiduciary to select the lowest cost contract. A fiduciary may consider the value of a contract, including features and benefits of the contract and attributes of the insurer (including, without limitation, the insurer's financial strength) in conjunction with the cost of the contract.

''(4) TIME OF SELECTION.—

''(A) IN GENERAL.—For purposes of this subsection, the time of selection is—

''(i) the time that the insurer and the contract are selected for distribution of benefits to a specific participant or beneficiary; or

''(ii) if the fiduciary periodically reviews the continuing appropriateness of the conclusion described in paragraph (1)(C) with respect to a selected insurer, taking into account the considerations described in such paragraph, the time that the insurer and the contract are selected to provide benefits at future dates to participants or beneficiaries under the plan.

Nothing in the preceding sentence shall be construed to require the fiduciary to review the appropriateness of a selection after the purchase of a contract for a participant or beneficiary.

''(B) PERIODIC REVIEW.—A fiduciary will be deemed to have conducted the periodic review described in subparagraph (A)(ii) if the fiduciary obtains the written representations described in clauses (i), (ii), and (iii) of paragraph (2)(A) from the insurer on an annual basis, unless the fiduciary receives any notice described in paragraph (2)(A)(iv) or otherwise becomes aware of facts that would cause the fiduciary to question such representations.

''(5) LIMITED LIABILITY.—A fiduciary which satisfies the requirements of this subsection shall not be liable following the distribution of any benefit, or the investment by or on behalf of a participant or beneficiary pursuant to the selected guaranteed retirement income contract, for any losses that may result to the participant or beneficiary due to an insurer's inability to satisfy its financial obligations under the terms of such contract.

''(6) DEFINITIONS.—For purposes of this subsection—

''(A) INSURER.—The term 'insurer' means an insurance company, insurance service, or insurance organization, including affiliates of such companies.

''(B) GUARANTEED RETIREMENT INCOME CONTRACT.—The term 'guaranteed retirement income contract' means an annuity contract for a fixed term or a contract (or provision or feature thereof) which provides guaranteed benefits annually (or more frequently) for at least the remainder of the life of the participant or the joint lives of the participant and the participant's designated beneficiary as part of an individual account plan.''.

SEC. 205. MODIFICATION OF NONDISCRIMINATION RULES TO PROTECT OLDER, LONGER SERVICE PARTICIPANTS.

(a) IN GENERAL.—Section 401 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subsection (o) as subsection (p); and

(2) by inserting after subsection (n) the following new subsection:

''(o) SPECIAL RULES FOR APPLYING NONDISCRIMINATION RULES TO PROTECT OLDER, LONGER SERVICE AND GRANDFATHERED PARTICIPANTS.—

''(1) TESTING OF DEFINED BENEFIT PLANS WITH CLOSED CLASSES OF PARTICIPANTS.—

''(A) BENEFITS, RIGHTS, OR FEATURES PROVIDED TO CLOSED CLASSES.—A defined benefit plan which provides benefits, rights, or features to a closed class of participants shall not fail to satisfy the requirements of subsection (a)(4) by reason of the composition of such closed class or the benefits, rights, or features provided to such closed class, if—

''(i) for the plan year as of which the class closes and the 2 succeeding plan years, such benefits, rights, and features satisfy the requirements of subsection (a)(4) (without regard to this subparagraph but taking into account the rules of subparagraph (I)),

''(ii) after the date as of which the class was closed, any plan amendment which modifies the closed class or the benefits, rights, and features provided to such closed

class does not discriminate significantly in favor of highly compensated employees, and

''(iii) the class was closed before April 5, 2017, or the plan is described in subparagraph (C).

''(B) AGGREGATE TESTING WITH DEFINED CONTRIBUTION PLANS PERMITTED ON A BENEFITS BASIS.—

''(i) IN GENERAL.—For purposes of determining compliance with subsection (a)(4) and section 410(b), a defined benefit plan described in clause (iii) may be aggregated and tested on a benefits basis with 1 or more defined contribution plans, including with the portion of 1 or more defined contribution plans which—

''(I) provides matching contributions (as defined in subsection (m)(4)(A)),

''(II) provides annuity contracts described in section 403(b) which are purchased with matching contributions or nonelective contributions, or

''(III) consists of an employee stock ownership plan (within the meaning of section 4975(e)(7)) or a tax credit employee stock ownership plan (within the meaning of section 409(a)).

''(ii) SPECIAL RULES FOR MATCHING CONTRIBUTIONS.—For purposes of clause (i), if a defined benefit plan is aggregated with a portion of a defined contribution plan providing matching contributions—

''(I) such defined benefit plan must also be aggregated with any portion of such defined contribution plan which provides elective deferrals described in subparagraph (A) or (C) of section 402(g)(3), and

''(II) such matching contributions shall be treated in the same manner as nonelective contributions, including for purposes of applying the rules of subsection (l).

''(iii) PLANS DESCRIBED.—A defined benefit plan is described in this clause if—

''(I) the plan provides benefits to a closed class of participants,

''(II) for the plan year as of which the class closes and the 2 succeeding plan years, the plan satisfies the requirements of section 410(b) and subsection (a)(4) (without regard to this subparagraph but taking into account the rules of subparagraph (I)),

''(III) after the date as of which the class was closed, any plan amendment which modifies the closed class or the benefits provided to such closed class does not discriminate significantly in favor of highly compensated employees, and

''(IV) the class was closed before April 5, 2017, or the plan is described in subparagraph (C).

''(C) PLANS DESCRIBED.—A plan is described in this subparagraph if, taking into account any predecessor plan—

''(i) such plan has been in effect for at least 5 years as of the date the class is closed, and

''(ii) during the 5-year period preceding the date the class is closed, there has not been a substantial increase in the coverage or value of the benefits, rights, or features described in subparagraph (A) or in the coverage or benefits under the plan described in subparagraph (B)(iii) (whichever is applicable).

''(D) DETERMINATION OF SUBSTANTIAL INCREASE FOR BENEFITS, RIGHTS, AND FEATURES.—In applying subparagraph (C)(ii) for purposes of subparagraph (A)(iii), a plan shall be treated as having had a substantial increase in coverage or value of the benefits, rights, or features described in subparagraph (A) during the applicable 5-year period only if, during such period—

''(i) the number of participants covered by such benefits, rights, or features on the date such period ends is more than 50 percent greater than the number of such participants on the first day of the plan year in which such period began, or

''(ii) such benefits, rights, and features have been modified by 1 or more plan amendments in such a way that, as of the date the class is closed, the value of such benefits, rights, and features to the closed class as a whole is substantially greater than the value as of the first day of such 5-year period, solely as a result of such amendments.

''(E) DETERMINATION OF SUBSTANTIAL INCREASE FOR AGGREGATE TESTING ON BENEFITS BASIS.—In applying subparagraph (C)(ii) for purposes of subparagraph (B)(iii)(IV), a plan shall be treated as having had a substantial increase in coverage or benefits during the applicable 5-year period only if, during such period—

''(i) the number of participants benefitting under the plan on the date such period ends is more than 50 percent greater than the number of such participants on the first day of the plan year in which such period began, or

''(ii) the average benefit provided to such participants on the date such period ends is more than 50 percent greater than the average benefit provided on the first day of the plan year in which such period began.

''(F) CERTAIN EMPLOYEES DISREGARDED.—For purposes of subparagraphs (D) and (E), any increase in coverage or value or in coverage or benefits, whichever is applicable, which is attributable to such coverage and value or coverage and benefits provided to employees—

''(i) who became participants as a result of a merger, acquisition, or similar event which occurred during the 7-year period preceding the date the class is closed, or

''(ii) who became participants by reason of a merger of the plan with another plan which had been in effect for at least 5 years as of the date of the merger,

shall be disregarded, except that clause (ii) shall apply for purposes of subparagraph (D) only if, under the merger, the benefits, rights, or features under 1 plan are conformed to the benefits, rights, or features of the other plan prospectively.

''(G) RULES RELATING TO AVERAGE BENEFIT.—For purposes of subparagraph (E)—

''(i) the average benefit provided to participants under the plan will be treated as having remained the same between the 2 dates described in subparagraph (E)(ii) if the benefit formula applicable to such participants has not changed between such dates, and

''(ii) if the benefit formula applicable to 1 or more participants under the plan has changed between such 2 dates, then the average benefit under the plan shall be considered to have increased by more than 50 percent only if—

''(I) the total amount determined under section 430(b)(1)(A)(i) for all participants benefitting under the plan for the plan year in which the 5-year period described in subparagraph (E) ends, exceeds

''(II) the total amount determined under section 430(b)(1)(A)(i) for all such participants for such plan year, by using the benefit formula in effect for each such participant for the first plan year in such 5-year period, by more than 50 percent. In the case of a CSEC plan (as defined in section 414(y)), the normal cost of the plan (as determined under section 433(j)(1)(B)) shall be used in lieu of the amount determined under section 430(b)(1)(A)(i).

''(H) TREATMENT AS SINGLE PLAN.—For purposes of subparagraphs (E) and (G), a plan described in section 413(c) shall be treated as a single plan rather than as separate plans maintained by each employer in the plan.

''(I) SPECIAL RULES.—For purposes of subparagraphs (A)(i) and (B)(iii)(II), the following rules shall apply:

''(i) In applying section 410(b)(6)(C), the closing of the class of participants shall not be treated as a significant change in coverage under section 410(b)(6)(C)(i)(II).

''(ii) 2 or more plans shall not fail to be eligible to be aggregated and treated as a single plan solely by reason of having different plan years.

''(iii) Changes in the employee population shall be disregarded to the extent attributable to individuals who become employees or cease to be employees, after the date the class is closed, by reason of a merger, acquisition, divestiture, or similar event.

''(iv) Aggregation and all other testing methodologies otherwise applicable under subsection (a)(4) and section 410(b) may be taken into account.

The rule of clause (ii) shall also apply for purposes of determining whether plans to which subparagraph (B)(i) applies may be aggregated and treated as 1 plan for purposes of determining whether such plans meet the requirements of subsection (a)(4) and section 410(b).

''(J) SPUN-OFF PLANS.—For purposes of this paragraph, if a portion of a defined benefit plan described in subparagraph (A) or (B)(iii) is spun off to another employer and the spun-off plan continues to satisfy the requirements of—

''(i) subparagraph (A)(i) or (B)(iii)(II), whichever is applicable, if the original plan was still within the 3-year period described in such subparagraph at the time of the spin off, and

''(ii) subparagraph (A)(ii) or (B)(iii)(III), whichever is applicable,

the treatment under subparagraph (A) or (B) of the spun-off plan shall continue with respect to such other employer.

''(2) TESTING OF DEFINED CONTRIBUTION PLANS.—

''(A) TESTING ON A BENEFITS BASIS.—A defined contribution plan shall be permitted to be tested on a benefits basis if—

''(i) such defined contribution plan provides make-whole contributions to a closed class of participants whose accruals under a defined benefit plan have been reduced or eliminated,

''(ii) for the plan year of the defined contribution plan as of which the class eligible to receive such make-whole contributions closes and the 2 succeeding plan years, such closed class of participants satisfies the requirements of section 410(b)(2)(A)(i) (determined by applying the rules of paragraph (1)(I)),

''(iii) after the date as of which the class was closed, any plan amendment to the defined contribution plan which modifies the closed class or the allocations, benefits, rights, and features provided to such closed class does not discriminate significantly in favor of highly compensated employees, and

''(iv) the class was closed before April 5, 2017, or the defined benefit plan under clause (i) is described in paragraph (1)(C) (as applied for purposes of paragraph (1)(B)(iii)(IV)).

''(B) AGGREGATION WITH PLANS INCLUDING MATCHING CONTRIBUTIONS.—

''(i) IN GENERAL.—With respect to 1 or more defined contribution plans described in subparagraph (A), for purposes of determining compliance with subsection (a)(4) and section 410(b), the portion of such plans which provides make-whole contributions or other nonelective contributions may be aggregated and tested on a benefits basis with the portion of 1 or more other defined contribution plans which—

''(I) provides matching contributions (as defined in subsection (m)(4)(A)),

''(II) provides annuity contracts described in section 403(b) which are purchased with matching contributions or nonelective contributions, or

''(III) consists of an employee stock ownership plan (within the meaning of section

4975(e)(7)) or a tax credit employee stock ownership plan (within the meaning of section 409(a)).

''(ii) SPECIAL RULES FOR MATCHING CONTRIBUTIONS.—Rules similar to the rules of paragraph (1)(B)(ii) shall apply for purposes of clause (i).

''(C) SPECIAL RULES FOR TESTING DEFINED CONTRIBUTION PLAN FEATURES PROVIDING MATCHING CONTRIBUTIONS TO CERTAIN OLDER, LONGER SERVICE PARTICIPANTS.—In the case of a defined contribution plan which provides benefits, rights, or features to a closed class of participants whose accruals under a defined benefit plan have been reduced or eliminated, the plan shall not fail to satisfy the requirements of subsection (a)(4) solely by reason of the composition of the closed class or the benefits, rights, or features provided to such closed class if the defined contribution plan and defined benefit plan otherwise meet the requirements of subparagraph (A) but for the fact that the make-whole contributions under the defined contribution plan are made in whole or in part through matching contributions.

''(D) SPUN-OFF PLANS.—For purposes of this paragraph, if a portion of a defined contribution plan described in subparagraph (A) or (C) is spun off to another employer, the treatment under subparagraph (A) or (C) of the spun-off plan shall continue with respect to the other employer if such plan continues to comply with the requirements of clauses (ii) (if the original plan was still within the 3-year period described in such clause at the time of the spin off) and (iii) of subparagraph (A), as determined for purposes of subparagraph (A) or (C), whichever is applicable.

''(3) DEFINITIONS AND SPECIAL RULE.—For purposes of this subsection—

''(A) MAKE-WHOLE CONTRIBUTIONS.—Except as otherwise provided in paragraph (2)(C), the term 'make-whole contributions' means nonelective allocations for each employee in the class which are reasonably calculated, in a consistent manner, to replace some or all of the retirement benefits which the employee would have received under the defined benefit plan and any other plan or qualified cash or deferred arrangement under subsection (k)(2) if no change had been made to such defined benefit plan and such other plan or arrangement. For purposes of the preceding sentence, consistency shall not be required with respect to employees who were subject to different benefit formulas under the defined benefit plan.

''(B) REFERENCES TO CLOSED CLASS OF PARTICIPANTS.—References to a closed class of participants and similar references to a closed class shall include arrangements under which 1 or more classes of participants are closed, except that 1 or more classes of participants closed on different dates shall not be aggregated for purposes of determining the date any such class was closed.

''(C) HIGHLY COMPENSATED EMPLOYEE.—The term 'highly compensated employee' has the meaning given such term in section 414(q).''.

(b) PARTICIPATION REQUIREMENTS.—Paragraph (26) of section 401(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) PROTECTED PARTICIPANTS.—

''(i) IN GENERAL.—A plan shall be deemed to satisfy the requirements of subparagraph (A) if—

''(I) the plan is amended—

''(aa) to cease all benefit accruals, or

''(bb) to provide future benefit accruals only to a closed class of participants,

''(II) the plan satisfies subparagraph (A) (without regard to this subparagraph) as of the effective date of the amendment, and

''(III) the amendment was adopted before April 5, 2017, or the plan is described in clause (ii).

''(ii) PLANS DESCRIBED.—A plan is described in this clause if the plan would be described in subsection (o)(1)(C), as applied for purposes of subsection (o)(1)(B)(iii)(IV) and by treating the effective date of the amendment as the date the class was closed for purposes of subsection (o)(1)(C).

''(iii) SPECIAL RULES.—For purposes of clause (i)(II), in applying section 410(b)(6)(C), the amendments described in clause (i) shall not be treated as a significant change in coverage under section 410(b)(6)(C)(i)(II).

''(iv) SPUN-OFF PLANS.—For purposes of this subparagraph, if a portion of a plan described in clause (i) is spun off to another employer, the treatment under clause (i) of the spun-off plan shall continue with respect to the other employer.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act, without regard to whether any plan modifications referred to in such amendments are adopted or effective before, on, or after such date of enactment.

(2) SPECIAL RULES.—

(A) ELECTION OF EARLIER APPLICATION.—At the election of the plan sponsor, the amendments made by this section shall apply to plan years beginning after December 31, 2013.

(B) CLOSED CLASSES OF PARTICIPANTS.—For purposes of paragraphs (1)(A)(iii), (1)(B)(iii)(IV), and (2)(A)(iv) of section 401(o) of the Internal Revenue Code of 1986 (as added by this section), a closed class of participants shall be treated as being closed before April 5, 2017, if the plan sponsor's intention to create such closed class is reflected in formal written documents and communicated to participants before such date.

(C) CERTAIN POST-ENACTMENT PLAN AMENDMENTS.—A plan shall not be treated as failing to be eligible for the application of section 401(o)(1)(A), 401(o)(1)(B)(iii), or 401(a)(26) of such Code (as added by this section) to such plan solely because in the case of—

(i) such section 401(o)(1)(A), the plan was amended before the date of the enactment of this Act to eliminate 1 or more benefits, rights, or features, and is further amended after such date of enactment to provide such previously eliminated benefits, rights, or features to a closed class of participants, or

(ii) such section 401(o)(1)(B)(iii) or section 401(a)(26), the plan was amended before the date of the enactment of this Act to cease all benefit accruals, and is further amended after such date of enactment to provide benefit accruals to a closed class of participants. Any such section shall only apply if the plan otherwise meets the requirements of such section and in applying such section, the date the class of participants is closed shall be the effective date of the later amendment.

SEC. 206. MODIFICATION OF PBGC PREMIUMS FOR CSEC PLANS.

(a) FLAT RATE PREMIUM.—Subparagraph (A) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended—

(1) in clause (i), by striking ''plan,'' and inserting ''plan other than a CSEC plan (as defined in section 210(f)(1))'';

(2) in clause (v), by striking ''or'' at the end;

(3) in clause (vi), by striking the period at the end and inserting '', or''; and

(4) by adding at the end the following new clause:

''(vii) in the case of a CSEC plan (as defined in section 210(f)(1)), for plan years beginning after December 31, 2018, for each individual who is a participant in such plan during the plan year an amount equal to the sum of—

''(I) the additional premium (if any) determined under subparagraph (E), and

''(II) $19.''.

(b) VARIABLE RATE PREMIUM.—

(1) UNFUNDED VESTED BENEFITS.—

(A) IN GENERAL.—Subparagraph (E) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended by adding at the end the following new clause:

''(v) For purposes of clause (ii), in the case of a CSEC plan (as defined in section 210(f)(1)), the term 'unfunded vested benefits' means, for plan years beginning after December 31, 2018, the excess (if any) of—

''(I) the funding liability of the plan as determined under section 306(j)(5)(C) for the plan year by only taking into account vested benefits, over

''(II) the fair market value of plan assets for the plan year which are held by the plan on the valuation date.''.

(B) CONFORMING AMENDMENT.—Clause (iii) of section 4006(a)(3)(E) of such Act (29 U.S.C. 1306(a)(3)(E)) is amended by striking ''For purposes'' and inserting ''Except as provided in clause (v), for purposes''.

(2) APPLICABLE DOLLAR AMOUNT.—

(A) IN GENERAL.—Paragraph (8) of section 4006(a) of such Act (29 U.S.C. 1306(a)) is amended by adding at the end the following new subparagraph:

''(E) CSEC PLANS.—In the case of a CSEC plan (as defined in section 210(f)(1)), the applicable dollar amount shall be $9.''.

(B) CONFORMING AMENDMENT.—Subparagraph (A) of section 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is amended by striking ''(B) and (C)'' and inserting ''(B), (C), and (E)''.

TITLE III—OTHER BENEFITS

SEC. 301. BENEFITS PROVIDED TO VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL RESPONDERS.

(a) INCREASE IN DOLLAR LIMITATION ON QUALIFIED PAYMENTS.—Subparagraph (B) of section 139B(c)(2) of the Internal Revenue Code of 1986 is amended by striking ''$30'' and inserting ''$50''.

(b) EXTENSION.—Section 139B(d) of the Internal Revenue Code of 1986 is amended by striking ''beginning after December 31, 2010.'' and inserting ''beginning—

''(1) after December 31, 2010, and before January 1, 2020, or

''(2) after December 31, 2020.''.

(c) TECHNICAL CORRECTION.—Section 3121(a)(23) of such Code is amended by striking ''139B(b)'' and inserting ''section 139B(a)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

SEC. 302. EXPANSION OF SECTION 529 PLANS.

(a) DISTRIBUTIONS FOR CERTAIN EXPENSES ASSOCIATED WITH REGISTERED APPRENTICESHIP PROGRAMS.—Section 529(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(8) TREATMENT OF CERTAIN EXPENSES ASSOCIATED WITH REGISTERED APPRENTICESHIP PROGRAMS.—Any reference in this subsection to the term 'qualified higher education expense' shall include a reference to expenses for fees, books, supplies, and equipment required for the participation of a designated beneficiary in an apprenticeship program registered and certified with the Secretary of Labor under section 1 of the National Apprenticeship Act (29 U.S.C. 50).''.

(b) DISTRIBUTIONS FOR QUALIFIED EDUCATION LOAN REPAYMENTS.—

(1) IN GENERAL.—Section 529(c) of such Code, as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(9) TREATMENT OF QUALIFIED EDUCATION LOAN REPAYMENTS.—

''(A) IN GENERAL.—Any reference in this subsection to the term 'qualified higher education expense' shall include a reference to

amounts paid as principal or interest on any qualified education loan (as defined in section 221(d)) of the designated beneficiary or a sibling of the designated beneficiary.

''(B) LIMITATION.—The amount of distributions treated as a qualified higher education expense under this paragraph with respect to the loans of any individual shall not exceed $10,000 (reduced by the amount of distributions so treated for all prior taxable years).

''(C) SPECIAL RULES FOR SIBLINGS OF THE DESIGNATED BENEFICIARY.—

''(i) SEPARATE ACCOUNTING.—For purposes of subparagraph (B) and subsection (d), amounts treated as a qualified higher education expense with respect to the loans of a sibling of the designated beneficiary shall be taken into account with respect to such sibling and not with respect to such designated beneficiary.

''(ii) SIBLING DEFINED.—For purposes of this paragraph, the term 'sibling' means an individual who bears a relationship to the designated beneficiary which is described in section 152(d)(2)(B).''.

(2) COORDINATION WITH DEDUCTION FOR STUDENT LOAN INTEREST.—Section 221(e)(1) of such Code is amended by adding at the end the following: ''The deduction otherwise allowable under subsection (a) (prior to the application of subsection (b)) to the taxpayer for any taxable year shall be reduced (but not below zero) by so much of the distributions treated as a qualified higher education expense under section 529(c)(9) with respect to loans of the taxpayer as would be includible in gross income under section 529(c)(3)(A) for such taxable year but for such treatment.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2018.

TITLE IV—REVENUE PROVISIONS

SEC. 401. MODIFICATION OF REQUIRED DISTRIBUTION RULES FOR DESIGNATED BENEFICIARIES.

(a) MODIFICATION OF RULES WHERE EMPLOYEE DIES BEFORE ENTIRE DISTRIBUTION.—

(1) IN GENERAL.—Section 401(a)(9) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(H) SPECIAL RULES FOR CERTAIN DEFINED CONTRIBUTION PLANS.—In the case of a defined contribution plan, if an employee dies before the distribution of the employee's entire interest—

''(i) IN GENERAL.—Except in the case of a beneficiary who is not a designated beneficiary, subparagraph (B)(ii)—

''(I) shall be applied by substituting '10 years' for '5 years', and

''(II) shall apply whether or not distributions of the employee's interests have begun in accordance with subparagraph (A).

''(ii) EXCEPTION FOR ELIGIBLE DESIGNATED BENEFICIARIES.—Subparagraph (B)(iii) shall apply only in the case of an eligible designated beneficiary.

''(iii) RULES UPON DEATH OF ELIGIBLE DESIGNATED BENEFICIARY.—If an eligible designated beneficiary dies before the portion of the employee's interest to which this subparagraph applies is entirely distributed, the exception under clause (ii) shall not apply to any beneficiary of such eligible designated beneficiary and the remainder of such portion shall be distributed within 10 years after the death of such eligible designated beneficiary.

''(iv) SPECIAL RULE IN CASE OF CERTAIN TRUSTS FOR DISABLED OR CHRONICALLY ILL BENEFICIARIES.—In the case of an applicable multi-beneficiary trust, if under the terms of the trust—

''(I) it is to be divided immediately upon the death of the employee into separate trusts for each beneficiary, or

''(II) no individual (other than a eligible designated beneficiary described in subclause (III) or (IV) of subparagraph (E)(ii)) has any right to the employee's interest in the plan until the death of all such eligible designated beneficiaries with respect to the trust,

for purposes of a trust described in subclause (I), clause (ii) shall be applied separately with respect to the portion of the employee's interest that is payable to any eligible designated beneficiary described in subclause (III) or (IV) of subparagraph (E)(ii); and, for purposes of a trust described in subclause (II), subparagraph (B)(iii) shall apply to the distribution of the employee's interest and any beneficiary who is not such an eligible designated beneficiary shall be treated as a beneficiary of the eligible designated beneficiary upon the death of such eligible designated beneficiary.

''(v) APPLICABLE MULTI-BENEFICIARY TRUST.—For purposes of this subparagraph, the term 'applicable multi-beneficiary trust' means a trust—

''(I) which has more than one beneficiary,

''(II) all of the beneficiaries of which are treated as designated beneficiaries for purposes of determining the distribution period pursuant to this paragraph, and

''(III) at least one of the beneficiaries of which is an eligible designated beneficiary described in subclause (III) or (IV) of subparagraph (E)(ii).

''(vi) APPLICATION TO CERTAIN ELIGIBLE RETIREMENT PLANS.—For purposes of applying the provisions of this subparagraph in determining amounts required to be distributed pursuant to this paragraph, all eligible retirement plans (as defined in section 402(c)(8)(B), other than a defined benefit plan described in clause (iv) or (v) thereof or a qualified trust which is a part of a defined benefit plan) shall be treated as a defined contribution plan.''.

(2) DEFINITION OF ELIGIBLE DESIGNATED BENEFICIARY.—Section 401(a)(9)(E) of such Code is amended to read as follows:

''(E) DEFINITIONS AND RULES RELATING TO DESIGNATED BENEFICIARIES.—For purposes of this paragraph—

''(i) DESIGNATED BENEFICIARY.—The term 'designated beneficiary' means any individual designated as a beneficiary by the employee.

''(ii) ELIGIBLE DESIGNATED BENEFICIARY.—The term 'eligible designated beneficiary' means, with respect to any employee, any designated beneficiary who is—

''(I) the surviving spouse of the employee,

''(II) subject to clause (iii), a child of the employee who has not reached majority (within the meaning of subparagraph (F)),

''(III) disabled (within the meaning of section 72(m)(7)),

''(IV) a chronically ill individual (within the meaning of section 7702B(c)(2), except that the requirements of subparagraph (A)(i) thereof shall only be treated as met if there is a certification that, as of such date, the period of inability described in such subparagraph with respect to the individual is an indefinite one which is reasonably expected to be lengthy in nature), or

''(V) an individual not described in any of the preceding subclauses who is not more than 10 years younger than the employee.

The determination of whether a designated beneficiary is an eligible designated beneficiary shall be made as of the date of death of the employee.

''(iii) SPECIAL RULE FOR CHILDREN.—Subject to subparagraph (F), an individual described in clause (ii)(II) shall cease to be an eligible designated beneficiary as of the date the individual reaches majority and any remainder of the portion of the individual's interest to which subparagraph (H)(ii) applies shall be distributed within 10 years after such date.''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in this subsection, the amendments made by this section shall apply to distributions with respect to employees who die after December 31, 2019.

(2) COLLECTIVE BARGAINING EXCEPTION.—In the case of a plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by this section shall apply to distributions with respect to employees who die in calendar years beginning after the earlier of—

(A) the later of—

(i) the date on which the last of such collective bargaining agreements terminates (determined without regard to any extension thereof agreed to on or after the date of the enactment of this Act), or

(ii) December 31, 2019, or

(B) December 31, 2021.

For purposes of subparagraph (A)(i), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this section shall not be treated as a termination of such collective bargaining agreement.

(3) GOVERNMENTAL PLANS.—In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), paragraph (1) shall be applied by substituting ''December 31, 2021'' for ''December 31, 2019''.

(4) EXCEPTION FOR CERTAIN EXISTING ANNUITY CONTRACTS.—

(A) IN GENERAL.—The amendments made by this section shall not apply to a qualified annuity which is a binding annuity contract in effect on the date of enactment of this Act and at all times thereafter.

(B) QUALIFIED ANNUITY.—For purposes of this paragraph, the term ''qualified annuity'' means, with respect to an employee, an annuity—

(i) which is a commercial annuity (as defined in section 3405(e)(6) of the Internal Revenue Code of 1986);

(ii) under which the annuity payments are made over the life of the employee or over the joint lives of such employee and a designated beneficiary (or over a period not extending beyond the life expectancy of such employee or the joint life expectancy of such employee and a designated beneficiary) in accordance with the regulations described in section 401(a)(9)(A)(ii) of such Code (as in effect before such amendments) and which meets the other requirements of section 401(a)(9) of such Code (as so in effect) with respect to such payments; and

(iii) with respect to which—

(I) annuity payments to the employee have begun before the date of enactment of this Act, and the employee has made an irrevocable election before such date as to the method and amount of the annuity payments to the employee or any designated beneficiaries; or

(II) if subclause (I) does not apply, the employee has made an irrevocable election before the date of enactment of this Act as to the method and amount of the annuity payments to the employee or any designated beneficiaries.

(5) EXCEPTION FOR CERTAIN BENEFICIARIES.—

(A) IN GENERAL.—If an employee dies before the effective date, then, in applying the amendments made by this section to such employee's designated beneficiary who dies after such date—

(i) such amendments shall apply to any beneficiary of such designated beneficiary; and

(ii) the designated beneficiary shall be treated as an eligible designated beneficiary for purposes of applying section 401(a)(9)(H)(ii) of the Internal Revenue Code of 1986 (as in effect after such amendments).

(B) EFFECTIVE DATE.—For purposes of this paragraph, the term ''effective date'' means the first day of the first calendar year to which the amendments made by this section apply to a plan with respect to employees dying on or after such date.

SEC. 402. INCREASE IN PENALTY FOR FAILURE TO FILE.

(a) IN GENERAL.—The second sentence of subsection (a) of section 6651 of the Internal Revenue Code of 1986 is amended by striking ''$330'' and inserting ''$435''.

(b) INFLATION ADJUSTMENT.—Section 6651(j)(1) of such Code is amended by striking ''$330'' and inserting ''$435''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns the due date for which (including extensions) is after December 31, 2019.

SEC. 403. INCREASED PENALTIES FOR FAILURE TO FILE RETIREMENT PLAN RETURNS.

(a) IN GENERAL.—Subsection (e) of section 6652 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''$25'' and inserting ''$250''; and

(2) by striking ''$15,000'' and inserting ''$150,000''.

(b) ANNUAL REGISTRATION STATEMENT AND NOTIFICATION OF CHANGES.—Subsection (d) of section 6652 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''$1'' both places it appears in paragraphs (1) and (2) and inserting ''$10'';

(2) by striking ''$5,000'' in paragraph (1) and inserting ''$50,000''; and

(3) by striking ''$1,000'' in paragraph (2) and inserting ''$10,000''.

(c) FAILURE TO PROVIDE NOTICE.—Subsection (h) of section 6652 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''$10'' and inserting ''$100''; and

(2) by striking ''$5,000'' and inserting ''$50,000''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to returns, statements, and notifications required to be filed, and notices required to be provided, after December 31, 2019.

SEC. 404. INCREASE INFORMATION SHARING TO ADMINISTER EXCISE TAXES.

(a) IN GENERAL.—Section 6103(o) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) TAXES IMPOSED BY SECTION 4481.—Returns and return information with respect to taxes imposed by section 4481 shall be open to inspection by or disclosure to officers and employees of United States Customs and Border Protection of the Department of Homeland Security whose official duties require such inspection or disclosure for purposes of administering such section.''.

(b) CONFORMING AMENDMENTS.—Paragraph (4) of section 6103(p) of the Internal Revenue Code of 1986 is amended by striking ''or (o)(1)(A)'' each place it appears and inserting '', (o)(1)(A), or (o)(3)''.

TITLE V—TAX RELIEF FOR CERTAIN CHILDREN

SEC. 501. MODIFICATION OF RULES RELATING TO THE TAXATION OF UNEARNED INCOME OF CERTAIN CHILDREN.

(a) IN GENERAL.—Section 1(j) of the Internal Revenue Code of 1986 is amended by striking paragraph (4).

(b) COORDINATION WITH ALTERNATIVE MINIMUM TAX.—Section 55(d)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of clause (i)(II), by striking the period at the end of clause (ii)(III) and inserting '', and'', and by adding at the end the following new clause:

''(iii) subsection (j) of section 59 shall not apply.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(2) COORDINATION WITH ALTERNATIVE MINIMUM TAX.—The amendment made by subsection (b) shall apply to taxable years beginning after December 31, 2017.

(3) ELECTIVE RETROACTIVE APPLICATION.—A taxpayer may elect (at such time and in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide) for the amendment made by subsection (a) to also apply to taxable years of the taxpayer which begin in 2018, 2019, or both (as specified by the taxpayer in such election).

TITLE VI—ADMINISTRATIVE PROVISIONS

SEC. 601. PROVISIONS RELATING TO PLAN AMENDMENTS.

(a) IN GENERAL.—If this section applies to any retirement plan or contract amendment—

(1) such retirement plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in subsection (b)(2)(A); and

(2) except as provided by the Secretary of the Treasury (or the Secretary's delegate), such retirement plan shall not fail to meet the requirements of section 411(d)(6) of the Internal Revenue Code of 1986 and section 204(g) of the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(b) AMENDMENTS TO WHICH SECTION APPLIES.—

(1) IN GENERAL.—This section shall apply to any amendment to any retirement plan or annuity contract which is made—

(A) pursuant to any amendment made by this Act or pursuant to any regulation issued by the Secretary of the Treasury or the Secretary of Labor (or a delegate of either such Secretary) under this Act; and

(B) on or before the last day of the first plan year beginning on or after January 1, 2022, or such later date as the Secretary of the Treasury may prescribe.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), or an applicable collectively bargained plan in the case of section 401 (and the amendments made thereby), this paragraph shall be applied by substituting ''2024'' for ''2022''. For purposes of the preceding sentence, the term ''applicable collectively bargained plan'' means a plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act.

(2) CONDITIONS.—This section shall not apply to any amendment unless—

(A) during the period—

(i) beginning on the date the legislative or regulatory amendment described in paragraph (1)(A) takes effect (or in the case of a plan or contract amendment not required by such legislative or regulatory amendment, the effective date specified by the plan); and

(ii) ending on the date described in paragraph (1)(B) (as modified by the second sentence of paragraph (1)) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect; and

(B) such plan or contract amendment applies retroactively for such period.

DIVISION P—OTHER MATTER

TITLE I—PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM

SEC. 101. SHORT TITLE.

This title may be cited as the ''Temporary Relief from Certain ERISA Requirements Act of 2020''.

SEC. 102. PURPOSE.

The purpose of this Act is to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation and in partnership with the States, other Federal agencies, and other non-Federal entities, to continue the cooperative effort among the Federal and non-Federal entities through the continued implementation of the Platte River Recovery Implementation Program First Increment Extension for threatened and endangered species in the Central and Lower Platte River Basin without creating Federal water rights or requiring the grant of water rights to Federal entities.

SEC. 103. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term ''Agreement'' means the Platte River Recovery Implementation Program Cooperative Agreement entered into by the Governors of the States and the Secretary, including an amendment or addendum to the Agreement to extend the Program.

(2) FIRST INCREMENT.—The term ''First Increment'' means the Program's first 13 years from January 1, 2007 through December 31, 2019.

(3) FIRST INCREMENT EXTENSION.—The term ''First Increment Extension'' means the extension of the Program for 13 years from January 1, 2020 through December 31, 2032.

(4) GOVERNANCE COMMITTEE.—The term ''Governance Committee'' means the governance committee established under the Agreement and composed of members from the States, the Federal Government, environmental interests, and water users.

(5) INTEREST IN LAND OR WATER.—The term ''interest in land or water'' includes fee title, short- or long-term easement, lease, or other contractual arrangement that is determined to be necessary by the Secretary to implement the land and water components of the Program.

(6) PROGRAM.—The term ''Program'' means the Platte River Recovery Implementation Program established under the Agreement and continued under an amendment or addendum to the Agreement.

(7) PROJECT OR ACTIVITY.—The term ''project or activity'' means—

(A) the planning, design, permitting, or other compliance activity, construction, construction management, operation, maintenance, and replacement of a facility;

(B) the acquisition of an interest in land or water;

(C) habitat restoration;

(D) research and monitoring;

(E) program administration; and

(F) any other activity that is determined to be necessary by the Secretary to carry out the Program.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(9) STATES.—The term ''States'' means the States of Colorado, Nebraska, and Wyoming.

SEC. 104. PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM.

(a) IMPLEMENTATION OF PROGRAM.—

(1) IN GENERAL.—The Secretary, in cooperation with the Governance Committee, may—

(A) participate in the Program; and

(B) carry out any projects and activities that are designated for implementation during the First Increment Extension.

(2) AUTHORITY OF THE SECRETARY.—For the purposes of carrying out this section, the

Secretary, in cooperation with the Governance Committee, may—

(A) enter into agreements and contracts with Federal and non-Federal entities;

(B) acquire interests in land, water, and facilities from willing sellers without the use of eminent domain;

(C) subsequently transfer any interests acquired under subparagraph (B); and

(D) accept or provide grants.

(b) COST-SHARING CONTRIBUTIONS.—

(1) IN GENERAL.—As provided in the Agreement, the States shall contribute not less than 50 percent of the total contributions necessary to carry out the Program.

(2) NON-FEDERAL CONTRIBUTIONS.—The following contributions shall constitute the States' share of the Program:

(A) An additional $28,000,000 in non-Federal funds, with the balance of funds remaining to be contributed to be adjusted for inflation on October 1 of the year after the date of enactment of this Act and each October 1 thereafter.

(B) Additional credit for contributions of water or land for the purposes of implementing the Program, as determined to be appropriate by the Secretary.

(3) IN-KIND CONTRIBUTIONS.—The Secretary or the States may elect to provide a portion of the Federal share or non-Federal share, respectively, in the form of in-kind goods or services, if the contribution of goods or services is approved by the Governance Committee, as provided in Attachment 1 of the Agreement.

(c) AUTHORITY TO MODIFY PROGRAM.—The Program may be modified or amended before the completion of the First Increment Extension if the Secretary and the States determine that the modifications are consistent with the purposes of the Program.

(d) EFFECT.—

(1) EFFECT ON RECLAMATION LAWS.—No action carried out under this section shall, with respect to the acreage limitation provisions of the reclamation laws—

(A) be considered in determining whether a district (as the term is defined in section 202 of the Reclamation Reform Act of 1982 (43 U.S.C. 390bb)) has discharged the obligation of the district to repay the construction cost of project facilities used to make irrigation water available for delivery to land in the district;

(B) serve as the basis for reinstating acreage limitation provisions in a district that has completed payment of the construction obligations of the district; or

(C) serve as the basis for increasing the construction repayment obligation of the district, which would extend the period during which the acreage limitation provisions would apply.

(2) EFFECT ON WATER RIGHTS.—Nothing in this section—

(A) creates Federal water rights; or

(B) requires the grant of water rights to Federal entities.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out projects and activities under this section an additional $78,000,000 as adjusted under paragraph (3).

(2) NONREIMBURSABLE FEDERAL EXPENDITURES.—Any amounts to be expended under paragraph (1) shall be considered nonreimbursable Federal expenditures.

(3) ADJUSTMENT.—The balance of funds remaining to be expended shall be adjusted for inflation on October 1 of the year after the date of enactment of this Act and each October 1 thereafter.

(4) AVAILABILITY OF FUNDS.—At the end of each fiscal year, any unexpended funds for projects and activities made available under paragraph (1) shall be retained for use in future fiscal years to implement projects and activities under the Program. Any unexpended funds appropriated during the First Increment shall be retained and carried over from the First Increment into the First Increment Extension.

(f) TERMINATION OF AUTHORITY.—The authority for the Secretary to implement the First Increment Extension shall terminate on September 30, 2033.

TITLE II—GREAT LAKES

SEC. 201. GREAT LAKES MONITORING, ASSESSMENT, SCIENCE, AND RESEARCH.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of the United States Geological Survey.

(2) GREAT LAKES BASIN.—The term ''Great Lakes Basin'' means the air, land, water, and living organisms in the United States within the drainage basin of the Saint Lawrence River at and upstream from the point at which such river and the Great Lakes become the international boundary between Canada and the United States.

(b) FINDINGS.—Congress finds the following:

(1) The Great Lakes support a diverse ecosystem, on which the vibrant and economically valuable Great Lakes fisheries depend.

(2) To continue successful fisheries management and coordination, as has occurred since signing of the Convention on Great Lakes Fisheries between the United States and Canada on September 10, 1954, management of the ecosystem and its fisheries require sound, reliable science, and the use of modern scientific technologies.

(3) Fisheries research is necessary to support multi-jurisdictional fishery management decisions and actions regarding recreational and sport fishing, commercial fisheries, tribal harvest, allocation decisions, and fish stocking activities.

(4) President Richard Nixon submitted, and the Congress approved, Reorganization Plan No. 4 (84 Stat. 2090), conferring science activities and management of marine fisheries to the National Oceanic and Atmospheric Administration.

(5) Reorganization Plan No. 4 expressly excluded fishery research activities within the Great Lakes from the transfer, retaining management and scientific research duties within the already-established jurisdictions under the 1954 Convention on Great Lakes Fisheries, including those of the Great Lakes Fishery Commission and the Department of the Interior.

(c) MONITORING, ASSESSMENT, SCIENCE, AND RESEARCH.—

(1) IN GENERAL.—The Director may conduct monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin.

(2) SPECIFIC AUTHORITIES.—The Director shall, under paragraph (1)—

(A) execute a comprehensive, multi-lake, freshwater fisheries science program;

(B) coordinate with and work cooperatively with regional, State, tribal, and local governments; and

(C) consult with other interested entities groups, including academia and relevant Canadian agencies.

(3) INCLUDED RESEARCH.—To properly serve the needs of fisheries managers, monitoring, assessment, science, and research under this section may include—

(A) deepwater ecosystem sciences;

(B) biological and food-web components;

(C) fish movement and behavior investigations;

(D) fish population structures;

(E) fish habitat investigations;

(F) invasive species science;

(G) use of existing, new, and experimental biological assessment tools, equipment, vessels, other scientific instrumentation and laboratory capabilities necessary to support fishery management decisions; and

(H) studies to assess impacts on Great Lakes Fishery resources.

(4) SAVINGS CLAUSE.—Nothing in this section is intended or shall be construed to impede, supersede, or alter the authority of the Great Lakes Fishery Commission, States, and Indian tribes under the Convention on Great Lakes Fisheries between the United States of America and Canada on September 10, 1954, and the Great Lakes Fishery Act of 1956 (16 U.S.C. 931 et seq.).

(d) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2021 through 2025, there is authorized to be appropriated $15,000,000 to carry out this section.

TITLE III—MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

SEC. 301. FINDINGS.

Congress finds the following:

(1) Since 1999, the Morris K. Udall and Stewart L. Udall Foundation (referred to in this Act as the ''Foundation'') has operated the Parks in Focus program to provide opportunities for the youth of the United States to learn about and experience the Nation's parks and wilderness, and other outdoor areas.

(2) Since 2001, the Foundation has conducted research and provided education and training to Native American and Alaska Native professionals and leaders on Native American and Alaska Native health care issues and tribal public policy through the Native Nations Institute for Leadership, Management, and Policy.

(3) The Foundation is committed to continuing to make a substantial contribution toward public policy in the future by—

(A) playing a significant role in developing the next generation of environmental, public health, public lands, natural resource, and Native American leaders; and

(B) working with current leaders to improve collaboration and decision-making on challenging environmental, energy, public health, and related economic problems and tribal governance and economic development issues.

SEC. 302. DEFINITIONS.

(a) IN GENERAL.—Section 4 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5602) is amended—

(1) in paragraph (2), by striking ''the Udall Center for Studies in Public Policy established at the University of Arizona in 1987'' and inserting ''the Udall Center for Studies in Public Policy established in 1987 at the University of Arizona, and includes the Native Nations Institute'';

(2) by striking paragraph (6);

(3) by redesignating paragraphs (3) through (5), (8), and (9) as paragraphs (4) through (6), (11), and (12), respectively;

(4) by inserting after paragraph (2) the following:

''(3) the term 'collaboration' means to work in partnership with other entities for the purpose of—

''(A) resolving disputes;

''(B) addressing issues that may cause or result in disputes; or

''(C) streamlining and enhancing Federal, State, or tribal environmental and natural resource decision-making processes or procedures that may result in a dispute or conflict;'';

(5) in paragraph (7), by striking ''section 1201(a)'' and inserting ''section 101(a)'';

(6) by inserting after paragraph (7) the following:

''(8) the term 'National Center' means the John S. McCain III National Center for Environmental Conflict Resolution established pursuant to section 7(a)(1)(B);''; and

(7) by inserting after paragraph (8), as added by paragraph (6), the following:

''(9) the term 'Nation's parks and wilderness' means units of the National Park System and components of the National Wilderness Preservation System;

''(10) the term 'Native Nations Institute' means the Native Nations Institute for Leadership, Management, and Policy established at the University of Arizona in 2001;''.

(b) CONFORMING AMENDMENT.—Section 3(5)(B) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601(5)(B)) is amended by striking ''the United States Institute for Environmental Conflict Resolution'' and inserting ''the National Center (previously known as the United States Institute for Environmental Conflict Resolution)''.

(c) REFERENCES TO UNITED STATES INSTITUTE FOR ENVIRONMENTAL CONFLICT RESOLUTION.—Any reference to the United States Institute for Environmental Conflict Resolution in any Federal law, Executive Order, rule, delegation of authority, or document shall be construed to refer to the John S. McCain III National Center for Environmental Conflict Resolution established under section 7(a)(1)(B) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5605(a)(1)(B)).

SEC. 303. ESTABLISHMENT OF MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION.

Section 5(e) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5603(e)) is amended by striking ''Arizona.'' and inserting ''Arizona and the District of Columbia.''.

SEC. 304. PURPOSE OF THE FOUNDATION.

Section 6 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5604) is amended—

(1) in paragraph (4), by striking ''establish a Program for Environmental Policy Research and Environmental Conflict Resolution and Training at the Center'' and inserting ''establish a program for environmental policy research at the Center and a program for environmental conflict resolution and training at the National Center'';

(2) in paragraph (5), by inserting '', natural resource, conflict resolution,'' after ''environmental'';

(3) in paragraph (7)—

(A) by inserting ''at the Native Nations Institute'' after ''develop resources''; and

(B) by inserting ''providing education to and'' after ''policy, by''; and

(4) in paragraph (8)—

(A) by striking ''United States Institute for Environmental Conflict Resolution'' and inserting ''John S. McCain III National Center for Environmental Conflict Resolution''; and

(B) by striking ''resolve environmental'' and inserting ''resolve environmental issues, conflicts, and''.

SEC. 305. AUTHORITY OF THE FOUNDATION.

Section 7 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5605) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking subparagraphs (A) through (C) and inserting the following:

''(A) GENERAL PROGRAMMING AUTHORITY.—The Foundation is authorized to identify and conduct, directly or by contract, such programs, activities, and services as the Foundation considers appropriate to carry out the purposes described in section 6, which may include—

''(i) awarding scholarships, fellowships, internships, and grants, by national competition, to eligible individuals, as determined by the Foundation and in accordance with paragraphs (2), (3), and (4), for study in fields related to the environment or Native American and Alaska Native health care and tribal policy;

''(ii) funding the Center to carry out and manage other programs, activities, and services; and

''(iii) other education programs that the Board determines are consistent with the purposes for which the Foundation is established.'';

(ii) by redesignating subparagraph (D) as subparagraph (B); and

(iii) in subparagraph (B), as redesignated—

(I) in the subparagraph heading, by striking ''INSTITUTE FOR ENVIRONMENTAL CONFLICT RESOLUTION'' and inserting ''JOHN S. MCCAIN III NATIONAL CENTER FOR ENVIRONMENTAL CONFLICT RESOLUTION'';

(II) in clause (i)—

(aa) in subclause (I), by striking ''United States Institute for Environmental Conflict Resolution'' and inserting ''John S. McCain III National Center for Environmental Conflict Resolution''; and

(bb) in subclause (II)—

(AA) by inserting ''collaboration,'' after ''mediation,''; and

(BB) by striking ''to resolve environmental disputes.'' and inserting the following: ''to resolve—

''(aa) environmental disputes; and

''(bb) Federal, State, or tribal environmental or natural resource decision-making processes or procedures that may result in a dispute or conflict that may cause or result in disputes.''; and

(III) in clause (ii), by inserting ''collaboration,'' after ''mediation,'';

(B) by striking paragraph (5);

(C) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(D) by inserting after paragraph (4) the following:

''(5) PARKS IN FOCUS.—The Foundation shall—

''(A) identify and invite the participation of youth throughout the United States to enjoy the Nation's parks and wilderness and other outdoor areas, in an education program intended to carry out the purpose of paragraphs (1) and (2) of section 6; and

''(B) provide training and education programs and activities to teach Federal employees, natural resource professionals, elementary and secondary school educators, and others to work with youth to promote the use and enjoyment of the Nation's parks and wilderness and other outdoor areas.

''(6) SPECIFIC PROGRAMS.—The Foundation shall assist in the development and implementation of programs at the Center—

''(A) to provide for an annual meeting of experts to discuss contemporary environmental issues;

''(B) to conduct environmental policy research; and

''(C) to promote dialogue with visiting policymakers on environmental, natural resource, and public lands issues.'';

(E) in paragraph (7), as redesignated by subparagraph (C), by striking ''Morris K. Udall's papers'' and inserting ''the papers of Morris K. Udall and Stewart L. Udall''; and

(F) by adding at the end the following:

''(9) NATIVE NATIONS INSTITUTE.—The Foundation shall provide direct or indirect assistance to the Native Nations Institute from the annual appropriations to the Trust Fund in such amounts as Congress may direct to conduct research and provide education and training to Native American and Alaska Native professionals and leaders on Native American and Alaska Native health care issues and tribal public policy issues as provided in section 6(7).'';

(2) by striking subsection (c) and inserting the following:

''(c) PROGRAM PRIORITIES.—

''(1) IN GENERAL.—The Foundation shall determine the priority of the programs to be carried out under this Act and the amount of funds to be allocated for such programs from the funds earned annually from the interest derived from the investment of the Trust Fund, subject to paragraph (2).

''(2) LIMITATIONS.—In determining the amount of funds to be allocated for programs carried out under this Act for a year—

''(A) not less than 50 percent of such annual interest earnings shall be utilized for the programs set forth in paragraphs (2), (3), (4), and (5) of subsection (a);

''(B) not more than 17.5 percent of such annual interest earnings shall be allocated for salaries and other administrative purposes; and

''(C) not less than 20 percent of such annual interest earnings shall be appropriated to the Center for activities under paragraphs (7) and (8) of subsection (a).''; and

(3) by adding at the end the following:

''(d) DONATIONS.—Any funds received by the Foundation in the form of donations or grants, as well as any unexpended earnings on interest from the Trust Fund that is carried forward from prior years—

''(1) shall not be included in the calculation of the funds available for allocations pursuant to subsection (c); and

''(2) shall be available to carry out the provisions of this Act as the Board determines to be necessary and appropriate.''.

SEC. 306. ENVIRONMENTAL DISPUTE RESOLUTION FUND.

Section 10(b) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5607a(b)) is amended by striking ''Institute'' and inserting ''National Center''.

SEC. 307. USE OF THE NATIONAL CENTER BY A FEDERAL AGENCY OR OTHER ENTITY.

Section 11 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5607b) is amended—

(1) in the section heading, by striking ''**THE INSTITUTE**'' and inserting ''**THE NATIONAL CENTER**'';

(2) in subsection (a)—

(A) by striking ''Institute'' and inserting ''National Center'';

(B) by inserting ''collaboration,'' after ''mediation,''; and

(C) by striking ''resources.'' and inserting ''resources, or with a Federal, State, or tribal process or procedure that may result in a dispute or conflict.'';

(3) in subsection (b)(1), by striking ''Institute'' and inserting ''National Center'';

(4) in subsection (c)—

(A) in paragraph (1), by striking ''Institute'' and inserting ''National Center'';

(B) in paragraph (2)(C), by inserting ''mediation, collaboration, and'' after ''agree to''; and

(C) in paragraph (3)(A), by striking ''Institute'' and inserting ''National Center'';

(5) in each of paragraphs (1)(A) and (2) of subsection (d), by striking ''Institute'' and inserting ''National Center'';

(6) in each of paragraphs (1) and (2) of subsection (e), by striking ''Institute'' and inserting ''National Center''; and

(7) in subsection (f), by striking ''Institute'' and inserting ''National Center''.

SEC. 308. ADMINISTRATIVE PROVISIONS.

Section 12 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5608) is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking ''accept, hold, administer, and utilize gifts'' and inserting ''accept, hold, solicit, administer, and utilize donations, grants, and gifts''; and

(B) in paragraph (7), by striking ''in the District of Columbia or its environs'' and inserting ''in the District of Columbia and Tucson, Arizona, or their environs''; and

(2) in subsection (b), by striking '', with the exception of paragraph (4), apply to the Institute'' and inserting ''apply to the National Center''.

SEC. 309. AUTHORIZATION OF APPROPRIATIONS.

Section 13 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5609) is amended—

(1) in subsection (a), by striking ''$40,000,000'' and inserting ''$2,000,000 for each of fiscal years 2020 through 2023''; and

(2) in subsection (b), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2020 through 2023''.

SEC. 310. AUDIT OF THE FOUNDATION.

Not later than 2 years after the date of enactment of this Act, the Inspector General of the Department of the Interior shall conduct an audit of the Morris K. Udall and Stewart L. Udall Foundation.

TITLE IV—WHITE HORSE HILL NATIONAL GAME PRESERVE

SEC. 401. SHORT TITLE.

This title may be cited as the ''White Horse Hill National Game Preserve Designation Act''.

SEC. 402. DESIGNATION OF WHITE HORSE HILL NATIONAL GAME PRESERVE, NORTH DAKOTA.

(a) REDESIGNATION.—The first section of the Act of March 3, 1931 (46 Stat. 1509, chapter 439; 16 U.S.C. 674a), is amended by striking ''Sullys Hill National Game Preserve'' and inserting ''White Horse Hill National Game Preserve''.

(b) CONFORMING AMENDMENT.—Section 2 of the Act of March 3, 1931 (46 Stat. 1509, chapter 439; 16 U.S.C. 674b), is amended by striking ''Sullys Hill National Game Preserve'' and inserting ''White Horse Hill National Game Preserve''.

(c) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Sullys Hill National Game Preserve shall be considered to be a reference to the ''White Horse Hill National Game Preserve''.

TITLE V—PITTMAN-ROBERTSON FUND

SEC. 501. MODERNIZING THE PITTMAN-ROBERTSON FUND FOR TOMORROW'S NEEDS.

(a) SHORT TITLE.—This title may be cited as the ''Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act''.

(b) PURPOSE.—The first section of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669) is amended by adding at the end the following: ''One of the purposes of this Act is to provide financial and technical assistance to the States for the promotion of hunting and recreational shooting.''.

(c) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(1) by redesignating paragraphs (2) through (9) as paragraphs (4) through (11), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) for the purposes of determining the number of paid hunting-license holders in a State, the term 'fiscal year' means the fiscal year or license year of the State;

''(3) the term 'hunter recruitment and recreational shooter recruitment' means any activity or project to recruit or retain hunters and recreational shooters, including by—

''(A) outreach and communications as a means—

''(i) to improve communications with hunters, recreational shooters, and the general public with respect to hunting and recreational shooting opportunities;

''(ii) to reduce barriers to participation in these activities;

''(iii) to advance the adoption of sound hunting and recreational shooting practices;

''(iv) to promote conservation and the responsible use of the wildlife resources of the United States; and

''(v) to further safety in hunting and recreational shooting;

''(B) providing education, mentoring, and field demonstrations;

''(C) enhancing access for hunting and recreational shooting, including through range construction; and

''(D) providing education to the public about the role of hunting and recreational shooting in funding wildlife conservation;''.

(d) APPORTIONMENT OF AVAILABLE AMOUNTS.—

(1) APPORTIONMENT OF CERTAIN TAXES.—The first subsection (c) of section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c) is amended—

(A) by inserting ''APPORTIONMENT OF REVENUES FROM PISTOLS, REVOLVERS, BOWS, AND ARROWS.—'' after the enumerator;

(B) by striking ''One-half'' and inserting the following:

''(1) IN GENERAL.—Subject to paragraph (2), ½'';

(C) by striking ''*: Provided*, That'' and inserting a period;

(D) by striking ''each State shall be apportioned not more than 3 per centum and not less than 1 per centum of such revenues'' and inserting the following:

''(2) CONDITION.—The amount apportioned to each State under paragraph (1) shall be not greater than 3 percent and not less than 1 percent of the revenues described in such paragraph'';

(E) by striking ''For the purpose'' and inserting the following:

''(3) POPULATION DETERMINATION.—For the purpose''; and

(F) by adding at the end the following:

''(4) USE OF FUNDS.—In addition to other uses authorized under this Act, amounts apportioned under this subsection may be used for hunter recruitment and recreational shooter recruitment.''.

(2) TECHNICAL CORRECTION.—Section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c) is amended—

(A) by redesignating the second subsection (c) and subsection (d) as subsections (d) and (e), respectively; and

(B) by striking ''subsection (c)'' in the redesignated section 4(e)(3) and replacing it with ''subsection (d), as redesignated''.

(e) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g) is amended—

(1) in subsection (a), in the third sentence, by striking ''and public relations''; and

(2) in subsection (b), in the first sentence, by striking '', as a part of such program''.

(f) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10(a)(1)(A) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–1(a)(1)(A)) is amended—

(1) in clause (iii), by striking ''and'' at the end; and

(2) by adding at the end the following:

''(v) the enhancement of hunter recruitment and recreational shooter recruitment; and''.

(g) MULTISTATE CONSERVATION GRANT PROGRAM.—

(1) IN GENERAL.—Section 11 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–2) is amended—

(A) in subsection (a)(1)—

(i) by striking ''Not more than'' and inserting the following:

''(A) IN GENERAL.—Not more than''; and

(ii) by adding at the end the following:

''(B) AVAILABILITY FOR HUNTER AND RECREATIONAL SHOOTER GRANTS.—Not more than $5,000,000 of the revenues covered into the fund from any tax imposed under section 4161(b) of the Internal Revenue Code of 1986 for a fiscal year shall be available to the Secretary exclusively for making hunter recruitment and recreational shooter recruitment grants that promote a national hunting and shooting sport recruitment program, including related communication and outreach activities.'';

(B) in the matter preceding subsection (b)(3)(A), by striking ''International'';

(C) in the matter preceding subsection (c)(2)(A)(i), by striking ''International'';

(D) in subsection (c)(2)(A)(i), by inserting ''or to recreational shooting activities'' after ''wildlife''; and

(E) in subsection (d), by inserting ''or to recreational shooting activities'' after ''wildlife''.

(2) STUDY.—Not later than 10 years after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall—

(A) review and evaluate the effects of the funds made available under subparagraph (B) of section 11(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–2(a)(1)) (as added by paragraph (1)(A)(ii)) on funds available for wildlife conservation; and

(B) submit a report describing the results of the review and evaluation under paragraph (1) to—

(i) the Committee on Environment and Public Works of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

TITLE VI—JOHN F. KENNEDY CENTER

SEC. 601. SHORT TITLE.

This title may be cited as the ''John F. Kennedy Center Reauthorization Act of 2019''.

SEC. 602. AUTHORIZATION OF APPROPRIATIONS.

Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r), as amended by the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2020, is further amended by striking subsections (a) and (b) and inserting the following:

''(a) MAINTENANCE, REPAIR, AND SECURITY.—There are authorized to be appropriated to the Board to carry out section 4(a)(1)(H)—

''(1) $25,690,000 for fiscal year 2020;

''(2) $27,000,000 for fiscal year 2021;

''(3) $28,000,000 for fiscal year 2022;

''(4) $29,000,000 for fiscal year 2023; and

''(5) $30,000,000 for fiscal year 2024.

''(b) CAPITAL PROJECTS.—There are authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1)—

''(1) $17,800,000 for fiscal year 2020;

''(2) $18,000,000 for fiscal year 2021;

''(3) $19,000,000 for fiscal year 2022;

''(4) $20,000,000 for fiscal year 2023; and

''(5) $21,000,000 for fiscal year 2024.''.

SEC. 603. COMMEMORATION OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the John F. Kennedy Center for the Performing Arts (referred to in this Act as the ''Center'')—

(1) recognize the year 2021 as the 50th anniversary of the opening of the Center;

(2) acknowledge and commemorate the mission of the Center as a national center for the performing arts and a national memorial to President John F. Kennedy; and

(3) recognize that the year 2018 is the 60th anniversary of the signing of the National Cultural Center Act (now known as the

''John F. Kennedy Center Act'') (20 U.S.C. 76h et seq.), signed into law by President Dwight D. Eisenhower on September 2, 1958.

(b) AUTHORIZATION FOR PLAQUE.—

(1) IN GENERAL.—The Center shall place within the Center a plaque containing an inscription to commemorate the 60th anniversary of the signing of the National Cultural Center Act (20 U.S.C. 76h et seq.) by President Dwight D. Eisenhower.

(2) SPECIFICATIONS.—The plaque shall be—

(A)(i) not less than 6 square feet in size; and

(ii) not more than 18 square feet in size;

(B) of any shape that the Trustees of the Center determine to be appropriate; and

(C) placed at a location within the Center approximate to the Eisenhower Theater that the Trustees of the Center determine to be appropriate.

(3) FUNDING.—

(A) IN GENERAL.—No Federal funds may be used to design, procure, or install the plaque.

(B) EXCEPTION.—Subparagraph (A) shall not affect the payment of salaries, expenses, and benefits otherwise authorized by law for members and employees of the Center who participate in carrying out this subsection.

(4) PRIVATE FUNDRAISING AUTHORIZED.—

(A) IN GENERAL.—The Center may solicit and accept private contributions for the design, procurement, and installation of the plaque.

(B) ACCOUNTING.—The Center may—

(i) establish an account into which any contributions received pursuant to subparagraph (A) shall be deposited; and

(ii) maintain documentation of any contributions received pursuant to subparagraph (A).

TITLE VII—PRESERVING AMERICA'S BATTLEFIELDS

SEC. 701. SHORT TITLE.

This title may be cited as the ''Preserving America's Battlefields Act''.

SEC. 702. AUTHORIZATION OF APPROPRIATIONS FOR BATTLEFIELD ACQUISITION GRANT PROGRAM.

Section 308103(f) of title 54, United States Code, is amended by striking ''$10,000,000 for each of fiscal years 2012 and 2013'' and inserting ''$18,000,000 for each of fiscal years 2020 through 2028''.

SEC. 703. ESTABLISHMENT OF BATTLEFIELD INTERPRETATION MODERNIZATION GRANT PROGRAM AND BATTLEFIELD RESTORATION GRANT PROGRAM.

(a) ESTABLISHMENT OF BATTLEFIELD GRANT PROGRAMS.—Chapter 3081 of title 54, United States Code, is amended by adding at the end the following:

''§ 308104. Battlefield interpretation modernization grant program

''(a) ESTABLISHMENT.—The Secretary shall establish a battlefield interpretation modernization grant program under which the Secretary may provide competitive grants to States, Tribes, local governments, and nonprofit organizations for projects and programs that deploy technology to modernize battlefield interpretation and education.

''(b) ELIGIBLE SITES.—The Secretary may make grants under this section for Revolutionary War, War of 1812, and Civil War battlefield sites eligible for assistance under the battlefield acquisition grant program established under section 308103(b).

''(c) FEDERAL SHARE.—The Federal share of the cost of a project or program funded through a grant provided under the program established under subsection (a) shall be not more than 50 percent of the total cost of the applicable project or program.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to provide grants under this section $1,000,000 for each of fiscal years 2020 through 2028.

''§ 308105. Battlefield restoration grant program

''(a) ESTABLISHMENT.—The Secretary shall establish a battlefield restoration grant program (referred to in this section as the 'program') under which the Secretary may provide grants to States, Tribes, local governments, and nonprofit organizations for projects that restore day-of-battle conditions on land preserved under the battlefield acquisition grant program established under section 308103(b).

''(b) ELIGIBLE SITES.—The Secretary may make grants under this section for Revolutionary War, War of 1812, and Civil War battlefield sites eligible for assistance under the battlefield acquisition grant program established under section 308103(b).

''(c) FEDERAL SHARE.—The Federal share of the cost of a restoration project funded through a grant provided under the program shall be not more than 50 percent of the total cost of the project.

''(d) RESTORATION STANDARDS.—All restoration work carried out through a grant awarded under the program shall be performed in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties under part 68 of title 36, Code of Federal Regulations (or successor regulations).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to provide grants under this section $1,000,000 for each of fiscal years 2020 through 2028.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3081 of title 54, United States Code, is amended by adding at the end the following:

''308104. Battlefield interpretation modernization grant program.

''308105. Battlefield restoration grant program.''.

TITLE VIII—VETERANS AFFAIRS REPORT ON DISABILITY COMPENSATION AND THE POSITIVE ASSOCIATION WITH EXPOSURE TO AN HERBICIDE AGENT

SEC. 801. REPORT ON EFFORTS TO DETERMINE WHETHER TO ADD TO THE LIST OF DISEASES FOR WHICH PRESUMPTION OF SERVICE-CONNECTION IS WARRANTED FOR PURPOSES OF DISABILITY COMPENSATION BY REASON OF HAVING POSITIVE ASSOCIATION WITH EXPOSURE TO AN HERBICIDE AGENT.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Director of the Office of Management and Budget, shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth the status of any efforts of the Secretary to determine whether to promulgate new regulations to add to the list of diseases for which a presumption of service-connection is warranted for purposes of section 1110 of title 38, United States Code, by reason of having positive association with exposure to an herbicide agent.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A detailed explanation of any delays in making a determination described in such subsection.

(2) An estimate of the cost of adding to the list of diseases described in such subsection.

(3) The date the Secretary anticipates on which the Secretary will promulgate new regulations as described in such subsection.

(c) DEFINITION OF HERBICIDE AGENT.—For purposes of this section, the term ''herbicide agent'' has the meaning given such term in section 1116 of title 38, United States Code.

TITLE IX—DISASTER RECOVERY WORKFORCE

SEC. 901. SHORT TITLE.

This title may be cited as the ''Disaster Recovery Workforce Act''.

SEC. 902. CONSTRUCTION WORKER PERMITS.

Section 6(d)(3) of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'' (48 U.S.C. 1806(d)(3)) is amended by adding at the end the following:

''(E) TYPHOON RECOVERY.—

''(i) PERMITS FOR CONSTRUCTION WORKERS.—Notwithstanding any numerical cap set forth in subparagraph (B) for each of fiscal years 2020, 2021, and 2022, the Secretary of Homeland Security shall increase by 3,000, for each such fiscal year, the total number of permits available under this subsection for Construction and Extraction Occupations (as defined by the Department of Labor as Standard Occupational Classification Group 47–0000).

''(ii) PERMIT REQUIREMENTS.—The Secretary may only issue a permit made available under clause (i) to a prospective employer if the permit is for an alien who—

''(I) is a national of a country designated eligible to participate in the program under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) during calendar year 2018; and

''(II) is performing service or labor pursuant to a contract or subcontract for construction, repairs, renovations, or facility services directly connected to, or associated with recovery from a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), or for preparation for a future disaster or emergency.

''(iii) EXCEPTION FOR CONSTRUCTION WORKERS.—Subparagraph (D)(v) shall not apply to a permit made available under clause (i) for any fiscal year described in such clause.''.

TITLE X—TELEVISION VIEWER PROTECTION

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Television Viewer Protection Act of 2019''.

SEC. 1002. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C)—

(A) by striking ''until December 31, 2019,''; and

(B) by striking ''antenna,'' and all that follows and inserting ''antenna under the statutory license of section 119 of title 17, United States Code;''; and

(2) in paragraph (3)(C), by striking ''until January 1, 2020,'' each place it appears.

(b) CONFORMING AMENDMENT.—Section 325(b)(2) of the Communications Act of 1934 (47 U.S.C. 325(b)(2)) is amended by striking '', the term 'unserved household' has the meaning given that term under section 119(d) of such title''.

SEC. 1003. SATISFACTION OF GOOD FAITH NEGOTIATION REQUIREMENT BY MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTORS.

(a) SATISFACTION OF GOOD FAITH NEGOTIATION REQUIREMENT.—Section 325(b)(3)(C) of the Communications Act of 1934 (47 U.S.C. 325(b)(3)(C)) is amended—

(1) in clause (iv), by striking ''; and'' and inserting a semicolon;

(2) in clause (v), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(vi) not later than 90 days after the date of the enactment of the Television Viewer Protection Act of 2019, specify that—

''(I) a multichannel video programming distributor may satisfy its obligation to negotiate in good faith under clause (iii) with respect to a negotiation for retransmission consent under this section with a large station group by designating a qualified MVPD buying group to negotiate on its behalf, so long as the qualified MVPD buying group itself negotiates in good faith in accordance with such clause;

''(II) it is a violation of the obligation to negotiate in good faith under clause (iii) for the qualified MVPD buying group to disclose the prices, terms, or conditions of an ongoing negotiation or the final terms of a negotiation to a member of the qualified MVPD buying group that is not intending, or is unlikely, to enter into the final terms negotiated by the qualified MVPD buying group; and

''(III) a large station group has an obligation to negotiate in good faith under clause (ii) with respect to a negotiation for retransmission consent under this section with a qualified MVPD buying group.''.

(b) DEFINITIONS.—Section 325(b)(7) of the Communications Act of 1934 (47 U.S.C. 325(b)(7)) is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(C) 'qualified MVPD buying group' means an entity that, with respect to a negotiation with a large station group for retransmission consent under this section—

''(i) negotiates on behalf of two or more multichannel video programming distributors—

''(I) none of which is a multichannel video programming distributor that serves more than 500,000 subscribers nationally; and

''(II) that do not collectively serve more than 25 percent of all households served by a multichannel video programming distributor in any single local market in which the applicable large station group operates; and

''(ii) negotiates agreements for such retransmission consent—

''(I) that contain standardized contract provisions, including billing structures and technical quality standards, for each multichannel video programming distributor on behalf of which the entity negotiates; and

''(II) under which the entity assumes liability to remit to the applicable large station group all fees received from the multichannel video programming distributors on behalf of which the entity negotiates;

''(D) 'large station group' means a group of television broadcast stations that—

''(i) are directly or indirectly under common de jure control permitted by the regulations of the Commission;

''(ii) generally negotiate agreements for retransmission consent under this section as a single entity; and

''(iii) include only television broadcast stations that have a national audience reach of more than 20 percent;

''(E) 'local market' has the meaning given such term in section 122(j) of title 17, United States Code; and

''(F) 'multichannel video programming distributor' has the meaning given such term in section 602.''.

(c) CONFORMING AMENDMENTS.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2), by striking '', and the term 'local market' has the meaning given that term in section 122(j) of such title''; and

(2) in paragraph (3)(C), by striking ''(as defined in section 122(j) of title 17, United States Code)'' each place it appears.

(d) EFFECTIVE DATE.—The amendments made by this section, and the regulations promulgated by the Federal Communications Commission under such amendments, shall not take effect before January 1 of the calendar year after the calendar year in which this Act is enacted.

SEC. 1004. REQUIREMENTS RELATING TO CHARGES FOR COVERED SERVICES.

(a) IN GENERAL.—Part IV of title VI of the Communications Act of 1934 (47 U.S.C. 551 et seq.) is amended by adding at the end the following:

''SEC. 642. REQUIREMENTS RELATING TO CHARGES FOR COVERED SERVICES.

''(a) CONSUMER RIGHTS IN SALES.—

''(1) RIGHT TO TRANSPARENCY.—Before entering into a contract with a consumer for the provision of a covered service, a provider of a covered service shall provide the consumer, by phone, in person, online, or by other reasonable means, the total monthly charge for the covered service, whether offered individually or as part of a bundled service, selected by the consumer (explicitly noting the amount of any applicable promotional discount reflected in such charge and when such discount will expire), including any related administrative fees, equipment fees, or other charges, a good faith estimate of any tax, fee, or charge imposed by the Federal Government or a State or local government (whether imposed on the provider or imposed on the consumer but collected by the provider), and a good faith estimate of any fee or charge that is used to recover any other assessment imposed on the provider by the Federal Government or a State or local government.

''(2) RIGHT TO FORMAL NOTICE.—A provider of a covered service that enters into a contract described in paragraph (1) shall, not later than 24 hours after entering into the contract, send the consumer, by email, online link, or other reasonably comparable means, a copy of the information described in such paragraph.

''(3) RIGHT TO CANCEL.—A provider of a covered service that enters into a contract described in paragraph (1) shall permit the consumer to cancel the contract, without paying early cancellation fees or other disconnection fees or penalties, during the 24-hour period beginning when the provider of the covered service sends the copy required by paragraph (2).

''(b) CONSUMER RIGHTS IN E-BILLING.—If a provider of a covered service provides a bill to a consumer in an electronic format, the provider shall include in the bill—

''(1) an itemized statement that breaks down the total amount charged for or relating to the provision of the covered service by the amount charged for the provision of the service itself and the amount of all related taxes, administrative fees, equipment fees, or other charges;

''(2) the termination date of the contract for the provision of the covered service entered into between the consumer and the provider; and

''(3) the termination date of any applicable promotional discount.

''(c) CONSUMER RIGHTS TO ACCURATE EQUIPMENT CHARGES.—A provider of a covered service or fixed broadband internet access service may not charge a consumer for—

''(1) using covered equipment provided by the consumer; or

''(2) renting, leasing, or otherwise providing to the consumer covered equipment if—

''(A) the provider has not provided the equipment to the consumer; or

''(B) the consumer has returned the equipment to the provider, except to the extent that the charge relates to the period beginning on the date when the provider provided the equipment to the consumer and ending on the date when the consumer returned the equipment to the provider.

''(d) DEFINITIONS.—In this section:

''(1) BROADBAND INTERNET ACCESS SERVICE.—The term 'broadband internet access service' has the meaning given such term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

''(2) COVERED EQUIPMENT.—The term 'covered equipment' means equipment (such as a router) employed on the premises of a person (other than a provider of a covered service or fixed broadband internet access service) to provide a covered service or to provide fixed broadband internet access service.

''(3) COVERED SERVICE.—The term 'covered service' means service provided by a multichannel video programming distributer, to the extent such distributor is acting as a multichannel video programming distributor.''.

(b) EFFECTIVE DATE.—Section 642 of the Communications Act of 1934, as added by subsection (a) of this section, shall apply beginning on the date that is 6 months after the date of the enactment of this Act. The Federal Communications Commission may grant an additional 6-month extension if the Commission finds that good cause exists for such an additional extension.

TITLE XI—ELIGIBILITY TO RECEIVE SIGNALS UNDER A DISTANT-SIGNAL SATELLITE LICENSE

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Satellite Television Community Protection and Promotion Act of 2019''.

SEC. 1102. ELIGIBILITY TO RECEIVE SIGNALS UNDER A DISTANT-SIGNAL SATELLITE LICENSE.

(a) IN GENERAL.—Section 119 of title 17, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''signals, and'' and inserting ''signals,'';

(II) by inserting '', and the carrier provides local-into-local service to all DMAs'' after ''receiving the secondary transmission''; and

(III) by adding at the end the following new sentence: ''Failure to reach an agreement with a network station to retransmit the signals of the station shall not be construed to affect compliance with providing local-into-local service to all DMAs if the satellite carrier has the capability to retransmit such signals when an agreement is reached.''; and

(ii) in subparagraph (B)—

(I) by striking clauses (ii) and (iii);

(II) by adding at the end the following:

''(ii) SHORT MARKETS.—In the case of secondary transmissions to households located in short markets, subject to clause (i), the statutory license shall be further limited to secondary transmissions of only those primary transmissions of network stations that embody the programming of networks not offered on the primary stream or the multicast stream transmitted by any network station in that market.'';

(B) by striking paragraphs (3), (6)(E), (9), (10), and (13); and

(C) by redesignating paragraphs (4), (5), (6), (7), (8), (11), (12), and (14) as paragraphs (3) through (10), respectively;

(2) in subsection (c)(1)(E)—

(A) by striking the comma after ''in the agreement'';

(B) by striking ''until December 31, 2019, or''; and

(C) by striking '', whichever is later'' and inserting ''until the subscriber for which the

royalty is payable is no longer eligible to receive a secondary transmission pursuant to the license under this section'';

(3) in subsection (d)—

(A) in paragraph (10)—

(i) in subparagraph (D), by striking ''subsection (a)(11)'' and inserting ''subsection (a)(8)'';

(ii) by striking subparagraphs (A), (B), (C), and (E);

(iii) by redesignating subparagraph (D) as subparagraph (A); and

(iv) by adding at the end the following:

''(B) is a subscriber located in a short market.'';

(B) by striking paragraph (13);

(C) by redesignating paragraphs (14) and (15) as paragraphs (13) and (14), respectively; and

(D) by adding at the end the following:

''(15) LOCAL-INTO-LOCAL SERVICE TO ALL DMAS.—The term 'local-into-local service to all DMAs' has the meaning given such term in subsection (f)(7).

''(16) SHORT MARKET.—The term 'short market' means a local market in which programming of one or more of the four most widely viewed television networks nationwide is not offered on either the primary stream or multicast stream transmitted by any network station in that market or is temporarily or permanently unavailable as a result of an act of god or other force majeure event beyond the control of the carrier.'';

(4) by striking subsections (e) and (h);

(5) in subsection (g)(7), by inserting '', except for designated market areas where the entity is temporarily or permanently unable to provide local service as a result of an act of god or other force majeure event beyond the control of the entity'' after ''section 122''; and

(6) by redesignating subsections (f) and (g) as subsections (e) and (f).

(b) PREVIOUSLY COVERED SUBSCRIBERS UNDER THE STELA REAUTHORIZATION ACT OF 2014.—

(1) IN GENERAL.—A subscriber of a satellite carrier who receives the secondary transmission of a network station under the statutory license in section 119 of title 17, United States Code, as in effect on the day before the date of the enactment of this Act, and to whom subsection (a)(2)(B) of such section, as amended by subsection (a), does not apply, shall continue to be eligible to receive that secondary transmission from such carrier under such license, and at the royalty rate established for such license by the Copyright Royalty Board or voluntary agreement, as applicable, until the date that is the earlier of—

(A) May 31, 2020; or

(B) the date on which such carrier provides local-into-local service to all DMAs.

(2) DEFINITIONS.—In this subsection, the terms ''satellite carrier'', ''subscriber'', ''secondary transmission'', ''network station'', and ''local-into-local service to all DMAs'' have the meaning given those terms in section 119 of title 17, United States Code.

(c) CONFORMING AMENDMENTS.—Title 17, United States Code, is further amended—

(1) in section 119, as amended by subsection (a)—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''paragraphs (4), (5), and (7)'' and inserting ''paragraphs (3), (4), and (6)''; and

(ii) in paragraph (2), by striking ''paragraphs (4), (5), (6), and (7)'' and inserting ''paragraphs (3), (4), (5), and (6)''; and

(B) in subsection (f), as so redesignated, by striking ''subsection (a)(7)(B)'' each place it appears and inserting ''subsection (a)(5)(B)''; and

(2) in section 501(e), by striking ''section 119(a)(5)'' and inserting ''section 119(a)(3)''.

TITLE XII—GROUNDFISH TRAWL FISHERY

SEC. 1201. GROUNDFISH TRAWL FISHERY.

The Secretary of Commerce shall forgive the interest accrued on the Groundfish Trawl fishery sub-loan regarding fishing capacity reduction in the West Coast groundfish fishery authorized by section 212 of division B, title II, of Public Law 108–7 from December 4, 2003, through September 8, 2005, and the portion of additional interest accrued in the Groundfish Trawl fishery sub-loan since September 8, 2005, that is directly attributable to the delay in implementing a repayment system. The Secretary of the Treasury shall make available, out of any funds in the Treasury not otherwise appropriated, such sums necessary for any loan modification under this provision.

TITLE XIII—TEMPORARY RELIEF FROM CERTAIN ERISA REQUIREMENTS

SEC. 1301. SHORT TITLE.

This title may be cited as the ''Temporary Relief from Certain ERISA Requirements Act of 2020''.

SEC. 1302. EXEMPTION.

(a) IN GENERAL.—Section 408 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1108) is amended by adding at the end the following:

''(h) PROVISION OF PHARMACY BENEFIT SERVICES.—

''(1) IN GENERAL.—Provided that all of the conditions described in paragraph (2) are met, the restrictions imposed by subsections (a), (b)(1), and (b)(2) of section 406 shall not apply to—

''(A) the offering of pharmacy benefit services to a group health plan that is sponsored by an entity described in section 3(37)(G)(vi) or to any other group health plan that is sponsored by a regional council, local union, or other labor organization affiliated with such entity;

''(B) the purchase of pharmacy benefit services by plan participants and beneficiaries of a group health plan that is sponsored by an entity described in section 3(37)(G)(vi) or of any other group health plan that is sponsored by a regional council, local union, or other labor organization affiliated with such entity; or

''(C) the operation or implementation of pharmacy benefit services by an entity described in section 3(37)(G)(vi) or by any other group health plan that is sponsored by a regional council, local union, or other labor organization affiliated with such entity,

in any arrangement where such entity described in section 3(37)(G)(vi) or any related organization or subsidiary of such entity provides pharmacy benefit services that include prior authorization and appeals, a retail pharmacy network, pharmacy benefit administration, mail order fulfillment, formulary support, manufacturer payments, audits, and specialty pharmacy and goods, to any such group health plan.

''(2) CONDITIONS.—The conditions described in this paragraph are the following:

''(A) The terms of the arrangement are at least as favorable to the group health plan as such group health plan could obtain in a similar arm's length arrangement with an unrelated third party.

''(B) At least 50 percent of the providers participating in the pharmacy benefit services offered by the arrangement are unrelated to the contributing employers or any other party in interest with respect to the group health plan.

''(C) The group health plan retains an independent fiduciary who will be responsible for monitoring the group health plan's consultants, contractors, subcontractors, and other service providers for purposes of pharmacy benefit services described in paragraph (1) offered by such entity or any of its related organizations or subsidiaries and monitors the transactions of such entity and any of its related organizations or subsidiaries to ensure that all conditions of this exemption are satisfied during each plan year.

''(D) Any decisions regarding the provision of pharmacy benefit services described in paragraph (1) are made by the group health plan's independent fiduciary, based on objective standards developed by the independent fiduciary in reliance on information provided by the arrangement.

''(E) The independent fiduciary of the group health plan provides an annual report to the Secretary and the congressional committees of jurisdiction attesting that the conditions described in subparagraphs (C) and (D) have been met for the applicable plan year, together with a statement that use of the arrangement's services are in the best interest of the participants and beneficiaries in the aggregate for that plan year compared to other similar arrangements the group health plan could have obtained in transactions with an unrelated third party.

''(F) The arrangement is not designed to benefit any party in interest with respect to the group health plan.

''(3) VIOLATIONS.—In the event an entity described in section 3(37)(G)(vi) or any affiliate of such entity violates any of the conditions of such exemption, such exemption shall not apply with respect to such entity or affiliate and all enforcement and claims available under this Act shall apply with respect to such entity or affiliate.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to modify any obligation of a group health plan otherwise set forth in this Act.

''(5) GROUP HEALTH PLAN.—In this subsection, the term 'group health plan' has the meaning given such term in section 733(a).''.

(b) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Subsection (c) of section 4975 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) SPECIAL RULE FOR PROVISION OF PHARMACY BENEFIT SERVICES.—Any party to an arrangement which satisfies the requirements of section 408(h) of the Employee Retirement Income Security Act of 1974 shall be exempt from the tax imposed by this section with respect to such arrangement.''.

(c) APPLICABILITY.—With respect to a group health plan subject to subsection (h) of section 408 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1108) (as amended by subsection (a)) and subsection (c) of section 4975 of the Internal Revenue Code of 1986 (as amended by subsection (b)), beginning at the end of the fifth plan year of such group health plan that begins after the date of enactment of this Act, such subsection (h) of such section 408 and such subsection (c) of such shall have no force or effect.

TITLE XIV—LIBRARY OF CONGRESS TECHNICAL CORRECTIONS

SEC. 1401. SHORT TITLE.

This title may be cited as the ''Library of Congress Technical Corrections Act of 2019''.

SEC. 1402. AMENDMENT TO AMERICAN FOLKLIFE PRESERVATION ACT.

Section 4 of the American Folklife Preservation Act (20 U.S.C. 2103) is amended—

(1) in subsection (b)(1)(D)—

(A) in the matter preceding clause (i), by striking ''seven'' and inserting ''nine'';

(B) in clause (vi), by striking ''and'' after the semicolon;

(C) in clause (vii), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(viii) the Secretary of Veterans Affairs; and

''(ix) the Director of the Institute of Museum and Library Services.''; and

(2) in subsection (f), by striking the second sentence and inserting the following: ''The rate of basic pay of the Director shall be fixed in accordance with section 5376(b) of title 5, United States Code.''.

SEC. 1403. NATIONAL LIBRARY SERVICE FOR THE BLIND AND PRINT DISABLED.

(a) IN GENERAL.—The Act entitled ''An Act to provide books for the adult blind'', approved March 3, 1931 (2 U.S.C. 135a et seq.), is amended to read as follows:

''SECTION 1. NATIONAL LIBRARY SERVICE FOR THE BLIND AND PRINT DISABLED.

''(a) ACCESSIBLE MATERIALS AND REPRODUCERS.—

''(1) IN GENERAL.—The Librarian of Congress is authorized to provide to eligible persons who are residents of the United States (including residents of the several States, insular possessions, and the District of Columbia) and to eligible persons who are United States citizens residing outside the United States the following items:

''(A) Literary works published in raised characters, on sound-reproduction recordings, or in any other accessible format.

''(B) Musical scores, instructional texts, and other specialized materials used in furthering educational, vocational, and cultural opportunities in the field of music published in any accessible format.

''(C) Reproducers for such formats.

''(2) OWNERSHIP.—Any item provided under paragraph (1) shall be provided on a loan basis and shall remain the property of the Library of Congress.

''(b) LENDING PREFERENCE.—In the lending of items under subsection (a), the Librarian shall at all times give preference to—

''(1) the needs of the blind and visually disabled; and

''(2) the needs of eligible persons who have been honorably discharged from the Armed Forces of the United States.

''(c) NETWORK.—The Librarian of Congress may contract or otherwise arrange with such public or other nonprofit libraries, agencies, or organizations as the Librarian may determine appropriate to serve as local or regional centers for the circulation of items described in subsection (a)(1).

''(d) INTERNATIONAL SERVICE.—The Librarian of Congress is authorized to provide items described in subparagraphs (A) and (B) of subsection (a)(1) to authorized entities located in a country that is a party to the Marrakesh Treaty, if any such items are delivered to authorized entities through online, not physical, means. The Librarian may contract or otherwise arrange with such authorized entities to deliver such items to eligible persons located in their countries in any accessible format and consistent with section 121A of title 17, United States Code.

''(e) CONTRACTING PREFERENCE.—In the purchase and maintenance of items described in subsection (a), the Librarian of Congress, without regard to section 6101 of title 41, United States Code, shall give preference to nonprofit institutions or agencies whose activities are primarily concerned with the blind and with other physically disabled persons, in all cases where, considering all the circumstances and needs involved, the Librarian determines that the prices submitted are fair and reasonable.

''(f) REGULATIONS.—The Librarian of Congress shall prescribe regulations for services under this section, in consultation with eligible persons and authorized entities. Such regulations shall include procedures that shall be used by an individual to establish that the individual is an eligible person.

''(g) DEFINITIONS.—In this section—

''(1) the terms 'accessible format', 'authorized entity', and 'eligible person' have the meanings given those terms in section 121 of title 17, United States Code; and

''(2) the term 'Marrakesh Treaty' has the meaning given in section 121A of such title 17.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.''.

(b) CONFORMING AMENDMENT.—The Act entitled ''An Act to establish in the Library of Congress a library of musical scores and other instructional materials to further educational, vocational, and cultural opportunities in the field of music for blind persons'', approved October 9, 1962 (2 U.S.C. 135a–1), is repealed.

SEC. 1404. UNIFORM PAY SCALE FOR LIBRARY OF CONGRESS CAREER SENIOR EXECUTIVE POSITIONS.

(a) EXECUTIVE SCHEDULE POSITIONS.—

(1) DEPUTY LIBRARIAN OF CONGRESS.—Paragraph (2) of section 904 of the Supplemental Appropriations Act, 1983 (2 U.S.C. 136a–2) is amended to read as follows:

''(2) the Deputy Librarian of Congress shall be compensated at the greater of the rate of pay in effect for level III of the Executive Schedule under section 5314 of title 5, United States Code, or the maximum annual rate of basic pay payable under section 5376 of such title for positions at agencies with a performance appraisal system certified under section 5307(d) of such title.''.

(2) DIRECTOR, CONGRESSIONAL RESEARCH SERVICE.—The second sentence of section 203(c)(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 166(c)(1)) is amended to read as follows: ''The Director shall be compensated at the greater of the rate of pay in effect for level III of the Executive Schedule under section 5314 of title 5, United States Code, or the maximum annual rate of basic pay payable under section 5376 of such title for positions at agencies with a performance appraisal system certified under section 5307(d) of such title.''.

(3) REGISTER OF COPYRIGHTS.—The first sentence of section 701(f) of title 17, United States Code, is amended to read as follows: ''The Register of Copyrights shall be compensated at the greater of the rate of pay in effect for level III of the Executive Schedule under section 5314 of title 5 or the maximum annual rate of basic pay payable under section 5376 of such title for positions at agencies with a performance appraisal system certified under section 5307(d) of such title.''.

(b) REFERENCES TO GS GRADES 16, 17, AND 18 AND SENIOR LEVEL CLASSIFICATION.—

(1) CONGRESSIONAL RESEARCH SERVICE.—Section 203(c)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 166(c)(2)) is amended—

(A) in the second sentence of the matter preceding subparagraph (A), by deleting ''subchapter III'' and all that follows through ''such title.'' and inserting ''section 5376 of title 5, United States Code.''; and

(B) in subparagraph (B), by striking ''may be placed in GS–16, 17, and 18'' and all that follows through the period at the end and inserting ''may be classified above GS–15 in accordance with section 5108(c) of title 5, United States Code, and the rate of basic pay for such positions may be fixed in accordance with section 5376 of such title, subject to the prior approval of the Joint Committee on the Library.''.

(2) U.S. COPYRIGHT OFFICE.—Section 701(f) of title 17, United States Code, is amended by striking the last sentence and inserting ''The rate of basic pay for each Associate Register of Copyrights shall be fixed in accordance with section 5376 of title 5.''.

SEC. 1405. STAFFING FOR COPYRIGHT ROYALTY JUDGES PROGRAM.

(a) REMOVAL OF CAP ON PERSONNEL.—Chapter 8 of title 17, United States Code, is amended—

(1) in section 802—

(A) in subsection (b), by striking ''3''; and

(B) in subsection (e), by striking paragraph (2) and inserting the following:

''(2) STAFF MEMBERS.—Staff members appointed under subsection (b) shall be compensated at a rate not more than the basic rate of pay payable for level 10 of GS–15 of the General Schedule.''; and

(2) in section 803(e)(1)(A), by striking ''3''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to fiscal year 2020 and each fiscal year thereafter.

TITLE XV—SENATE ENTITIES

SEC. 1501. Section 2(c) of chapter VIII of title I of Public Law 100–71 (2 U.S.C. 6567(c)) is amended by striking ''$10,000'' and inserting ''$15,000''.

SEC. 1502. Section 902 of the Emergency Supplemental Act, 2002 (2 U.S.C. 6616) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''subsection (b)'' and inserting ''paragraph (3)''; and

(ii) by striking ''and'' at the end;

(B) in paragraph (2), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the Sergeant at Arms of the Senate may enter into a memorandum of understanding described in paragraph (1) consistent with the Senate Procurement Regulations.''; and

(2) by striking subsection (b) and inserting the following:

''(b) The Sergeant at Arms of the Senate may incur obligations and make expenditures for meals, refreshments, and other support and maintenance for Members, officers, and employees of the Senate when such obligations and expenditures are necessary to respond to emergencies involving the safety of human life or the protection of property.''.

TITLE XVI—LEGISLATIVE BRANCH INSPECTORS GENERAL INDEPENDENCE

SEC. 1601. SHORT TITLE.

This title may be cited as the ''Legislative Branch Inspectors General Independence Act of 2019''.

SEC. 1602. PAY, LIMITS ON BONUSES, COUNSEL, AND AUTHORITIES.

(a) LIBRARY OF CONGRESS.—Section 1307 of the Legislative Branch Appropriations Act, 2006 (2 U.S.C. 185) is amended—

(1) in subsection (c)—

(A) in the subsection heading, by inserting ''; PAY; LIMITS ON BONUSES; COUNSEL'' after ''REMOVAL'';

(B) by striking paragraph (2) and inserting the following:

''(2) REMOVAL OR TRANSFER.—

''(A) IN GENERAL.—The Inspector General may be removed from office, or transferred to another position within, or another location of, the Library of Congress, by the Librarian of Congress.

''(B) NOTICE.—Not later than 30 days before the Librarian of Congress removes or transfers the Inspector General under subparagraph (A), the Librarian of Congress shall communicate in writing the reason for the removal or transfer to—

''(i) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

''(ii) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

''(C) APPLICABILITY.—Nothing in this paragraph shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.''; and

(C) by adding at the end the following:

''(3) PAY.—

''(A) IN GENERAL.—The position of Inspector General shall—

''(i) be classified as a position above GS–15 in accordance with section 5108 of title 5, United States Code; and

''(ii) have a rate of basic pay that is not less than the average rate of basic pay of all other employees in positions classified as above GS–15 of the Library of Congress calculated on an annual basis.

''(B) ADJUSTMENTS.—The Librarian of Congress shall establish the amount of the annual adjustment in the rate of basic pay for the Inspector General in an amount equal to the average of the annual adjustments in the rate of basic pay provided to all other employees in positions classified as above GS–15 of the Library of Congress, in a manner consistent with section 5376 of title 5, United States Code.

''(4) NO BONUSES.—The Inspector General may not receive any cash award or cash bonus, including a cash award under chapter 45 of title 5, United States Code.

''(5) COUNSEL.—The Inspector General shall, in accordance with applicable laws and regulations governing selections, appointments, and employment at the Library of Congress, obtain legal advice from a counsel reporting directly to the Inspector General or another Inspector General.''; and

(2) in subsection (d)(1), by striking ''Sections 4'' and all that follows through ''and 7'' and inserting ''Sections 4, 5 (other than subsection (a)(13)), 6 (other than subsection (a)(7)), and 7''.

(b) OFFICE OF THE ARCHITECT OF THE CAPITOL.—Section 1301(c) of the Architect of the Capitol Inspector General Act of 2007 (2 U.S.C. 1808(c)) is amended—

(1) in the subsection heading, by inserting ''; PAY; LIMITS ON BONUSES; COUNSEL'' after ''REMOVAL'';

(2) by striking paragraph (2) and inserting the following:

''(2) REMOVAL OR TRANSFER.—

''(A) IN GENERAL.—The Inspector General may be removed from office, or transferred to another position within, or another location of, the Office of the Architect of the Capitol, by the Architect of the Capitol.

''(B) NOTICE.—Not later than 30 days before the Architect of the Capitol removes or transfers the Inspector General under subparagraph (A), the Architect of the Capitol shall communicate in writing the reason for the removal or transfer to—

''(i) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

''(ii) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

''(C) APPLICABILITY.—Nothing in this paragraph shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.''; and

(3) by adding at the end the following:

''(4) NO BONUSES.—The Inspector General may not receive any cash award or cash bonus, including a cash award under chapter 45 of title 5, United States Code.

''(5) COUNSEL.—The Inspector General shall, in accordance with applicable laws and regulations governing selections, appointments, and employment at the Office of the Architect of the Capitol, obtain legal advice from a counsel reporting directly to the Inspector General or another Inspector General.''.

(c) GOVERNMENT PUBLISHING OFFICE.—

(1) IN GENERAL.—Section 3902 of title 44, United States Code, is amended—

(A) in the section heading, by inserting ''**; pay; limits on bonuses; counsel**'' after ''**removal**'';

(B) by striking subsection (b) and inserting the following:

''(b)(1) The Inspector General may be removed from office, or transferred to another position within, or another location of, the Government Publishing Office, by the Director of the Government Publishing Office.

''(2) Not later than 30 days before the Director removes or transfers the Inspector General under paragraph (1), the Director shall communicate in writing the reason for the removal or transfer to—

''(A) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

''(B) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

''(3) Nothing in this subsection shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.''; and

(C) by adding at the end the following:

''(c)(1) The position of Inspector General shall be—

''(A) classified as a position as a senior level employee, in accordance with this title; and

''(B) have a rate of basic pay that is not less than the average rate of basic pay of all other senior level employees of the Government Publishing Office calculated on an annual basis.

''(2) The Director of the Government Publishing Office shall establish the amount of the annual adjustment in the rate of basic pay for the Inspector General in an amount equal to the average of the annual adjustments in the rate of basic pay provided to all other senior level employees of the Government Publishing Office, consistent with this title.

''(d) The Inspector General may not receive any cash award or cash bonus, including a cash award under chapter 45 of title 5.

''(e) The Inspector General shall, in accordance with applicable laws and regulations governing selections, appointments, and employment at the Government Publishing Office, obtain legal advice from a counsel reporting directly to the Inspector General or another Inspector General.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 39 of title 44, United States Code, is amended by striking the item relating to section 3902 and inserting the following:

''3902. Appointment of Inspector General; supervision; removal; pay; limits on bonuses; counsel.''.

SEC. 1603. LAW ENFORCEMENT AUTHORITY.

(a) LIBRARY OF CONGRESS.—Section 1307(d) of the Legislative Branch Appropriations Act, 2006 (2 U.S.C. 185(d)) is amended by adding at the end the following:

''(3) LAW ENFORCEMENT AUTHORITY.—

''(A) IN GENERAL.—Subject to subparagraph (B), any supervisory special agent under the Inspector General and any special agent supervised by such a supervisory special agent is authorized to—

''(i) make an arrest without a warrant while engaged in official duties as authorized under this section or any other statute for any offense against the United States committed in the presence of such supervisory special agent or special agent, or for any felony cognizable under the laws of the United States if such supervisory special agent or special agent has reasonable grounds to believe that the person to be arrested has committed or is committing such felony;

''(ii) seek and execute warrants for arrest, search of a premises, or seizure of evidence issued under the authority of the United States upon probable cause to believe that a violation has been committed; and

''(iii) carry a firearm while engaged in official duties as authorized under this section or any other statute.

''(B) REQUIREMENTS TO EXERCISE AUTHORITY.—

''(i) REQUIRED CERTIFICATION.—

''(I) IN GENERAL.—In order to exercise the authority under subparagraph (A), a supervisory special agent or a special agent supervised by such a supervisory special agent shall certify that he or she—

''(aa) is a citizen of the United States;

''(bb) has successfully completed a basic law enforcement training program or military or other equivalent; and

''(cc) is not prohibited from receiving a firearm under Federal law, including under section 922(g)(9) of title 18, United States Code, because of a conviction of a misdemeanor crime of domestic violence.

''(II) ADDITIONAL REQUIREMENTS.—After providing notice to the appropriate committees of Congress, the Inspector General may add requirements to the certification required under subclause (I), as determined appropriate by the Inspector General.

''(ii) MAINTENANCE OF REQUIREMENTS.—The Inspector General shall maintain firearms-related requirements (including quarterly firearms qualifications) and use of force training requirements that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in accordance with the Council of the Inspectors General on Integrity and Efficiency use of force policies, which incorporate Department of Justice guidelines.

''(iii) ELIGIBILITY DETERMINATION.—

''(I) IN GENERAL.—The Inspector General shall—

''(aa) determine whether an individual meets the requirements under this paragraph; and

''(bb) revoke any authority granted to an individual under subparagraph (A) if the individual is not in compliance with the requirements of this paragraph.

''(II) REAUTHORIZATION.—The Inspector General may reauthorize an individual to exercise the authority granted under subparagraph (A) if the Inspector General determines the individual has achieved compliance with the requirements under this paragraph.

''(III) LIMITATION ON APPEAL.—A revocation of the authority granted under subparagraph (A) shall not be subject to administrative, judicial, or other review, unless the revocation results in an adverse action. Such an adverse action may, at the election of the applicable individual, be reviewed in accordance with the otherwise applicable procedures.

''(C) SEMIANNUAL CERTIFICATION OF PROGRAM.—

''(i) IN GENERAL.—Before the first grant of authority under subparagraph (A), and semiannually thereafter as part of the report under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General shall submit to the appropriate committees of Congress a written certification that adequate internal safeguards and management procedures exist that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in compliance with standards established by the Council of the Inspectors General on Integrity and Efficiency, which incorporate Department of Justice guidelines, to ensure proper

exercise of the powers authorized under this paragraph.

''(ii) SUSPENSION OF AUTHORITY.—The authority granted under this paragraph (including any grant of authority to an individual under subparagraph (A), without regard to whether the individual is in compliance with subparagraph (B)) may be suspended by the Inspector General if the Office of Inspector General fails to comply with the reporting and review requirements under clause (i) of this subparagraph or subparagraph (D). Any suspension of authority under this clause shall be reported to the appropriate committees of Congress.

''(D) PEER REVIEW.—To ensure the proper exercise of the law enforcement powers authorized under this paragraph, the Office of Inspector General shall submit to and participate in the external review process established by the Council of the Inspectors General on Integrity and Efficiency for ensuring that adequate internal safeguards and management procedures continue to exist. Under the review process, the exercise of the law enforcement powers by the Office of Inspector General shall be reviewed periodically by another Office of Inspector General or by a committee of Inspectors General. The results of each review shall be communicated in writing to the Inspector General, the Council of the Inspectors General on Integrity and Efficiency, and the appropriate committees of Congress.

''(E) ALLEGED MISCONDUCT.—Any allegation of misconduct by an individual granted authority under subparagraph (A) may be reviewed by the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency.

''(F) APPROPRIATE COMMITTEES OF CONGRESS.—In this paragraph, the term 'appropriate committees of Congress' means—

''(i) the Committee on Rules and Administration and the Committee on Appropriations of the Senate; and

''(ii) the Committee on House Administration and the Committee on Appropriations of the House of Representatives.''.

(b) ARCHITECT OF THE CAPITOL.—Section 1301(d) of the Architect of the Capitol Inspector General Act of 2007 (2 U.S.C. 1808(d)) is amended by adding at the end the following:

''(3) LAW ENFORCEMENT AUTHORITY.—

''(A) IN GENERAL.—Subject to subparagraph (B), any supervisory special agent under the Inspector General and any special agent supervised by such a supervisory special agent is authorized to—

''(i) make an arrest without a warrant while engaged in official duties as authorized under this section or any other statute for any offense against the United States committed in the presence of such supervisory special agent or special agent, or for any felony cognizable under the laws of the United States if such supervisory special agent or special agent has reasonable grounds to believe that the person to be arrested has committed or is committing such felony;

''(ii) seek and execute warrants for arrest, search of a premises, or seizure of evidence issued under the authority of the United States upon probable cause to believe that a violation has been committed; and

''(iii) carry a firearm while engaged in official duties as authorized under this section or any other statute.

''(B) REQUIREMENTS TO EXERCISE AUTHORITY.—

''(i) REQUIRED CERTIFICATION.—

''(I) IN GENERAL.—In order to exercise the authority under subparagraph (A), a supervisory special agent or a special agent supervised by such a supervisory special agent shall certify that he or she—

''(aa) is a citizen of the United States;

''(bb) has successfully completed a basic law enforcement training program or military or other equivalent; and

''(cc) is not prohibited from receiving a firearm under Federal law, including under section 922(g)(9) of title 18, United States Code, because of a conviction of a misdemeanor crime of domestic violence.

''(II) ADDITIONAL REQUIREMENTS.—After providing notice to the appropriate committees of Congress, the Inspector General may add requirements to the certification required under subclause (I), as determined appropriate by the Inspector General.

''(ii) MAINTENANCE OF REQUIREMENTS.—The Inspector General shall maintain firearms-related requirements (including quarterly firearms qualifications) and use of force training requirements that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in accordance with the Council of the Inspectors General on Integrity and Efficiency use of force policies, which incorporate Department of Justice guidelines.

''(iii) ELIGIBILITY DETERMINATION.—

''(I) IN GENERAL.—The Inspector General shall—

''(aa) determine whether an individual meets the requirements under this paragraph; and

''(bb) revoke any authority granted to an individual under subparagraph (A) if the individual is not in compliance with the requirements of this paragraph.

''(II) REAUTHORIZATION.—The Inspector General may reauthorize an individual to exercise the authority granted under subparagraph (A) if the Inspector General determines the individual has achieved compliance with the requirements under this paragraph.

''(III) LIMITATION ON APPEAL.—A revocation of the authority granted under subparagraph (A) shall not be subject to administrative, judicial, or other review, unless the revocation results in an adverse action. Such an adverse action may, at the election of the applicable individual, be reviewed in accordance with the otherwise applicable procedures.

''(C) SEMIANNUAL CERTIFICATION OF PROGRAM.—

''(i) IN GENERAL.—Before the first grant of authority under subparagraph (A), and semiannually thereafter as part of the report under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General shall submit to the appropriate committees of Congress a written certification that adequate internal safeguards and management procedures exist that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in compliance with standards established by the Council of the Inspectors General on Integrity and Efficiency, which incorporate Department of Justice guidelines, to ensure proper exercise of the powers authorized under this paragraph.

''(ii) SUSPENSION OF AUTHORITY.—The authority granted under this paragraph (including any grant of authority to an individual under subparagraph (A), without regard to whether the individual is in compliance with subparagraph (B)) may be suspended by the Inspector General if the Office of Inspector General fails to comply with the reporting and review requirements under clause (i) of this subparagraph or subparagraph (D). Any suspension of authority under this clause shall be reported to the appropriate committees of Congress.

''(D) PEER REVIEW.—To ensure the proper exercise of the law enforcement powers authorized under this paragraph, the Office of Inspector General shall submit to and participate in the external review process established by the Council of the Inspectors General on Integrity and Efficiency for ensuring that adequate internal safeguards and management procedures continue to exist. Under the review process, the exercise of the law enforcement powers by the Office of Inspector General shall be reviewed periodically by another Office of Inspector General or by a committee of Inspectors General. The results of each review shall be communicated in writing to the Inspector General, the Council of the Inspectors General on Integrity and Efficiency, and the appropriate committees of Congress.

''(E) ALLEGED MISCONDUCT.—Any allegation of misconduct by an individual granted authority under subparagraph (A) may be reviewed by the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency.

''(F) APPROPRIATE COMMITTEES OF CONGRESS.—In this paragraph, the term 'appropriate committees of Congress' means—

''(i) the Committee on Rules and Administration and the Committee on Appropriations of the Senate; and

''(ii) the Committee on House Administration and the Committee on Appropriations of the House of Representatives.''.

(c) GOVERNMENT PUBLISHING OFFICE.—Section 3903 of title 44, United States Code, is amended is amended by adding at the end the following:

''(c)(1) Subject to paragraph (2), any supervisory special agent under the Inspector General and any special agent supervised by such a supervisory special agent is authorized to—

''(A) make an arrest without a warrant while engaged in official duties as authorized under this chapter or any other statute for any offense against the United States committed in the presence of such supervisory special agent or special agent, or for any felony cognizable under the laws of the United States if such supervisory special agent or special agent has reasonable grounds to believe that the person to be arrested has committed or is committing such felony;

''(B) seek and execute warrants for arrest, search of a premises, or seizure of evidence issued under the authority of the United States upon probable cause to believe that a violation has been committed; and

''(C) carry a firearm while engaged in official duties as authorized under this chapter or any other statute.

''(2)(A)(i) In order to exercise the authority under paragraph (1), a supervisory special agent or a special agent supervised by such a supervisory special agent shall certify that he or she—

''(I) is a citizen of the United States;

''(II) has successfully completed a basic law enforcement training program or military or other equivalent; and

''(III) is not prohibited from receiving a firearm under Federal law, including under section 922(g)(9) of title 18, United States Code, because of a conviction of a misdemeanor crime of domestic violence.

''(ii) After providing notice to the appropriate committees of Congress, the Inspector General may add requirements to the certification required under clause (i), as determined appropriate by the Inspector General.

''(B) The Inspector General shall maintain firearms-related requirements (including quarterly firearms qualifications) and use of force training requirements that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in accordance with the Council of the Inspectors General on Integrity and Efficiency use of force policies, which incorporate Department of Justice guidelines.

''(C)(i) The Inspector General shall—

''(I) determine whether an individual meets the requirements under this subsection; and

''(II) revoke any authority granted to an individual under paragraph (1) if the individual is not in compliance with the requirements of this subsection.

''(ii) The Inspector General may reauthorize an individual to exercise the authority granted under paragraph (1) if the Inspector General determines the individual has achieved compliance with the requirements under this subsection.

''(iii) A revocation of the authority granted under paragraph (1) shall not be subject to administrative, judicial, or other review, unless the revocation results in an adverse action. Such an adverse action may, at the election of the applicable individual, be reviewed in accordance with the otherwise applicable procedures.

''(3)(A) Before the first grant of authority under paragraph (1), and semiannually thereafter as part of the report under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General shall submit to the appropriate committees of Congress a written certification that adequate internal safeguards and management procedures exist that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in compliance with standards established by the Council of the Inspectors General on Integrity and Efficiency, which incorporate Department of Justice guidelines, to ensure proper exercise of the powers authorized under this subsection.

''(B) The authority granted under this subsection (including any grant of authority to an individual under paragraph (1), without regard to whether the individual is in compliance with paragraph (2)) may be suspended by the Inspector General if the Office of Inspector General fails to comply with the reporting and review requirements under subparagraph (A) of this paragraph or paragraph (4). Any suspension of authority under this subparagraph shall be reported to the appropriate committees of Congress.

''(4) To ensure the proper exercise of the law enforcement powers authorized under this subsection, the Office of Inspector General shall submit to and participate in the external review process established by the Council of the Inspectors General on Integrity and Efficiency for ensuring that adequate internal safeguards and management procedures continue to exist. Under the review process, the exercise of the law enforcement powers by the Office of Inspector General shall be reviewed periodically by another Office of Inspector General or by a committee of Inspectors General. The results of each review shall be communicated in writing to the Inspector General, the Council of the Inspectors General on Integrity and Efficiency, and the appropriate committees of Congress.

''(5) Any allegation of misconduct by an individual granted authority under paragraph (1) may be reviewed by the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency.

''(6) In this subsection, the term 'appropriate committees of Congress' means—

''(A) the Committee on Rules and Administration and the Committee on Appropriations of the Senate; and

''(B) the Committee on House Administration and the Committee on Appropriations of the House of Representatives.''.

SEC. 1604. BUDGET INDEPENDENCE.

(a) LIBRARY OF CONGRESS.—

(1) AUTHORITY.—Section 1307(d) of the Legislative Branch Appropriations Act, 2006 (2 U.S.C. 185(d)), as amended by section 1603 of this Act, is amended by adding at the end the following:

''(4) BUDGET INDEPENDENCE.—The Librarian of Congress shall include the annual budget request of the Inspector General in the budget of the Library of Congress without change.''.

(b) OFFICE OF THE ARCHITECT OF THE CAPITOL.—Section 1301(d) of the Architect of the Capitol Inspector General Act of 2007 (2 U.S.C. 1808(d)), as amended by section 1603 of this Act, is amended by adding at the end the following:

''(4) BUDGET INDEPENDENCE.—The Architect of the Capitol shall include the annual budget request of the Inspector General in the budget of the Office of the Architect of the Capitol without change.''.

(c) GOVERNMENT PUBLISHING OFFICE.—Section 3903 of title 44, United States Code, as amended by section 1603 of this Act, is amended by adding at the end the following:

''(d) The Director of the Government Publishing Office shall include the annual budget request of the Inspector General in the budget of the Government Publishing Office without change.''.

(d) SEPARATE ALLOCATIONS.—

(1) LEGISLATIVE BRANCH INSTRUMENTALITY DEFINED.—In this subsection, the term ''legislative branch instrumentality'' means the Library of Congress, the Office of the Architect of the Capitol, or the Government Publishing Office.

(2) ALLOCATION.—For fiscal year 2021, and each fiscal year thereafter, Congress shall provide, within the amounts made available for salaries and expenses of each legislative branch instrumentality, a separate allocation of amounts for salaries and expenses of the Office of the Inspector General of the covered legislative branch instrumentality.

SEC. 1605. HIRING AUTHORITY.

(a) LIBRARY OF CONGRESS.—Section 1307(d)(2) of the Legislative Branch Appropriations Act, 2006 (2 U.S.C. 185(d)(2)) is amended—

(1) by striking ''The Inspector'' and inserting the following:

''(A) IN GENERAL.—The Inspector'';

(2) in subparagraph (A), as so designated, by inserting '', without the supervision or approval of any other employee, office, or other entity within the Library of Congress,'' after ''is authorized''; and

(3) by adding at the end the following:

''(B) SECURITY AND SUITABILITY.—Appointments under the authority under subparagraph (A) shall be made consistent with personnel security and suitability requirements.

''(C) CONSULTANTS.—Any appointment of a consultant under the authority under subparagraph (A) shall be made consistent with section 6(a)(8) of the Inspector General Act of 1978 (5 U.S.C. App.).''.

(b) OFFICE OF THE ARCHITECT OF THE CAPITOL.—Section 1301(d)(2) of the Architect of the Capitol Inspector General Act of 2007 (2 U.S.C. 1808(d)(2)) is amended—

(1) by striking ''The Inspector'' and inserting the following:

''(A) IN GENERAL.—The Inspector'';

(2) in subparagraph (A), as so designated, by inserting '', without the supervision or approval of any other employee, office, or other entity within the Office of the Architect of the Capitol,'' after ''is authorized''; and

(3) by adding at the end the following:

''(B) SECURITY AND SUITABILITY.—Appointments under the authority under subparagraph (A) shall be made consistent with personnel security and suitability requirements.

''(C) CONSULTANTS.—Any appointment of a consultant under the authority under subparagraph (A) shall be made consistent with section 6(a)(8) of the Inspector General Act of 1978 (5 U.S.C. App.).''.

(c) GOVERNMENT PUBLISHING OFFICE.—Section 3903(b) of title 44, United States Code, is amended—

(1) by inserting ''(1)'' before ''The Inspector'';

(2) in paragraph (1), as so designated, by inserting '', without the supervision or approval of any other employee, office, or other entity within the Government Publishing Office,'' after ''is authorized''; and

(3) by adding at the end the following:

''(2) Appointments under the authority under paragraph (1) shall be made consistent with personnel security and suitability requirements.

''(3) Any appointment of a consultant under the authority under paragraph (1) shall be made consistent with section 6(a)(8) of the Inspector General Act of 1978 (5 U.S.C. App.).''.

TITLE XVII—MANAGING POLITICAL FUND ACTIVITY

SEC. 1701. MANAGING POLITICAL FUND ACTIVITY.

The Majority Leader and the Minority Leader may each designate up to 2 employees of their respective leadership office staff as designees referred to in the second sentence of paragraph 1 of rule XLI of the Standing Rules of the Senate.

TITLE XVIII—KENTUCKY WILDLANDS NATIONAL HERITAGE AREA STUDY

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Kentucky Wildlands National Heritage Area Study Act''.

SEC. 1802. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term ''Heritage Area'' means the Kentucky Wildlands National Heritage Area.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Kentucky.

(4) STUDY AREA.—The term ''study area'' means—

(A) Adair, Bath, Bell, Boyd, Breathitt, Carter, Casey, Clay, Clinton, Cumberland, Elliott, Floyd, Green, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lincoln, Magoffin, Martin, McCreary, Menifee, Metcalfe, Monroe, Morgan, Owsley, Perry, Pike, Pulaski, Rockcastle, Rowan, Russell, Wayne, Whitley, and Wolfe Counties in the State; and

(B) any other areas in the State that—

(i) have heritage aspects that are similar to the heritage aspects of the areas described in subparagraph (A); and

(ii) are adjacent to, or in the vicinity of, the areas described in that subparagraph.

SEC. 1803. STUDY.

(a) IN GENERAL.—The Secretary, in consultation with State and local historic preservation officers, State and local historical societies, State and local tourism offices, and other appropriate organizations and governmental agencies, shall conduct a study to assess the suitability and feasibility of designating the study area as a National Heritage Area, to be known as the ''Kentucky Wildlands National Heritage Area''.

(b) REQUIREMENTS.—The study shall include analysis, documentation, and determinations on whether the study area—

(1) has an assemblage of natural, historic, and cultural resources that—

(A) represent distinctive aspects of the heritage of the United States;

(B) are worthy of recognition, conservation, interpretation, and continuing use; and

(C) would be best managed—

(i) through partnerships among public and private entities; and

(ii) by linking diverse and sometimes noncontiguous resources and active communities;

(2) reflects traditions, customs, beliefs, and folklife that are a valuable part of the story of the United States;

(3) provides outstanding opportunities—

(A) to conserve natural, historic, cultural, or scenic features; and

(B) for recreation and education;

(4) contains resources that—

(A) are important to any identified themes of the study area; and

(B) retain a degree of integrity capable of supporting interpretation;

(5) includes residents, business interests, nonprofit organizations, and State and local governments that—

(A) are involved in the planning of the Heritage Area;

(B) have developed a conceptual financial plan that outlines the roles of all participants in the Heritage Area, including the Federal Government; and

(C) have demonstrated support for the designation of the Heritage Area;

(6) has a potential management entity to work in partnership with the individuals and entities described in paragraph (5) to develop the Heritage Area while encouraging State and local economic activity;

(7) could impact the rights of private property owners with respect to private property; and

(8) has a conceptual boundary map that is supported by the public.

SEC. 1804. REPORT.

Not later than 3 years after the date on which funds are first made available to carry out this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(1) the findings of the study under section 1803; and

(2) any conclusions and recommendations of the Secretary.

TITLE XIX—INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

SEC. 1901. INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT.

The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended by adding at the end the following new section:

"SEC. 73. CAPITAL STOCK INCREASES.

''(a) INCREASES AUTHORIZED.—The United States Governor of the Bank is authorized—

''(1)(A) to vote in favor of a resolution to increase the capital stock of the Bank on a selective basis by 245,773 shares; and

''(B) to subscribe on behalf of the United States to 42,298 additional shares of the capital stock of the Bank, as part of the selective increase in the capital stock of the Bank, except that any subscription to such additional shares shall be effective only to the extent or in such amounts as are provided in advance in appropriations Acts; and

''(2)(A) to vote in favor of a resolution to increase the capital stock of the Bank on a general basis by 230,500 shares; and

''(B) to subscribe on behalf of the United States to 38,662 additional shares of the capital stock of the Bank, as part of the general increase in the capital stock of the Bank, except that any subscription to such additional shares shall be effective only to the extent or in such amounts as are provided in advance in appropriations Acts.

''(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—(1) In order to pay for the increase in the United States subscription to the Bank under subsection (a)(2)(B), there are authorized to be appropriated, without fiscal year limitation, $4,663,990,370 for payment by the Secretary of the Treasury.

''(2) Of the amount authorized to be appropriated under paragraph (1), $932,798,074 shall be for paid in shares of the Bank, and $3,731,192,296 shall be for callable shares of the Bank.

''(3) In order to pay for the increase in the United States subscription to the Bank under subsection (a)(1)(B), there are authorized to be appropriated, without fiscal year limitation $5,102,619,230 for payment by the Secretary of the Treasury.

''(4) Of the amount authorized to be appropriated under paragraph (3), $306,157,153.80 shall be for paid in shares of the Bank, and $4,796,462,076.20 shall be for callable shares of the Bank.''.

TITLE XX—EUROPEAN ENERGY SECURITY AND DIVERSIFICATION ACT OF 2019

SEC. 2001. SHORT TITLE.

This title may be cited as the ''European Energy Security and Diversification Act of 2019''.

SEC. 2002. DEFINITIONS.

In this title:

(1) EARLY-STAGE PROJECT SUPPORT.—The term ''early-stage project support'' includes—

(A) feasibility studies;

(B) resource evaluations;

(C) project appraisal and costing;

(D) pilot projects;

(E) commercial support, such as trade missions, reverse trade missions, technical workshops, international buyer programs, and international partner searchers to link suppliers to projects;

(F) technical assistance and other guidance to improve the local regulatory environment and market frameworks to encourage transparent competition and enhance energy security; and

(G) long-term energy sector planning.

(2) LATE-STAGE PROJECT SUPPORT.—The term ''late-stage project support'' includes debt financing, insurance, and transaction advisory services.

SEC. 2003. STATEMENT OF POLICY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States has economic and national security interests in assisting European and Eurasian countries achieve energy security through diversification of their energy sources and supply routes.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to advance United States foreign policy and development goals by assisting European and Eurasian countries to reduce their dependence on energy resources from countries that use energy dependence for undue political influence, such as the Russian Federation, which has used natural gas to coerce, intimidate, and influence other countries;

(2) to promote the energy security of allies and partners of the United States by encouraging the development of accessible, transparent, and competitive energy markets that provide diversified sources, types, and routes of energy;

(3) to encourage United States public and private sector investment in European energy infrastructure projects to bridge the gap between energy security requirements and commercial demand in a way that is consistent with the region's absorptive capacity; and

(4) to help facilitate the export of United States energy resources, technology, and expertise to global markets in a way that benefits the energy security of allies and partners of the United States, including in Europe and Eurasia.

SEC. 2004. PRIORITIZATION OF EFFORTS AND ASSISTANCE FOR ENERGY INFRASTRUCTURE PROJECTS IN EUROPE AND EURASIA.

(a) IN GENERAL.—In pursuing the policy described in section 2003, the Secretary of State, in consultation with the Secretary of Energy and the heads of other relevant United States agencies, shall, as appropriate, prioritize and expedite the efforts of the Department of State and those agencies in supporting the efforts of the European Commission and the governments of European and Eurasian countries to increase their energy security, including through—

(1) providing diplomatic and political support to the European Commission and those governments, as necessary—

(A) to facilitate international negotiations concerning cross-border infrastructure;

(B) to enhance Europe's regulatory environment with respect to energy; and

(C) to develop accessible, transparent, and competitive energy markets supplied by diverse sources, types, and routes of energy; and

(2) providing support to improve European and Eurasian energy markets, including early-stage project support and late-stage project support for the construction or improvement of energy and related infrastructure, as necessary—

(A) to diversify the energy sources and supply routes of European and Eurasian countries;

(B) to enhance energy market integration across the region; and

(C) to increase competition within energy markets.

(b) PROJECT SELECTION.—

(1) IN GENERAL.—The agencies described in subsection (a) shall identify energy infrastructure projects that would be appropriate for United States assistance under this section.

(2) PROJECT ELIGIBILITY.—A project is eligible for United States assistance under this section if the project—

(A)(i) improves electricity transmission infrastructure, power generation through the use of a broad power mix (including fossil fuel and renewable energy), or energy efficiency; or

(ii) advances electricity storage projects, smart grid projects, distributed generation models, or other technological innovations, as appropriate; and

(B) is located in a European or Eurasian country.

(3) PREFERENCE.—In selecting among projects that are eligible under paragraph (2), the agencies described in subsection (a) shall give preference to projects that—

(A) link the energy systems of 2 or more European or Eurasian countries;

(B) have already been identified by the European Commission as being integral for the energy security of European countries;

(C) are expected to enhance energy market integration;

(D) can attract funding from the private sector, an international financial institution, the government of the country in which the project will be carried out, or the European Commission; or

(E) have the potential to use United States goods and services during project implementation.

(c) TYPES OF ASSISTANCE.—

(1) DIPLOMATIC AND POLITICAL SUPPORT.—The Secretary of State shall provide diplomatic and political support to the European Commission and the governments of European and Eurasian countries, as necessary, including by using the diplomatic and political influence and expertise of the Department of State to build the capacity of those countries to resolve any impediments to the

development of projects selected under subsection (b).

(2) EARLY-STAGE PROJECT SUPPORT.—The Director of the Trade and Development Agency shall provide early-stage project support with respect to projects selected under subsection (b), as necessary.

(3) LATE-STAGE PROJECT SUPPORT.—Agencies described in subsection (a) that provide late-stage project support shall do so with respect to projects selected under subsection (b), as necessary.

(d) FUNDING.—

(1) TRADE AND DEVELOPMENT AGENCY.—Section 661(f)(1)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2421(f)(1)(A)) is amended by striking ''$48,000,000 for fiscal year 2000'' and inserting ''$79,500,000 for fiscal year 2020''.

(2) COUNTERING RUSSIAN INFLUENCE FUND.—Section 254 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9543) is amended—

(A) in subsection (a), by striking ''fiscal years 2018 and 2019'' and inserting ''fiscal years 2020, 2021, 2022, and 2023''; and

(B) in subsection (b), by adding at the end the following new paragraph:

''(7) To assist United States agencies that operate under the foreign policy guidance of the Secretary of State in providing assistance under section 2004 of the European Energy Security and Diversification Act of 2019.''.

(e) EXCEPTION FROM CERTAIN LIMITATION UNDER BUILD ACT.—

(1) IN GENERAL.—For purposes of providing support for projects under this section—

(A) the United States International Development Finance Corporation may provide support for projects in countries with upper-middle-income economies or high-income economies (as those terms are defined by the World Bank);

(B) the restriction under section 1412(c)(2) of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9612(c)(2)) shall not apply; and

(C) the Corporation shall restrict the provision of such support in a country described in subparagraph (A) unless—

(i) the President certifies to the appropriate congressional committees that such support furthers the national economic or foreign policy interests of the United States; and

(ii) such support is—

(I) designed to produce significant developmental outcomes or provide developmental benefits to the poorest population of that country; or

(II) necessary to preempt or counter efforts by a strategic competitor of the United States to secure significant political or economic leverage or acquire national security-sensitive technologies or infrastructure in a country that is an ally or partner of the United States.

(2) DEFINITIONS.—In this subsection, the terms ''appropriate congressional committees'' and ''less developed country'' have the meanings given those terms in section 1402 of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9601).

SEC. 2005. PROGRESS REPORTS.

Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on progress made in providing assistance for projects under section 2004 that includes—

(1) a description of the energy infrastructure projects the United States has identified for such assistance; and

(2) for each such project—

(A) a description of the role of the United States in the project, including in early-stage project support and late-stage project support;

(B) the amount and form of any debt financing and insurance provided by the United States Government for the project;

(C) the amount and form of any early-stage project support; and

(D) an update on the progress made on the project as of the date of the report.

DIVISION Q—REVENUE PROVISIONS

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This division may be cited as the ''Taxpayer Certainty and Disaster Tax Relief Act of 2019''.

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

Sec. 1. Short title; etc.

TITLE I—EXTENSION OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Tax Relief and Support for Families and Individuals

Sec. 101. Exclusion from gross income of discharge of qualified principal residence indebtedness.
Sec. 102. Treatment of mortgage insurance premiums as qualified residence interest.
Sec. 103. Reduction in medical expense deduction floor.
Sec. 104. Deduction of qualified tuition and related expenses.
Sec. 105. Black lung disability trust fund excise tax.

Subtitle B—Incentives for Employment, Economic Growth, and Community Development

Sec. 111. Indian employment credit.
Sec. 112. Railroad track maintenance credit.
Sec. 113. Mine rescue team training credit.
Sec. 114. Classification of certain race horses as 3-year property.
Sec. 115. 7-year recovery period for motorsports entertainment complexes.
Sec. 116. Accelerated depreciation for business property on Indian reservations.
Sec. 117. Expensing rules for certain productions.
Sec. 118. Empowerment zone tax incentives.
Sec. 119. American Samoa economic development credit.

Subtitle C—Incentives for Energy Production, Efficiency, and Green Economy Jobs

Sec. 121. Biodiesel and renewable diesel.
Sec. 122. Second generation biofuel producer credit.
Sec. 123. Nonbusiness energy property.
Sec. 124. Qualified fuel cell motor vehicles.
Sec. 125. Alternative fuel refueling property credit.
Sec. 126. 2-wheeled plug-in electric vehicle credit.
Sec. 127. Credit for electricity produced from certain renewable resources.
Sec. 128. Production credit for Indian coal facilities.
Sec. 129. Energy efficient homes credit.
Sec. 130. Special allowance for second generation biofuel plant property.
Sec. 131. Energy efficient commercial buildings deduction.
Sec. 132. Special rule for sales or dispositions to implement FERC or State electric restructuring policy for qualified electric utilities.
Sec. 133. Extension and clarification of excise tax credits relating to alternative fuels.
Sec. 134. Oil spill liability trust fund rate.

Subtitle D—Certain Provisions Expiring at the End of 2019

Sec. 141. New markets tax credit.
Sec. 142. Employer credit for paid family and medical leave.
Sec. 143. Work opportunity credit.
Sec. 144. Certain provisions related to beer, wine, and distilled spirits.
Sec. 145. Look-thru rule for related controlled foreign corporations.
Sec. 146. Credit for health insurance costs of eligible individuals.

TITLE II—DISASTER TAX RELIEF

Sec. 201. Definitions.
Sec. 202. Special disaster-related rules for use of retirement funds.
Sec. 203. Employee retention credit for employers affected by qualified disasters.
Sec. 204. Other disaster-related tax relief provisions.
Sec. 205. Automatic extension of filing deadlines in case of certain taxpayers affected by Federally declared disasters.
Sec. 206. Modification of the tax rate for the excise tax on investment income of private foundations.
Sec. 207. Additional low-income housing credit allocations for qualified 2017 and 2018 California disaster areas.
Sec. 208. Treatment of certain possessions.

TITLE III—OTHER PROVISIONS

Sec. 301. Modification of income for purposes of determining tax-exempt status of certain mutual or cooperative telephone or electric companies.
Sec. 302. Repeal of increase in unrelated business taxable income for certain fringe benefit expenses.

(c) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

TITLE I—EXTENSION OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Tax Relief and Support for Families and Individuals

SEC. 101. EXCLUSION FROM GROSS INCOME OF DISCHARGE OF QUALIFIED PRINCIPAL RESIDENCE INDEBTEDNESS.

(a) IN GENERAL.—Section 108(a)(1)(E) is amended by striking ''January 1, 2018'' each place it appears and inserting ''January 1, 2021''.

(b) CONFORMING AMENDMENT.—Section 108(h)(2) is amended by inserting ''and determined without regard to the substitution described in section 163(h)(3)(F)(i)(II)'' after ''clause (ii) thereof''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to discharges of indebtedness after December 31, 2017.

SEC. 102. TREATMENT OF MORTGAGE INSURANCE PREMIUMS AS QUALIFIED RESIDENCE INTEREST.

(a) IN GENERAL.—Section 163(h)(3)(E)(iv)(I) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or accrued after December 31, 2017.

SEC. 103. REDUCTION IN MEDICAL EXPENSE DEDUCTION FLOOR.

(a) IN GENERAL.—Section 213(f) is amended to read as follows:

''(f) TEMPORARY SPECIAL RULE.—In the case of taxable years beginning before January 1, 2021, subsection (a) shall be applied with respect to a taxpayer by substituting '7.5 percent' for '10 percent'.''.

(b) ALTERNATIVE MINIMUM TAX.—Section 56(b)(1) is amended by striking subparagraph (B) and by redesignating subparagraphs (C), (D), (E), and (F), as subparagraphs (B), (C), (D), and (E), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 2018.

SEC. 104. DEDUCTION OF QUALIFIED TUITION AND RELATED EXPENSES.

(a) IN GENERAL.—Section 222(e) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

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

SEC. 105. BLACK LUNG DISABILITY TRUST FUND EXCISE TAX.

(a) IN GENERAL.—Section 4121(e)(2)(A) is amended by striking ''December 31, 2018'' and inserting ''December 31, 2020''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply on and after the first day of the first calendar month beginning after the date of the enactment of this Act.

Subtitle B—Incentives for Employment, Economic Growth, and Community Development

SEC. 111. INDIAN EMPLOYMENT CREDIT.

(a) IN GENERAL.—Section 45A(f) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

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

SEC. 112. RAILROAD TRACK MAINTENANCE CREDIT.

(a) IN GENERAL.—Section 45G(f) is amended by striking ''January 1, 2018'' and inserting ''January 1, 2023''.

(b) SAFE HARBOR ASSIGNMENTS.—Any assignment, including related expenditures paid or incurred, under section 45G(b)(2) of the Internal Revenue Code of 1986 for a taxable year beginning on or after January 1, 2018, and ending before January 1, 2020, shall be treated as effective as of the close of such taxable year if made pursuant to a written agreement entered into no later than 90 days following the date of the enactment of this Act.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred during taxable years beginning after December 31, 2017.

SEC. 113. MINE RESCUE TEAM TRAINING CREDIT.

(a) IN GENERAL.—Section 45N(e) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

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

SEC. 114. CLASSIFICATION OF CERTAIN RACE HORSES AS 3-YEAR PROPERTY.

(a) IN GENERAL.—Section 168(e)(3)(A)(i) is amended—

(1) by striking ''January 1, 2018'' in subclause (I) and inserting ''January 1, 2021'', and

(2) by striking ''December 31, 2017'' in subclause (II) and inserting ''December 31, 2020''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2017.

SEC. 115. 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.

(a) IN GENERAL.—Section 168(i)(15)(D) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2017.

SEC. 116. ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON INDIAN RESERVATIONS.

(a) IN GENERAL.—Section 168(j)(9) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2017.

SEC. 117. EXPENSING RULES FOR CERTAIN PRODUCTIONS.

(a) IN GENERAL.—Section 181(g) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

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

SEC. 118. EMPOWERMENT ZONE TAX INCENTIVES.

(a) IN GENERAL.—Section 1391(d)(1)(A)(i) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

(b) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination to provide for a new termination date in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

SEC. 119. AMERICAN SAMOA ECONOMIC DEVELOPMENT CREDIT.

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

(1) by striking ''January 1, 2018'' each place it appears and inserting ''January 1, 2021'',

(2) by striking ''first 12 taxable years'' in paragraph (1) and inserting ''first 15 taxable years'',

(3) by striking ''first 6 taxable years'' in paragraph (2) and inserting ''first 9 taxable years'', and

(4) by adding at the end the following flush sentence:

''In the case of a corporation described in subsection (a)(2), the Internal Revenue Code of 1986 shall be applied and administered without regard to the amendments made by section 401(d)(1) of the Tax Technical Corrections Act of 2018.''.

(b) CONFORMING AMENDMENT.—Section 119(e) of division A of the Tax Relief and Health Care Act of 2006 is amended by inserting ''(as in effect before its repeal)'' after ''section 199 of the Internal Revenue Code of 1986''.

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

Subtitle C—Incentives for Energy Production, Efficiency, and Green Economy Jobs

SEC. 121. BIODIESEL AND RENEWABLE DIESEL.

(a) INCOME TAX CREDIT.—

(1) IN GENERAL.—Section 40A(g) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2022''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to fuel sold or used after December 31, 2017.

(b) EXCISE TAX INCENTIVES.—

(1) TERMINATION.—

(A) IN GENERAL.—Section 6426(c)(6) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2022''.

(B) PAYMENTS.—Section 6427(e)(6)(B) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2022''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2017.

(3) SPECIAL RULE.—Notwithstanding any other provision of law, in the case of any biodiesel mixture credit properly determined under section 6426(c) of the Internal Revenue Code of 1986 for the period beginning on January 1, 2018, and ending with the close of the last calendar quarter beginning before the date of the enactment of this Act, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

SEC. 122. SECOND GENERATION BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Section 40(b)(6)(J)(i) is amended by striking ''January 1, 2018'' and inserting ''January 1, 2021''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to qualified second generation biofuel production after December 31, 2017.

SEC. 123. NONBUSINESS ENERGY PROPERTY.

(a) IN GENERAL.—Section 25C(g)(2) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

(b) TECHNICAL AMENDMENT.—Section 25C(d)(3) is amended—

(1) by striking ''an energy factor of at least 2.0'' in subparagraph (A) and inserting ''a Uniform Energy Factor of at least 2.2'', and

(2) by striking ''an energy factor'' in subparagraph (D) and inserting ''a Uniform Energy Factor''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2017.

SEC. 124. QUALIFIED FUEL CELL MOTOR VEHICLES.

(a) IN GENERAL.—Section 30B(k)(1) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

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

SEC. 125. ALTERNATIVE FUEL REFUELING PROPERTY CREDIT.

(a) IN GENERAL.—Section 30C(g) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2017.

SEC. 126. 2-WHEELED PLUG-IN ELECTRIC VEHICLE CREDIT.

(a) IN GENERAL.—Section 30D(g)(3)(E)(ii) is amended by striking ''January 1, 2018'' and inserting ''January 1, 2021''.

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

SEC. 127. CREDIT FOR ELECTRICITY PRODUCED FROM CERTAIN RENEWABLE RESOURCES.

(a) IN GENERAL.—The following provisions of section 45(d) are each amended by striking

''January 1, 2018'' each place it appears and inserting ''January 1, 2021'':

(1) Paragraph (2)(A).

(2) Paragraph (3)(A).

(3) Paragraph (4)(B).

(4) Paragraph (6).

(5) Paragraph (7).

(6) Paragraph (9).

(7) Paragraph (11)(B).

(b) EXTENSION OF ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Section 48(a)(5)(C)(ii) is amended by striking ''January 1, 2018 (January 1, 2020, in the case of any facility which is described in paragraph (1) of section 45(d))'' and inserting ''January 1, 2021''.

(c) APPLICATION OF EXTENSION TO WIND FACILITIES.—

(1) IN GENERAL.—Section 45(d)(1) is amended by striking ''January 1, 2020'' and inserting ''January 1, 2021''.

(2) APPLICATION OF PHASEOUT PERCENTAGE.—

(A) IN GENERAL.—Section 45(b)(5) is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) in the case of any facility the construction of which begins after December 31, 2019, and before January 1, 2021, 40 percent.''.

(B) TREATMENT AS ENERGY PROPERTY.—Section 48(a)(5)(E) is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following new clause:

''(iv) in the case of any facility the construction of which begins after December 31, 2019, and before January 1, 2021, 40 percent.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2018.

SEC. 128. PRODUCTION CREDIT FOR INDIAN COAL FACILITIES.

(a) IN GENERAL.—Section 45(e)(10)(A) is amended by striking ''12-year period'' each place it appears and inserting ''15-year period''.

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

SEC. 129. ENERGY EFFICIENT HOMES CREDIT.

(a) IN GENERAL.—Section 45L(g) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

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

SEC. 130. SPECIAL ALLOWANCE FOR SECOND GENERATION BIOFUEL PLANT PROPERTY.

(a) IN GENERAL.—Section 168(l)(2)(D) is amended by striking ''January 1, 2018'' and inserting ''January 1, 2021''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2017.

SEC. 131. ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.

(a) IN GENERAL.—Section 179D(h) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

(b) EFFECTIVE DATES.—The amendment made by subsection (a) shall apply to property placed in service after December 31, 2017.

SEC. 132. SPECIAL RULE FOR SALES OR DISPOSITIONS TO IMPLEMENT FERC OR STATE ELECTRIC RESTRUCTURING POLICY FOR QUALIFIED ELECTRIC UTILITIES.

(a) IN GENERAL.—Section 451(k)(3) is amended by striking ''January 1, 2018'' and inserting ''January 1, 2021''.

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

SEC. 133. EXTENSION AND CLARIFICATION OF EXCISE TAX CREDITS RELATING TO ALTERNATIVE FUELS.

(a) EXTENSION.—

(1) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3) are each amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

(2) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Section 6427(e)(6)(C) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2020''.

(3) SPECIAL RULE.—Notwithstanding any other provision of law, in the case of any alternative fuel credit properly determined under section 6426(d) of the Internal Revenue Code of 1986 for the period beginning on January 1, 2018, and ending with the close of the last calendar quarter beginning before the date of the enactment of this Act, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2017.

(b) CLARIFICATION OF RULES REGARDING ALTERNATIVE FUEL MIXTURE CREDIT.—

(1) IN GENERAL.—Paragraph (2) of section 6426(e) is amended by striking ''mixture of alternative fuel'' and inserting ''mixture of alternative fuel (other than a fuel described in subparagraph (A), (C), or (F) of subsection (d)(2))''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to—

(A) fuel sold or used on or after the date of the enactment of this Act, and

(B) fuel sold or used before such date of enactment, but only to the extent that claims for the credit under section 6426(e) of the Internal Revenue Code of 1986 with respect to such sale or use—

(i) have not been paid or allowed as of such date, and

(ii) were made on or after January 8, 2018.

(3) NO INFERENCE.—Nothing contained in this subsection or the amendments made by this subsection shall be construed to create any inference as to a change in law or guidance in effect prior to enactment of this subsection.

SEC. 134. OIL SPILL LIABILITY TRUST FUND RATE.

(a) IN GENERAL.—Section 4611(f)(2) is amended by striking ''December 31, 2018'' and inserting ''December 31, 2020''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply on and after the first day of the first calendar month beginning after the date of the enactment of this Act.

Subtitle D—Certain Provisions Expiring at the End of 2019

SEC. 141. NEW MARKETS TAX CREDIT.

(a) IN GENERAL.—Section 45D(f)(1) is amended by striking ''and'' at the end of subparagraph (F), by striking the period at the end of subparagraph (G) and inserting '', and'', and by adding at the end the following new subparagraph:

''(H) $5,000,000,000 for 2020.''.

(b) CARRYOVER OF UNUSED LIMITATION.—Section 45D(f)(3) is amended by striking ''2024'' and inserting ''2025''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after December 31, 2019.

SEC. 142. EMPLOYER CREDIT FOR PAID FAMILY AND MEDICAL LEAVE.

(a) IN GENERAL.—Section 45S(i) is amended by striking ''December 31, 2019'' and inserting ''December 31, 2020''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to wages paid in taxable years beginning after December 31, 2019.

SEC. 143. WORK OPPORTUNITY CREDIT.

(a) IN GENERAL.—Section 51(c)(4) is amended by striking ''December 31, 2019'' and inserting ''December 31, 2020''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals who begin work for the employer after December 31, 2019.

SEC. 144. CERTAIN PROVISIONS RELATED TO BEER, WINE, AND DISTILLED SPIRITS.

(a) EXEMPTION FOR AGING PROCESS OF BEER, WINE, AND DISTILLED SPIRITS.—

(1) IN GENERAL.—Section 263A(f)(4)(B) is amended by striking ''December 31, 2019'' and inserting ''December 31, 2020''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to interest costs paid or accrued after December 31, 2019.

(b) REDUCED RATE OF EXCISE TAX ON BEER.—

(1) IN GENERAL.—Paragraphs (1)(C) and (2)(A) of section 5051(a) are each amended by striking ''January 1, 2020'' and inserting ''January 1, 2021''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to beer removed after December 31, 2019.

(c) TRANSFER OF BEER BETWEEN BONDED FACILITIES.—

(1) IN GENERAL.—Section 5414(b)(3) is amended by striking ''December 31, 2019'' and inserting ''December 31, 2020''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to calendar quarters beginning after December 31, 2019.

(d) REDUCED RATE OF EXCISE TAX ON CERTAIN WINE.—

(1) IN GENERAL.—Section 5041(c)(8)(A) is amended by striking ''January 1, 2020'' and inserting ''January 1, 2021''.

(2) CONFORMING AMENDMENT.—The heading of section 5041(c)(8) is amended by striking ''SPECIAL RULE FOR 2018 AND 2019'' and inserting ''TEMPORARY SPECIAL RULE''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to wine removed after December 31, 2019.

(e) ADJUSTMENT OF ALCOHOL CONTENT LEVEL FOR APPLICATION OF EXCISE TAXES.—

(1) IN GENERAL.—Paragraphs (1) and (2) of section 5041(b) are each amended by striking ''January 1, 2020'' and inserting ''January 1, 2021''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to wine removed after December 31, 2019.

(f) DEFINITION OF MEAD AND LOW ALCOHOL BY VOLUME WINE.—

(1) IN GENERAL.—Section 5041(h)(3) is amended by striking ''December 31, 2019'' and inserting ''December 31, 2020''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to wine removed after December 31, 2019.

(g) REDUCED RATE OF EXCISE TAX ON CERTAIN DISTILLED SPIRITS.—

(1) IN GENERAL.—Section 5001(c)(4) is amended by striking ''December 31, 2019'' and inserting ''December 31, 2020''.

(2) CONFORMING AMENDMENT.—The heading of section 5001(c) is amended by striking ''REDUCED RATE FOR 2018 AND 2019'' and inserting ''TEMPORARY REDUCED RATE''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to distilled spirits removed after December 31, 2019.

(h) BULK DISTILLED SPIRITS.—

(1) IN GENERAL.—Section 5212 is amended by striking ''January 1, 2020'' and inserting ''January 1, 2021''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to distilled spirits transferred in bond after December 31, 2019.

(i) SIMPLIFICATION OF RULES REGARDING RECORDS, STATEMENTS, AND RETURNS.—

(1) IN GENERAL.—Section 5555(a) is amended by striking ''January 1, 2020'' and inserting ''January 1, 2021''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to calendar quarters beginning after December 31, 2019.

(j) TECHNICAL CORRECTION.—

(1) IN GENERAL.—Section 5041(c)(8) is amended by adding at the end the following new subparagraph:

''(C) APPLICATION OF CERTAIN RULES.—Paragraphs (3) and (6) shall be applied by substituting 'paragraph (1) or (8)' for 'paragraph (1)' each place it appears therein.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if included in section 13804 of Public Law 115-97.

SEC. 145. LOOK-THRU RULE FOR RELATED CONTROLLED FOREIGN CORPORATIONS.

(a) IN GENERAL.—Section 954(c)(6)(C) is amended by striking ''January 1, 2020'' and inserting ''January 1, 2021''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2019, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

SEC. 146. CREDIT FOR HEALTH INSURANCE COSTS OF ELIGIBLE INDIVIDUALS.

(a) IN GENERAL.—Section 35(b)(1)(B) is amended by striking ''January 1, 2020'' and inserting ''January 1, 2021''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months beginning after December 31, 2019.

TITLE II—DISASTER TAX RELIEF

SEC. 201. DEFINITIONS.

For purposes of this title—

(1) QUALIFIED DISASTER AREA.—

(A) IN GENERAL.—The term ''qualified disaster area'' means any area with respect to which a major disaster was declared, during the period beginning on January 1, 2018, and ending on the date which is 60 days after the date of the enactment of this Act, by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act if the incident period of the disaster with respect to which such declaration is made begins on or before the date of the enactment of this Act.

(B) DENIAL OF DOUBLE BENEFIT.—Such term shall not include the California wildfire disaster area (as defined in section 20101 of subdivision 2 of division B of the Bipartisan Budget Act of 2018).

(2) QUALIFIED DISASTER ZONE.—The term ''qualified disaster zone'' means that portion of any qualified disaster area which was determined by the President, during the period beginning on January 1, 2018, and ending on the date which is 60 days after the date of the enactment of this Act, to warrant individual or individual and public assistance from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the qualified disaster with respect to such disaster area.

(3) QUALIFIED DISASTER.—The term ''qualified disaster'' means, with respect to any qualified disaster area, the disaster by reason of which a major disaster was declared with respect to such area.

(4) INCIDENT PERIOD.—The term ''incident period'' means, with respect to any qualified disaster, the period specified by the Federal Emergency Management Agency as the period during which such disaster occurred (except that for purposes of this title such period shall not be treated as beginning before January 1, 2018, or ending after the date which is 30 days after the date of the enactment of this Act).

SEC. 202. SPECIAL DISASTER-RELATED RULES FOR USE OF RETIREMENT FUNDS.

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

(1) IN GENERAL.—Section 72(t) of the Internal Revenue Code of 1986 shall not apply to any qualified disaster distribution.

(2) AGGREGATE DOLLAR LIMITATION.—

(A) IN GENERAL.—For purposes of this subsection, the aggregate amount of distributions received by an individual which may be treated as qualified disaster distributions for any taxable year shall not exceed the excess (if any) of—

(i) $100,000, over

(ii) the aggregate amounts treated as qualified disaster distributions received by such individual for all prior taxable years.

(B) TREATMENT OF PLAN DISTRIBUTIONS.—If a distribution to an individual would (without regard to subparagraph (A)) be a qualified disaster distribution, a plan shall not be treated as violating any requirement of the Internal Revenue Code of 1986 merely because the plan treats such distribution as a qualified disaster distribution, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds $100,000.

(C) CONTROLLED GROUP.—For purposes of subparagraph (B), the term ''controlled group'' means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986.

(D) SPECIAL RULE FOR INDIVIDUALS AFFECTED BY MORE THAN ONE DISASTER.—The limitation of subparagraph (A) shall be applied separately with respect to distributions made with respect to each qualified disaster.

(3) AMOUNT DISTRIBUTED MAY BE REPAID.—

(A) IN GENERAL.—Any individual who receives a qualified disaster distribution may, at any time during the 3-year period beginning on the day after the date on which such distribution was received, make 1 or more contributions in an aggregate amount not to exceed the amount of such distribution to an eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), of the Internal Revenue Code of 1986, as the case may be.

(B) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified disaster distribution from an eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the qualified disaster distribution in an eligible rollover distribution (as defined in section 402(c)(4) of such Code) and as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(C) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified disaster distribution from an individual retirement plan (as defined by section 7701(a)(37) of such Code), then, to the extent of the amount of the contribution, the qualified disaster distribution shall be treated as a distribution described in section 408(d)(3) of such Code and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(4) DEFINITIONS.—For purposes of this subsection—

(A) QUALIFIED DISASTER DISTRIBUTION.—Except as provided in paragraph (2), the term ''qualified disaster distribution'' means any distribution from an eligible retirement plan made—

(i) on or after the first day of the incident period of a qualified disaster and before the date which is 180 days after the date of the enactment of this Act, and

(ii) to an individual whose principal place of abode at any time during the incident period of such qualified disaster is located in the qualified disaster area with respect to such qualified disaster and who has sustained an economic loss by reason of such qualified disaster.

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

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

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

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

(6) SPECIAL RULES.—

(A) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405 of the Internal Revenue Code of 1986, qualified disaster distributions shall not be treated as eligible rollover distributions.

(B) QUALIFIED DISASTER DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—For purposes the Internal Revenue Code of 1986, a qualified disaster distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A) of such Code.

(b) RECONTRIBUTIONS OF WITHDRAWALS FOR HOME PURCHASES.—

(1) RECONTRIBUTIONS.—

(A) IN GENERAL.—Any individual who received a qualified distribution may, during the applicable period, make 1 or more contributions in an aggregate amount not to exceed the amount of such qualified distribution to an eligible retirement plan (as defined in section 402(c)(8)(B) of the Internal Revenue Code of 1986) of which such individual is a beneficiary and to which a rollover contribution of such distribution could

be made under section 402(c), 403(a)(4), 403(b)(8), or 408(d)(3), of such Code, as the case may be.

(B) TREATMENT OF REPAYMENTS.—Rules similar to the rules of subparagraphs (B) and (C) of subsection (a)(3) shall apply for purposes of this subsection.

(2) QUALIFIED DISTRIBUTION.—For purposes of this subsection, the term ''qualified distribution'' means any distribution—

(A) described in section 401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only to the extent such distribution relates to financial hardship), 403(b)(11)(B), or 72(t)(2)(F), of the Internal Revenue Code of 1986,

(B) which was to be used to purchase or construct a principal residence in a qualified disaster area, but which was not so used on account of the qualified disaster with respect to such area, and

(C) which was received during the period beginning on the date which is 180 days before the first day of the incident period of such qualified disaster and ending on the date which is 30 days after the last day of such incident period.

(3) APPLICABLE PERIOD.—For purposes of this subsection, the term ''applicable period'' means, in the case of a principal residence in a qualified disaster area with respect to any qualified disaster, the period beginning on the first day of the incident period of such qualified disaster and ending on the date which is 180 days after the date of the enactment of this Act.

(c) LOANS FROM QUALIFIED PLANS.—

(1) INCREASE IN LIMIT ON LOANS NOT TREATED AS DISTRIBUTIONS.—In the case of any loan from a qualified employer plan (as defined under section 72(p)(4) of the Internal Revenue Code of 1986) to a qualified individual made during the 180-day period beginning on the date of the enactment of this Act—

(A) clause (i) of section 72(p)(2)(A) of such Code shall be applied by substituting ''$100,000'' for ''$50,000'', and

(B) clause (ii) of such section shall be applied by substituting ''the present value of the nonforfeitable accrued benefit of the employee under the plan'' for ''one-half of the present value of the nonforfeitable accrued benefit of the employee under the plan''.

(2) DELAY OF REPAYMENT.—In the case of a qualified individual (with respect to any qualified disaster) with an outstanding loan (on or after the first day of the incident period of such qualified disaster) from a qualified employer plan (as defined in section 72(p)(4) of the Internal Revenue Code of 1986)—

(A) if the due date pursuant to subparagraph (B) or (C) of section 72(p)(2) of such Code for any repayment with respect to such loan occurs during the period beginning on the first day of the incident period of such qualified disaster and ending on the date which is 180 days after the last day of such incident period, such due date shall be delayed for 1 year (or, if later, until the date which is 180 days after the date of the enactment of this Act),

(B) any subsequent repayments with respect to any such loan shall be appropriately adjusted to reflect the delay in the due date under subparagraph (A) and any interest accruing during such delay, and

(C) in determining the 5-year period and the term of a loan under subparagraph (B) or (C) of section 72(p)(2) of such Code, the period described in subparagraph (A) of this paragraph shall be disregarded.

(3) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term ''qualified individual'' means any individual—

(A) whose principal place of abode at any time during the incident period of any qualified disaster is located in the qualified disaster area with respect to such qualified disaster, and

(B) who has sustained an economic loss by reason of such qualified disaster.

(d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any amendment to any plan or annuity contract, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in paragraph (2)(B)(i).

(2) AMENDMENTS TO WHICH SUBSECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any provision of this section, or pursuant to any regulation issued by the Secretary or the Secretary of Labor under any provision of this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2020, or such later date as the Secretary may prescribe.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), clause (ii) shall be applied by substituting the date which is 2 years after the date otherwise applied under clause (ii).

(B) CONDITIONS.—This subsection shall not apply to any amendment unless—

(i) during the period—

(I) beginning on the date that this section or the regulation described in subparagraph (A)(i) takes effect (or in the case of a plan or contract amendment not required by this section or such regulation, the effective date specified by the plan), and

(II) ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect, and

(ii) such plan or contract amendment applies retroactively for such period.

SEC. 203. EMPLOYEE RETENTION CREDIT FOR EMPLOYERS AFFECTED BY QUALIFIED DISASTERS.

(a) IN GENERAL.—For purposes of section 38 of the Internal Revenue Code of 1986, in the case of an eligible employer, the 2018 through 2019 qualified disaster employee retention credit shall be treated as a credit listed at the end of subsection (b) of such section. For purposes of this subsection, the 2018 through 2019 qualified disaster employee retention credit for any taxable year is an amount equal to 40 percent of the qualified wages with respect to each eligible employee of such employer for such taxable year. The amount of qualified wages with respect to any employee which may be taken into account under this subsection by the employer for any taxable year shall not exceed $6,000 (reduced by the amount of qualified wages with respect to such employee which may be so taken into account for any prior taxable year).

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

(1) ELIGIBLE EMPLOYER.—The term ''eligible employer'' means any employer—

(A) which conducted an active trade or business in a qualified disaster zone at any time during the incident period of the qualified disaster with respect to such qualified disaster zone, and

(B) with respect to whom the trade or business described in subparagraph (A) is inoperable at any time during the period beginning on the first day of the incident period of such qualified disaster and ending on the date of the enactment of this Act, as a result of damage sustained by reason of such qualified disaster.

(2) ELIGIBLE EMPLOYEE.—The term ''eligible employee'' means with respect to an eligible employer an employee whose principal place of employment with such eligible employer (determined immediately before the qualified disaster referred to in paragraph (1)) was in the qualified disaster zone referred to in such paragraph.

(3) QUALIFIED WAGES.—The term ''qualified wages'' means wages (as defined in section 51(c)(1) of the Internal Revenue Code of 1986, but without regard to section 3306(b)(2)(B) of such Code) paid or incurred by an eligible employer with respect to an eligible employee at any time on or after the date on which the trade or business described in paragraph (1) first became inoperable at the principal place of employment of the employee (determined immediately before the qualified disaster referred to in such paragraph) and before the earlier of—

(A) the date on which such trade or business has resumed significant operations at such principal place of employment, or

(B) the date which 150 days after the last day of the incident period of the qualified disaster referred to in paragraph (1).

Such term shall include wages paid without regard to whether the employee performs no services, performs services at a different place of employment than such principal place of employment, or performs services at such principal place of employment before significant operations have resumed.

(c) CERTAIN RULES TO APPLY.—For purposes of this section, rules similar to the rules of sections 51(i)(1), 52, and 280C(a), of the Internal Revenue Code of 1986, shall apply.

(d) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE THAN ONCE.—An employee shall not be treated as an eligible employee for purposes of this section for any period with respect to any employer if such employer is allowed a credit under section 51 of the Internal Revenue Code of 1986 with respect to such employee for such period.

SEC. 204. OTHER DISASTER-RELATED TAX RELIEF PROVISIONS.

(a) TEMPORARY INCREASE IN LIMITATION ON QUALIFIED CONTRIBUTIONS.—

(1) SUSPENSION OF CURRENT LIMITATION.—Except as otherwise provided in paragraph (2), qualified contributions shall be disregarded in applying subsections (b) and (d) of section 170 of the Internal Revenue Code of 1986.

(2) APPLICATION OF INCREASED LIMITATION.—For purposes of section 170 of the Internal Revenue Code of 1986—

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

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

(ii) CARRYOVER.—If the aggregate amount of qualified contributions made in the contribution year (within the meaning of section 170(d)(1) of such Code) exceeds the limitation of clause (i), such excess shall be added to the excess described in section 170(b)(1)(G)(ii).

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

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

(ii) CARRYOVER.—If the aggregate amount of qualified contributions made in the contribution year (within the meaning of section 170(d)(2) of such Code) exceeds the limitation of clause (i), such excess shall be appropriately taken into account under section 170(d)(2) subject to the limitations thereof.

(3) QUALIFIED CONTRIBUTIONS.—

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

(i) such contribution—

(I) is paid, during the period beginning on January 1, 2018, and ending on the date which is 60 days after the date of the enactment of this Act, in cash to an organization described in section 170(b)(1)(A) of such Code, and

(II) is made for relief efforts in one or more qualified disaster areas,

(ii) the taxpayer obtains from such organization contemporaneous written acknowledgment (within the meaning of section 170(f)(8) of such Code) that such contribution was used (or is to be used) for relief efforts described in clause (i)(II), and

(iii) the taxpayer has elected the application of this subsection with respect to such contribution.

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

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

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

(C) APPLICATION OF ELECTION TO PARTNERSHIPS AND S CORPORATIONS.—In the case of a partnership or S corporation, the election under subparagraph (A)(iii) shall be made separately by each partner or shareholder.

(b) SPECIAL RULES FOR QUALIFIED DISASTER-RELATED PERSONAL CASUALTY LOSSES.—

(1) IN GENERAL.—If an individual has a net disaster loss for any taxable year—

(A) the amount determined under section 165(h)(2)(A)(ii) of the Internal Revenue Code of 1986 shall be equal to the sum of—

(i) such net disaster loss, and

(ii) so much of the excess referred to in the matter preceding clause (i) of section 165(h)(2)(A) of such Code (reduced by the amount in clause (i) of this subparagraph) as exceeds 10 percent of the adjusted gross income of the individual,

(B) section 165(h)(1) of such Code shall be applied by substituting ''$500'' for ''$500 ($100 for taxable years beginning after December 31, 2009)'',

(C) the standard deduction determined under section 63(c) of such Code shall be increased by the net disaster loss, and

(D) section 56(b)(1)(E) of such Code (section 56(b)(1)(D) of such Code in the case of taxable years ending after December 31, 2018) shall not apply to so much of the standard deduction as is attributable to the increase under subparagraph (C) of this paragraph.

(2) NET DISASTER LOSS.—For purposes of this subsection, the term ''net disaster loss'' means the excess of qualified disaster-related personal casualty losses over personal casualty gains (as defined in section 165(h)(3)(A) of the Internal Revenue Code of 1986).

(3) QUALIFIED DISASTER-RELATED PERSONAL CASUALTY LOSSES.—For purposes of this subsection, the term ''qualified disaster-related personal casualty losses'' means losses described in section 165(c)(3) of the Internal Revenue Code of 1986 which arise in a qualified disaster area on or after the first day of the incident period of the qualified disaster to which such area relates, and which are attributable to such qualified disaster.

(c) SPECIAL RULE FOR DETERMINING EARNED INCOME.—

(1) IN GENERAL.—In the case of a qualified individual, if the earned income of the taxpayer for the applicable taxable year is less than the earned income of the taxpayer for the preceding taxable year, the credits allowed under sections 24(d) and 32 of the Internal Revenue Code of 1986 may, at the election of the taxpayer, be determined by substituting—

(A) such earned income for the preceding taxable year, for

(B) such earned income for the applicable taxable year.

(2) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term ''qualified individual'' means any individual whose principal place of abode at any time during the incident period of any qualified disaster was located—

(A) in the qualified disaster zone with respect to such qualified disaster, or

(B) in the qualified disaster area with respect to such qualified disaster (but outside the qualified disaster zone with respect to such qualified disaster) and such individual was displaced from such principal place of abode by reason of such qualified disaster.

(3) APPLICABLE TAXABLE YEAR.—For purposes of this subsection, the term ''applicable taxable year'' means—

(A) in the case of a qualified individual other than an individual described in subparagraph (B), any taxable year which includes any portion of the incident period of the qualified disaster to which the qualified disaster area referred to in paragraph (2)(A) relates, or

(B) in the case of a qualified individual described in subparagraph (B) of paragraph (2), any taxable year which includes any portion of the period described in such subparagraph.

(4) EARNED INCOME.—For purposes of this subsection, the term ''earned income'' has the meaning given such term under section 32(c) of the Internal Revenue Code of 1986.

(5) SPECIAL RULES.—

(A) APPLICATION TO JOINT RETURNS.—For purposes of paragraph (1), in the case of a joint return for an applicable taxable year—

(i) such paragraph shall apply if either spouse is a qualified individual, and

(ii) the earned income of the taxpayer for the preceding taxable year shall be the sum of the earned income of each spouse for such preceding taxable year.

(B) UNIFORM APPLICATION OF ELECTION.—Any election made under paragraph (1) shall apply with respect to both sections 24(d) and 32 of the Internal Revenue Code of 1986.

(C) ERRORS TREATED AS MATHEMATICAL ERROR.—For purposes of section 6213 of the Internal Revenue Code of 1986, an incorrect use on a return of earned income pursuant to paragraph (1) shall be treated as a mathematical or clerical error.

(D) NO EFFECT ON DETERMINATION OF GROSS INCOME, ETC.—Except as otherwise provided in this subsection, the Internal Revenue Code of 1986 shall be applied without regard to any substitution under paragraph (1).

SEC. 205. AUTOMATIC EXTENSION OF FILING DEADLINES IN CASE OF CERTAIN TAXPAYERS AFFECTED BY FEDERALLY DECLARED DISASTERS.

(a) IN GENERAL.—Section 7508A is amended by adding at the end the following new subsection:

''(d) MANDATORY 60-DAY EXTENSION.—

''(1) IN GENERAL.—In the case of any qualified taxpayer, the period—

''(A) beginning on the earliest incident date specified in the declaration to which the disaster area referred to in paragraph (2) relates, and

''(B) ending on the date which is 60 days after the latest incident date so specified,

shall be disregarded in the same manner as a period specified under subsection (a).

''(2) QUALIFIED TAXPAYER.—For purposes of this subsection, the term 'qualified taxpayer' means—

''(A) any individual whose principal residence (for purposes of section 1033(h)(4)) is located in a disaster area,

''(B) any taxpayer if the taxpayer's principal place of business (other than the business of performing services as an employee) is located in a disaster area,

''(C) any individual who is a relief worker affiliated with a recognized government or philanthropic organization and who is assisting in a disaster area,

''(D) any taxpayer whose records necessary to meet a deadline for an act described in section 7508(a)(1) are maintained in a disaster area,

''(E) any individual visiting a disaster area who was killed or injured as a result of the disaster, and

''(F) solely with respect to a joint return, any spouse of an individual described in any preceding subparagraph of this paragraph.

''(3) DISASTER AREA.—For purposes of this subsection, the term 'disaster area' has the meaning given such term under subparagraph (B) of section 165(i)(5) with respect to a Federally declared disaster (as defined in subparagraph (A) of such section).

''(4) APPLICATION TO RULES REGARDING PENSIONS.—In the case of any person described in subsection (b), a rule similar to the rule of paragraph (1) shall apply for purposes of subsection (b) with respect to—

''(A) making contributions to a qualified retirement plan (within the meaning of section 4974(c)) under section 219(f)(3), 404(a)(6), 404(h)(1)(B), or 404(m)(2),

''(B) making distributions under section 408(d)(4),

''(C) recharacterizing contributions under section 408A(d)(6), and

''(D) making a rollover under section 402(c), 403(a)(4), 403(b)(8), or 408(d)(3).

''(5) COORDINATION WITH PERIODS SPECIFIED BY THE SECRETARY.—Any period described in paragraph (1) with respect to any person (including by reason of the application of paragraph (4)) shall be in addition to (or concurrent with, as the case may be) any period specified under subsection (a) or (b) with respect to such person.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to federally declared disasters declared after the date of the enactment of this Act.

SEC. 206. MODIFICATION OF THE TAX RATE FOR THE EXCISE TAX ON INVESTMENT INCOME OF PRIVATE FOUNDATIONS.

(a) IN GENERAL.—Section 4940(a) is amended by striking ''2 percent'' and inserting ''1.39 percent''.

(b) ELIMINATION OF REDUCED TAX WHERE FOUNDATION MEETS CERTAIN DISTRIBUTION REQUIREMENTS.—Section 4940 is amended by striking subsection (e).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 207. ADDITIONAL LOW-INCOME HOUSING CREDIT ALLOCATIONS FOR QUALIFIED 2017 AND 2018 CALIFORNIA DISASTER AREAS.

(a) IN GENERAL.—For purposes of section 42 of the Internal Revenue Code of 1986, the State housing credit ceiling for California for calendar year 2020 shall be increased by the lesser of—

(1) the aggregate housing credit dollar amount allocated by the State housing credit agencies of California for such calendar

year to buildings located in qualified 2017 and 2018 California disaster areas, or

(2) 50 percent of the sum of the State housing credit ceilings for California for calendar years 2017 and 2018.

(b) ALLOCATIONS TREATED AS MADE FIRST FROM ADDITIONAL ALLOCATION FOR PURPOSES OF DETERMINING CARRYOVER.—For purposes of determining the unused State housing credit ceiling for any calendar year under section 42(h)(3)(C) of the Internal Revenue Code of 1986, any increase in the State housing credit ceiling under subsection (a) shall be treated as an amount described in clause (ii) of such section.

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

(1) QUALIFIED 2017 AND 2018 CALIFORNIA DISASTER AREAS.—The term ''qualified 2017 and 2018 California disaster areas'' means any area in California which was determined by the President (before January 1, 2019) to warrant individual or individual and public assistance from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of a major disaster the incident period of which begins or ends in calendar year 2017 or 2018. Notwithstanding section 201, for purposes of the preceding sentence, the term ''incident period'' means the period specified by the Federal Emergency Management Agency as the period during which the disaster occurred.

(2) OTHER DEFINITIONS.—Terms used in this section which are also used in section 42 of the Internal Revenue Code of 1986 shall have the same meaning in this section as in such section 42.

SEC. 208. TREATMENT OF CERTAIN POSSESSIONS.

(a) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—The Secretary of the Treasury shall pay to each possession of the United States which has a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of the provisions of this title. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(b) PAYMENTS TO OTHER POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury as being equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the provisions of this title if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payments to its residents.

(c) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ''mirror code tax system'' means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(d) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

TITLE III—OTHER PROVISIONS

SEC. 301. MODIFICATION OF INCOME FOR PURPOSES OF DETERMINING TAX-EXEMPT STATUS OF CERTAIN MUTUAL OR COOPERATIVE TELEPHONE OR ELECTRIC COMPANIES.

(a) IN GENERAL.—Section 501(c)(12) is amended by adding at the end the following new subparagraph:

''(J) In the case of a mutual or cooperative telephone or electric company described in this paragraph, subparagraph (A) shall be applied without taking into account any income received or accrued from—

''(i) any grant, contribution, or assistance provided pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act or any similar grant, contribution, or assistance by any local, State, or regional governmental entity for the purpose of relief, recovery, or restoration from, or preparation for, a disaster or emergency, or

''(ii) any grant or contribution by any governmental entity (other than a contribution in aid of construction or any other contribution as a customer or potential customer) the purpose of which is substantially related to providing, constructing, restoring, or relocating electric, communication, broadband, internet, or other utility facilities or services.''.

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

SEC. 302. REPEAL OF INCREASE IN UNRELATED BUSINESS TAXABLE INCOME FOR CERTAIN FRINGE BENEFIT EXPENSES.

(a) IN GENERAL.—Section 512(a) is amended by striking paragraph (7).

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the amendments made by section 13703 of Public Law 115–97.

The SPEAKER pro tempore. Pursuant to House Resolution 765, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentlewoman from New York (Mrs. LOWEY) and the gentlewoman from Texas (Ms. GRANGER) each will control 30 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. LOWEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the House amendment to the Senate amendment to H.R. 1865.

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

There was no objection.

Mrs. LOWEY. Madam Speaker, I yield myself such time as I may consume.

This domestic priorities and international assistance minibus combines eight appropriations bills: Labor-Health and Human Services-Education, Agriculture, Energy and Water Development, Interior-Environment, Legislative Branch, Military Construction-Veterans Affairs, State-Foreign Operations, and Transportation-Housing and Urban Development.

□ 1215

The Appropriations Committee is fortunate to have outstanding cardinals, and they have done an extraordinary job negotiating these bills. Because of their hard work, we have secured record funding levels for Head Start, Child Care and Development Block Grants, and title I schools; hundreds of millions of dollars in increases for programs that expand access to housing; $41.7 billion for lifesaving medical research at the NIH, a $2.6 billion increase and a record level; $25 million for gun violence prevention research at the CDC and NIH, which is being funded for the first time in more than 20 years; strong funding for environmental protection, with $9 billion for the EPA, $495 million for the Land and Water Conservation Fund, and robust investments in clean energy to address the climate crisis.

Turning to my bill, I am proud that the State, Foreign Operations, and Related Programs Subcommittee reached bipartisan agreement on a robust bill that rejects the short-sighted, dangerous cuts proposed by the Trump administration. Our bill provides $54.7 billion in discretionary funding, which is $467 million above fiscal year 2019 and $11.3 billion above the request.

To confront today's global challenges, from poverty to civil war, from climate change to violent extremism, our bill provides strong investments in security, humanitarian, and development assistance; basic education; and global health programs like HIV/AIDS, nutrition, TB, and malaria.

It restores the State Department's and USAID's staffing to 2016 levels and increases funding for many of our critical partners, like the National Endowment for Democracy, the Global Fund, the U.S. Institute of Peace, the Inter-American Foundation, and the U.S. African Development Foundation.

Of critical importance, the bill limits the administration's ability to redirect or deviate from congressionally directed spending levels.

Amid all these successes, I must note how disappointing it is that, in these negotiations, President Trump and congressional Republicans refused to relent on their counterproductive assault on women's rights and health programs that provide basic healthcare to women and families here and around the world.

Madam Speaker, I joined the Appropriations Committee because it is the best place to give more people a better chance at a better life. With this bill, we have lived up to that promise by making historic investments for the people. I am so proud that we are able to do so much good for children and families across the country and around the world.

Madam Speaker, I urge my colleagues to join me in supporting this important legislation, and I reserve the balance of my time.

Ms. GRANGER. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1865, a bill that will provide funding for the

Departments of Labor, Health and Human Services, and Education; Agriculture; Energy and Water; Interior; the Legislative Branch; Military Construction and the Veterans Administration; State and Foreign Operations; and Transportation and Housing.

This package protects the sanctity of life and provides vital funding to promote the health and well-being of all Americans. In particular, the bill maintains all prior year pro-life protections and secures the largest pro-life victory in a generation by maintaining the Trump administration's Title X Family Planning regulations.

It provides funding to the National Institutes of Health to continue their groundbreaking research in the areas of Alzheimer's disease and cancer research, including childhood cancers. It combats the opioid and methamphetamine epidemic in this country by providing funds for prevention, treatment, recovery, and research into alternative therapies for pain management.

The bill also includes key provisions to help Americans in rural areas, such as significant funding for broadband programs; support for those farmers and ranchers around the country severely affected by hurricanes, floods, drought, and other national disasters in 2018 and 2019; and promotes economic growth and opportunity through loans for housing, utilities, and businesses.

Increased funding for the Army Corps of Engineers is also included in this package to support navigation and flood control improvements.

In addition, the bill continues to advance the Nation's all-of-the-above solutions to energy independence through targeted investments in research and development.

Finally, the bill includes several key wins for the military and veterans, as well as our diplomats abroad, such as an increase in funding for military construction and family housing projects; improved resources for veterans to address mental health, suicide, and homelessness; and expanded programs for female veterans.

The bill strongly supports our ally Israel and fulfills the U.S.-Israel memorandum of understanding by providing funding for military assistance and maintains funding to keep our embassies safe and secure.

Like the package we just debated, there are many provisions here that are good for our country. I hope we can move this bill quickly through the House and the Senate so the President can sign it into law before funding runs out Friday.

Madam Speaker, I reserve the balance of my time.

Mrs. LOWEY. Madam Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR), the chairwoman of the Energy and Water Development Subcommittee.

Ms. KAPTUR. Madam Speaker, I thank the gentlewoman for yielding me this time. I thank Chairwoman LOWEY and Ranking Member GRANGER for bringing these important measures to the floor.

The Energy and Water division of this bill makes critical investments in energy and water systems to sustain life on Earth, to combat climate change, to build public water infrastructure, and to invest in nuclear security.

I sincerely thank our ranking member, Mr. SIMPSON, who has been a truly constructive, able, and amiable partner in these efforts.

I thank our subcommittee staff, these young, gifted, patriotic Americans who have worked so hard to put this bill together: Jaime Shimek, Angie Giancarlo, Scott McKee, Farouk Ophaso, Mark Arnone, Mike Brain, and Marcel Caldwell.

Our bill rejects the President's shortsighted proposed cuts that would harm our Nation's interests for both today and tomorrow. Instead, our bill invests in the future to meet serious national priorities.

Addressing the needs of the future both economically and environmentally requires that our Nation be at the forefront of global innovation. The Energy and Water division of this bill moves our Nation forward on that vital front.

Further, American companies require advanced means to produce and ship goods efficiently in a highly competitive and uneven global marketplace. We seek to advantage them.

Finally, ensuring water and electricity for millions of Americans seems fundamental, but there are weighty new challenges. We provide additional support to meeting those priorities.

We achieve this by providing $7.65 billion for the Army Corps of Engineers, $652 billion above 2019, likely our Nation's premier infrastructure bill for 2020.

We provide $1.66 billion for the Bureau of Reclamation, $110 million above 2019, for the desertification of Western States.

We provide $38.6 billion for the Department of Energy, $2.9 billion above 2019. Within the DOE, Department of Energy, we responsibly fund our Nation's nuclear deterrent while providing a significant boost for vital nonproliferation efforts.

Our bill increases the Department of Energy's Energy Efficiency and Renewable Energy program; ARPA–E, the advanced research programs; and the Office of Science to sharpen America's edge to invent the future and to ensure our Nation's energy leadership, security, and independence for generations to come, as all of our research labs, both public and private, across our country are being hacked constantly by those that seek to steal our patents and our innovation.

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

Mrs. LOWEY. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. In sum, the Energy and Water division of this bill invests in innovative programs to yield future opportunities and jobs.

Our focus is on ensuring future economic prosperity. We underpin national security, and we bolster economic security and trade.

Fundamentally, our work together prepares our country to mitigate, adapt to, and intelligently manage the awesome challenges of climate change, including the significant water events across our country, including our Great Lakes region.

Our bill is needed more than ever to move America forward. We are living in a pivotal era. I look forward to answering any questions that individuals may have privately.

Ms. GRANGER. Madam Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Madam Speaker, I thank the gentlewoman for yielding.

I rise today in support of this second appropriations package to fund the government for fiscal year 2020. I especially want to state my heavy support for this portion of the bill that funds the State Department and our foreign operations around the world.

I thank the distinguished chair, Mrs. LOWEY, and the ranking member, Ms. GRANGER, on their masterful work to shepherd this compromise all the way through the maze that is the Congress to this floor where we sit today.

I especially value Chairwoman LOWEY's partnership on the State and Foreign Operations title of this bill, which she also chairs. She and I may differ on some issues—in fact, we do differ on some issues—but on the whole, this bill represents the priorities of Congress in support of our national security.

The agreement includes significant funding to secure our 200-plus diplomatic posts around the world, our embassies, consulates, and the like, and to support critical allies like Israel, Jordan, Egypt, Georgia, and Ukraine. It will allow us to respond to a growing threat that China poses to our security.

In our own hemisphere, the bill prioritizes funding for Latin America as the region continues to face instability from the crisis in Venezuela, as well as from the rampant drug problem and corruption.

The bill also continues vigorous oversight of U.S. assistance, denies funding for the Green Climate Fund, and respects the sanctity of life around the world.

This package also includes a number of provisions of critical importance to my district in southern and eastern Kentucky.

First, there is a strong commitment to our coal miners and the communities where they live. I am exceedingly proud that a bill I cosponsored to protect our retired miners is also included in this bill. It ensures that these

hardworking individuals receive the healthcare and the pensions that they have earned. I hope the 100,000 families impacted by this provision will have peace of mind heading into this Christmas season.

This bill also provides $115 million for the Abandoned Mine Lands Pilot Program, which has been monumentally successful in creating new economic development opportunities in Appalachia.

□ 1230

This funding is a strong complement to the Appalachian Regional Commission, which is robustly funded at $175 million in this package. Within the Department of Agriculture, there is strong emphasis on rural infrastructure, including broadband deployment.

I am also proud that my Kentucky Wildlands National Heritage Area Study Act is included in today's package. I have been proud to work with Leader MCCONNELL on this initiative to truly recognize the incredible natural and historic value of eastern Kentucky.

This legislation will also ensure that the veterans in our region receive the care they need and deserve. I advocated for a new pilot program to provide transportation assistance for our Nation's many rural veterans, like those in eastern Kentucky, and I am grateful for the seed funding to get that off the ground.

Finally, nearly $6 billion is provided for opioid addiction prevention, treatment, and recovery, and research into alternative therapies for pain management. A new loan repayment program that is funded in the bill will help get qualified treatment professionals into underserved communities like ours in Kentucky.

But I am especially thankful for the inclusion in this bill of sufficient funds to help us fight the problem of opioid addiction, which got its start in my district some 15 years ago.

Madam Speaker, I thank the gentlewoman for yielding. I urge support of this bill.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from North Carolina (Mr. PRICE), the chairman of the Transportation, and Housing and Urban Development Subcommittee.

Mr. PRICE of North Carolina. Madam Speaker, I am pleased to rise in strong support of H.R. 1865.

I want to first thank our chairwoman, NITA LOWEY, and also Ranking Member KAY GRANGER for their leadership and cooperation. I want to thank my good friend, MARIO DIAZ-BALART of Florida, for his collaborative approach. I couldn't ask for a better ranking member and partner in our subcommittee's work.

The T-HUD section of this bill invests in America's transportation and housing infrastructure with a particular stress on safety, on addressing the needs of the most vulnerable, and on mitigating the impacts of climate change.

It includes $74.3 billion in discretionary funding. That is an increase of $3.2 billion above the 2019 level, and it is $15.8 billion above the President's budget request.

On the housing side of the ledger, all Section 8 vouchers are renewed. The HOME program and Community Development Block Grants each receive $100 million in increased funding, and there is a $95 million increase for public housing capital expenditures to address the maintenance backlog.

Vital transportation programs are also robustly funded, including $1 billion for BUILD, formerly TIGER, grants. We provide more than $3 billion in discretionary resources above authorized levels for highways, transit, and aviation projects for every State and territory in this Nation. Amtrak, competitive rail grant programs, and port infrastructure also receive strong funding.

These investments support a renewed commitment to safety. The FAA receives additional resources to bolster aircraft certification, including dedicated funding to hire new safety inspectors, engineers, and data scientists. Every State will receive new funding to repair aging and deficient bridges. And resources are provided to address hazards in Federally-assisted housing, such as carbon monoxide, radon, and lead.

Vulnerable populations are targeted in our bill. We prioritized assistance for them, for example, for the construction of new housing units for the elderly and disabled, new vouchers for veterans, as well as resources for the homeless, people with HIV/AIDS, domestic violence survivors, and at-risk youth.

Finally, I am proud that this legislation lays the groundwork to integrate resiliency principles into the full range of programs under the bill's jurisdiction. For example, we require in this bill HUD grantees to think ahead about storm and hazard mitigation as part of their planning process.

So, in closing, we are proud of this bill, and we urge its support. It makes forward-looking investments while boosting safety and protecting vulnerable populations. It will benefit and serve all American communities, urban and rural, and lay the foundation for economic growth and prosperity.

Madam Speaker, I urge my colleagues to support this bill.

Ms. GRANGER. Madam Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Madam Speaker, I rise today in support of H.R. 1865, which includes funding for the Legislative Branch.

The recommendation for fiscal year 2020 Legislative Branch Division provides for $5.049 billion. This is a 4.4 percent increase above fiscal year 2019.

The allocation provides the budget request for the Office of the Congressional Workplace Rights and the Government Publishing Office, as well as increases for the House of Representatives, Capitol Police, Congressional Budget Office, Library of Congress, Government Accountability Office, and the Open World Leadership Center.

I am really pleased that this bill supports the Capitol Police, as well as funding for important Architect of the Capitol security infrastructure improvements to keep the Capitol campus safe and to keep its visitors safe, its staff, the Members, and the folks who work here.

I am also supportive of the funding that supports the Library of Congress' Visitor's Experience enhancements and other programs that my constituents, all of our constituents, enjoy regularly, as well as upgrades to the Capitol complex facilities for visitors and staff with disabilities, which will make it easier for the blind and the visually impaired to access and enjoy the Capitol complex.

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

Ms. GRANGER. Madam Speaker, I yield the gentlewoman from Washington an additional 30 seconds.

Ms. HERRERA BEUTLER. Madam Speaker, I appreciate Chairman RYAN's cooperation and support on several initiatives that are important to us and this institution. I would like to thank Chairwoman LOWEY and Ranking Member GRANGER for their support and guidance throughout this process.

Madam Speaker, I urge my colleagues to vote in favor of H.R. 1865.

Mrs. LOWEY. Madam Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. BISHOP), the chairman of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee.

Mr. BISHOP of Georgia. Madam Speaker, I thank the gentlewoman for the time, and I rise in support of H.R. 1865.

As the chair of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee, I am pleased to briefly highlight the important national priorities addressed in this bill.

From the safety of our food and medicines, to agriculture research, to rural development, and nutrition assistance, the programs in this bill touch the lives of every American on a daily basis. The strong investments we make in this bill will improve people's lives at home and abroad.

The fiscal year 2020 Agriculture bill provides $23.5 billion in discretionary funding, $183 million above the fiscal year 2019 level. In addition, it provides the latest estimates for mandatory programs required by law.

The legislation makes major investments, totaling almost $3.8 billion, in our rural communities, including $1.45 billion for rural water and waste program loans and $545 million in grants for clean and reliable drinking water systems, $640 million for broadband programs, including $555 million for

the Re-Connect grants and loans, an issue with strong bipartisan support.

The bill funds all of the domestic nutrition programs, including SNAP, WIC, and the Child Nutrition Programs, sufficiently to meet anticipated participation in fiscal year 2020.

In addition, it provides $35 million for the Summer EBT program, $30 million for the school kitchen equipment grants, and $5 million for the school breakfast expansion grants.

The bill provides $1.8 billion for farm programs, including $35 million to address staffing shortages at county offices to ensure farmers and producers receive the best possible customer service.

It also extends and expands disaster assistance to continue assisting farmers, ranchers, and producers in States that were devastated by natural disasters, including Hurricane Michael that devastated my district.

The legislation makes critical investments in agriculture research by providing $3.2 billion, a $171 million increase over fiscal year 2019.

We provided record levels of resources for the Food for Peace and McGovern-Dole programs. These programs send American commodities all over the world to address global hunger and are an essential tool of American diplomacy.

The Food and Drug Administration will receive $3.16 billion in discretionary funding, with specific funding dedicated to fighting rare cancers, gaining efficiencies for generic drug reviews, improving response to foodborne illness outbreaks, and the continued implementation of the Food Safety Modernization Act.

The bill funds the Commodity Futures Trading Commission at $315 million, a historic, necessary, and long-overdue increase.

I am pleased that the bill provides funding for several programs authorized in the 2018 farm bill, including the 1890 National Scholars program.

Finally, Madam Speaker, I would like to thank Chairwoman LOWEY and Ranking Member GRANGER for their historic and effective leadership throughout the appropriations process. I would like to also thank the subcommittee's distinguished ranking member, Mr. FORTENBERRY. He has been a great partner during this process.

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

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

Mr. BISHOP of Georgia. Mr. Speaker, of course I have to give a tremendous shout out to the hardworking Appropriations Committee staff, both majority and minority. They have worked hard through multiple challenges, and they have delivered us a good bill, although not perfect, to avoid a government shutdown.

Madam Speaker, this is a good bill, and I urge my colleagues to support it.

Ms. GRANGER. Madam Speaker, I yield 4 minutes to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Speaker, I thank the gentlewoman for yielding time.

Madam Speaker, I rise today in support of H.R. 1865, the Further Consolidated Appropriations Act for Fiscal Year 2020, and particularly division C, the Energy and Water Development and Related Agencies Appropriations Act.

Madam Speaker, before I get into the details of the bill, I would like to thank several Members involved in this effort: my chairwoman, MARCY KAPTUR, and our Senate partners, LAMAR ALEXANDER and DIANNE FEINSTEIN. The four of us have now worked several Energy and Water conferences together, and I continue to appreciate the collegiality and determination to advance national and constituent interests that my colleagues bring to the discussions.

Madam Speaker, I would also like to thank our full committee leadership, Chairwoman LOWEY and Ranking Member GRANGER here in the House and Chairman SHELBY and Ranking Member LEAHY in the Senate, for their leadership and support throughout this year's process.

As ranking member of the House Energy and Water Appropriations Subcommittee, I believe this fiscal year 2020 Energy and Water bill is a good bill, and I am pleased that so many House Republican priorities are included in this final bill.

First and foremost, the bill strongly supports our national nuclear security programs, providing a total $16.7 billion for the National Nuclear Security Administration, including weapons activities, defense nuclear nonproliferation, and naval reactors.

Weapons activities specifically is funded at $12.5 billion, an increase of $1.4 billion above fiscal year 2019. Within this amount, the bill fully funds the maintenance and modernization of our nuclear weapons systems, including each nuclear weapon life extension, alteration, and modification program, as well as activities to rebuild production capabilities for strategic materials, such as plutonium pits.

Next, the bill includes substantial investments in our Nation's water resources infrastructure. The Corps of Engineers is funded at a total of $7.65 billion, an increase of $651 million above last year.

Within this amount, an estimated $1.63 billion is for the Harbor Maintenance Trust Fund activities. That level exceeds the annual HMTF target. In fact, it represents 91.5 percent of the estimated revenues, compared to the revenue fiscal year 2020 target of 80 percent established in WRRDA in 2014.

Finally, one of my personal priorities, the bill promotes innovation and growth in nuclear energy, funding research, development, and demonstration activities at $1.3 billion, an increase of $160 million above fiscal year 2019.

Within this amount, the bill establishes a new advanced nuclear reactor demonstration program. The goal is to build two demonstration reactors by the mid-2020s, in a move towards commercializing the next generation of carbon-free nuclear energy technology to be deployed here in the United States and around the globe.

I am also pleased to see several provisions included in other divisions of this bill. Specifically, the Interior and Environment Appropriations bill includes many important policies and funding provisions to ensure that sage grouse remain off the endangered species list.

The agreement could not be more important for rural counties thanks to full funding for PILT and 2 years of SRS funding.

This agreement is historic because it will be the first time the Forest Service and the Department of the Interior will have access to budget cap adjustments for wildfire fighting. This allows wildfires finally to receive equal treatment with other natural disasters and allows our land management agencies to focus on prevention efforts to get ahead of the issue.

In the Agriculture Appropriations bill, this agreement delivers vital research funding for potatoes, grain, and other commodities, and it signals an important step forward for the sheep station in Dubois, Idaho, and acknowledges the diverse stakeholders who seek to collaborate and grow future research at the station. I am eager to continue the momentum to build capacity at Dubois.

□ 1245

Finally, and probably most importantly, I thank the staff of all of our subcommittees, but particularly the ones I work with on Interior and Energy and Water. They do a tremendous job for us. They are here on weekends. They are here during holidays and other times behind the scenes, actually putting together these bills. This is a job we could not do without their support.

All in all, this appropriations package, including the Energy and Water division, is a strong bill that incorporates many priorities, and I urge my colleagues to support it.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the distinguished chair of the Labor, Health and Human Services, Education, and Related Agencies Subcommittee.

Ms. DELAURO. Madam Speaker, I rise to speak about the fiscal year 2020 appropriations bill for the Labor, Health and Human Services, Education, and Related Agencies Subcommittee.

The Labor-H bill reflects our priorities as a Nation. It touches our constituents at every single stage of their life, from birth to retirement, for their

health, work, and education. It provides people with a better chance at a better life.

For years, the Labor-H bill has been shortchanged. Now, we are making up for lost ground. We fought the Senate to win crucial investments. The result: a hard-fought, positive bill with a net increase of 3.5 percent over 2019, or $6.5 billion more for the people of this country.

I first want to thank Congresswoman NITA LOWEY, the full Appropriations Committee chair. Her leadership and dedication to Labor-H helped to ensure that this bill could create real opportunity for people. I thank our ranking member, KAY GRANGER, for her dedication and determination. And I acknowledge Congressman TOM COLE, my partner, the ranking member of the subcommittee. We have found common ground over and over again, which is rooted in our shared values about what is good for the people of this country.

Let me describe some of the investments.

Education: $550 million increase for Child Care and Development Block Grant; $550 million increase for Head Start and $25 million increase for preschool development grants; $450 million increase for title I, $400 million increase for special education, and a new initiative in social and emotional learning, including $65 million in innovation grants; $93 million increase for minority-serving institutions and a $150 increase to Pell grants.

Health: $2.6 billion increase for National Institutes of Health and $637 million increase for Centers for Disease Control and Prevention, including tobacco prevention, public health data modernization, and suicide prevention; full funding for a new HIV initiative to eliminate new transmissions of HIV over the next decade; and continued high funding for State opioid grants.

I am disheartened that the Republicans obstructed us from defending women's health from the administration's attack on the Title X program. We will continue that long fight, and we will win in the near term. All women's reproductive health must be on equal footing.

An incredible win was $25 million for evidence-based gun violence prevention research, the first time in 20 years that we have provided money and resources to look at research on trying to prevent gun violence. It follows our hearing on gun violence research that was the first hearing that we had.

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

Mrs. LOWEY. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from Connecticut.

Ms. DELAURO. The significance of the achievement cannot be overstated. It will save lives.

Labor: $48 million increase for worker protection, $30 million increase for the Workforce Innovation and Opportunity Act State grants, $25 million increase for Job Corps, and a new $40 million grant for community colleges to train people for in-demand jobs.

For too long, workers and families have been shortchanged. We fought hard. We are making up for lost ground. We can make opportunity real for people.

Let me thank the staff on this job, subcommittee staff Robin Juliano, Stephen Steigleder, Jen Cama, Jackie Kilroy, Laurie Mignone, Jared Bass, Philip Tizzani, and Brad Allen; my staff Letty Mederos, Liz Albertine, and Caitlin Peruccio; and the minority staff Susan Ross and Kathryn Salmon. As I say, our names are on the door, but they do the work for us.

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

Mr. DIAZ-BALART. Madam Speaker, I rise to support this bill, and particularly, I want to talk about the transportation and housing portion of it. Chairman PRICE and I worked with our Senate colleagues to craft a fair agreement to meet our Nation's transportation and housing needs.

The T-HUD discretionary total is $74.3 billion, which is $1.5 billion below the House-passed level.

I would note that there are a lot of pressures in this bill. We required $2 billion above last year just to meet housing inflation and another $2 billion just to make up for lost receipts, so there is a $4 billion hole to start with.

Some tough choices had to be made. Let me talk about specifics: $2.4 billion for highway grants, which provides funding directly to our State DOTs, $1 billion for BUILD grants to help transform communities, and $225 million for port infrastructure. This bill also emphasizes safety, and that is something we should be proud of.

For HUD, we provide $3.4 billion for Community Development Block Grants, a huge priority for Members, both Democrats and Republicans.

The bill meets our commitment to provide housing assistance to our most vulnerable, including the elderly, the disabled, and our veterans.

I am proudly particularly proud and pleased that the bill provides $2.8 billion for homeless assistance grants. I have seen the results of this program firsthand. In Miami-Dade County, we, in essence, effectively eliminated homelessness among veterans in our county.

As a final point on the T-HUD bill, I would note that this agreement drops all the controversial riders in the bill. Once again, Chairwoman LOWEY and Ranking Member GRANGER led us through difficult negotiations by working day and night and never giving up, and we are grateful for their leadership.

Finally, I thank Chairman PRICE for his friendship and his partnership. He has been a joy and a delight to work with, as well as our Senate counterparts, Senator COLLINS and Senator REED.

I am proud of this bill. I think it is a great bill for transportation and infrastructure, and also for our housing needs, and I urge a ''yes'' vote.

Mrs. LOWEY. Madam Speaker, I am very pleased to yield 3 minutes to the distinguished gentlewoman from Minnesota (Ms. MCCOLLUM), the chair of the Interior, Environment, and Related Agencies Subcommittee.

Ms. MCCOLLUM. Madam Speaker, I rise in support of this bill. It is the product of bipartisan negotiations that reflect compromise and a shared desire to fund the Federal Government.

The Interior and Environment section provides $36 billion, which is $437 million more than last year's fiscal year 2019 enacted bill.

We make critical investments in environmental protection, in Indian Country, to public land management, and the arts.

Here are a few highlights: $43 million for PFAS research to set standards for clean drinking water and for cleaning up PFAS; an additional $24 million for EPA enforcement and compliance activities, the first increase in a decade; the largest increase in a decade for the National Endowment for the Arts and Humanities, each funded at $162 million; and the Land and Water Conservation Fund is at the highest level since 2003, with $495 million in new funding.

The bill enhances the EPA's ability to protect human health and the health of our environment, providing $9.08 billion, the second-highest level ever for the agency. An all-time high for environmental justice funding is included at over $10 million.

It also provides record funding for the endangered species program at a time when 1 million plant and animal species are at risk of extinction.

We continue our subcommittee's nonpartisan approach to issues facing our Native American brothers and sisters by investing in programs critical to the health, safety, and well-being of Native peoples.

In the bill, we are serious about addressing the climate crisis and recognize the importance of science in understanding how our planet is changing. We prioritize funding by providing $52 million for renewable energy development and $416 million for climate change research and adaptation activities, a $30 million increase.

Programs in the Interior bill impact all of us, preserving our natural and cultural heritage to ensure the air we breathe and the water we drink is clean not only for today but for future generations.

Madam Speaker, I urge my colleagues on both sides of the aisle to support this bill. I wholeheartedly thank staff on both sides for their help in making this happen.

Ms. GRANGER. Madam Speaker, I yield 4 minutes to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Madam Speaker, first of all, let me say how thankful I am for the leadership of Chairman BISHOP and, frankly, for the partnership that we have developed over this

past year. It has been truly remarkable. I also thank Chairwoman LOWEY and Ranking Member GRANGER for their intensive effort around this important piece of legislation, and that of the staff. This is good for America.

Agriculture, Madam Speaker, is, in its essence, really essential to the well-being of our country. The Agriculture portion of this entire package includes support for the hard work of our farmers, ranchers, and producers who give us something that we really all do take for granted, some of the lowest grocery prices in the world, as well as protection for the most vulnerable who are in the midst of food insecurity and disaster relief for humanitarian causes.

Madam Speaker, in the midst of a House divided, I would like to say this: Food is food. A meal brings us together. Agriculture production is the basis for economic and social well-being, and I am very proud of this effort. We found a reasonable path forward to consensus in meeting the needs of fellow Members. This cooperation allowed us to fight hard to defend, in a bipartisan fashion, House Member priorities.

For example, this bill includes funding streams for the building and rebuilding of critical infrastructure needed in our rural communities, from housing to utilities to economic development. Specifically, the bill includes $555 million for the ReConnect broadband program we started just 2 years ago. The Senate bill didn't include any money for this basic utility, but we have.

The bill includes an additional $87 million for other rural broadband initiatives that will help bridge the gap and create an ecosystem of livability for telework, telehealth, precision agriculture, and a host of beneficial digital outcomes for rural America.

Beyond food, this bill also includes a certain level of responsibility for our Nation's healthcare policy. We support initiatives at the Food and Drug Administration to enhance blood safety, stop opioid abuse, reduce generic drug prices, and further food safety. Continued investments in generic drug competition will help bring down prices for the healthcare needs of all of our constituents.

The bill before us maintains a number of very important provisions, such as a Buy America requirement for water and waste infrastructure and flexibilities for child nutrition programs. Interestingly, as well, and of note, the sale of tobacco and vaping products now moves to 21 years of age.

No bill includes everything you fight for, but this bill includes a number of benefits for Americans in our diverse communities back home.

It supports a number of smaller yet highly impactful programs, enhancing nutrition programs for Native Americans, supporting the Farm and Ranch Stress Assistance Network, and the Rural Microentrepreneur Assistance Program.

Madam Speaker, let me highlight the importance of one particular program, the farm to school program. We are on the verge of a new movement in this country, connecting the farm to the family, the city to the country. People want to know where their food comes from, Madam Speaker. Programs like this will inspire our youth, build new markets, and uphold the value of agriculture to all America.

Madam Speaker, this is a good bill for all of us, and I urge its support.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Ohio (Mr. RYAN), the chairman of the Legislative Branch Subcommittee.

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Mr. RYAN. Madam Speaker, I am pleased to rise in support of H.R. 1865, in particular, division E, the fiscal year 2020 Legislative Branch appropriations.

My thanks go to full committee Chairwoman LOWEY and her ranking member, KAY GRANGER, for putting this entire bill together, not just this subcommittee. This has been an amazing process. I want to thank my minority counterpart, Representative HERRERA BEUTLER, and all who have guided and supported this bill through.

I am pleased to announce there is a $213 million increase to the Legislative Branch appropriations bill, 4.4 percent above fiscal year 2019. This bill gives Members and committees the funding needed to improve their constituent services and legislative oversight responsibilities.

With this bill, we have been able to increase our Members' representational allowance, support committee budgets, and restore funding shortfalls in the account that pays House health and retirement benefits.

The bill will allow an increase in intern allowances, from $20,000 to $25,000 per Member office, so that a more diverse group can apply without worrying about the financial burden of working for free.

The bill continues to fund the Wounded Warrior Program, as well as the new congressional Gold Star Family Fellowship Program.

We have provided first-year funding for both the Office of Diversity and Inclusion and the Office of the Whistleblower Ombudsman so that Congress has the tools to encourage greater staff diversity and to effectively handle whistleblower complaints.

It also includes sufficient funding to extend the Select Committee on the Modernization of Congress.

The bill increases funding for our important support and oversight agencies: the CBO, the GAO, the GPO, and the Capitol Police.

Members will be pleased to learn that our bill provides another $10 million for the Library of Congress visitor experience, for a project total of $20 million.

I am pleased that the bill includes a provision that permits an increase in the pay levels of senior congressional staff.

I would also like to just make a comment or two on the broader bill. I think Speaker PELOSI said this earlier in the day, and I know Chairwoman LOWEY said it earlier in the day and in the last few days.

This appropriations bill, while it lacks things like the Butch Lewis Act, where we need to take care of pensions for some of our workers out in the country, this bill is about the future.

There are investments in here in social and emotional learning, healthy food, the Department of Energy, and creating an energy incubator fund so that we can win the economy in the future around new forms of energy.

This bill has money in it for new auto companies, $5 million for the Advanced Technology Vehicle Manufacturing loan program, which will allow facilities like the one in Lordstown, Ohio, to refurbish itself to move into the future.

This is a good bill, and I encourage people to vote for this bill. This bill will help America win the future.

Madam Speaker, I am pleased to rise in support of H.R. 1865—in particular, Division E, Fiscal Year 2020 Legislative Branch Appropriations. My thanks to full Committee Chairwoman LOWEY, her ranking Member KAY GRANGER, and my minority counterpart Rep. HERRERA BEUTLER. They have all guided and supported me in my first year taking the helm of the Legislative Branch appropriations subcommittee. I'd also like to give a nod to our staff on both sides for their hard work—Faye Cobb, Sue Quantius, and Jenny Holmes.

I'm pleased that we have the resources to start on the path to strengthening Congressional operations. Funding in the bill totals $5.049 billion—$213 million or 4.4 percent above fiscal year 2019. The bill gives Members and Committees the funding needed to improve their constituent services and legislative oversight responsibilities.

With this bill, we have been able to increase the Members Representational Allowance, support Committee budgets, and restore funding shortfalls in the account that pays House health and retirement benefits. Intern allowances will increase from $20,000 to $25,000 per Member office so that a more diverse group can apply without worrying about the financial burden of working for free. The bill continues to fund the Wounded Warrior Program as well as the new Congressional Gold Star Family Fellowship Program, which was established this fall.

We have provided first-year funding for both the Office of Diversity and Inclusion and the Office of Whistleblower Ombudsman so that Congress has the tools to encourage greater staff diversity and to effectively handle whistleblower complaints. The bill also includes sufficient funding to extend the Select Committee on the Modernization of Congress. We look forward to the implementation of their recommendations.

The bill increases funding for our important support and oversight agencies—CBO, GAO, GPO and the Capitol Police.

Members will be pleased to learn that our bill provides another $10 million for the Library of Congress Visitors Experience project for a total of $20 million provided to date. Once developed, the project will result in better displays of many of the treasures in the Library's

collection, clearer communication of the Library's mission, and more activities targeted to children and youth.

Finally, I'm pleased that the bill includes a provision that permits an increase in the pay levels of senior congressional staff. We will be able to slightly increase the salaries of our most experienced, senior staff. A higher rate will make the House more competitive to recruit highly skilled employees.

Our bill begins the journey to making Congress more effective. I hope you will join me in voting for HR. 1865.

Before concluding, I would like to acknowledge with regret the retirement of David Reich, the staff director of the Appropriations Legislative Branch subcommittee.

David has a storied history in the budget and appropriations world, having served here for decades and for two masters of that trade—Rep. Martin Sabo and Rep. David Obey. He headed the staff of multiple appropriations subcommittees—Labor, HHS; Financial Services; and Leg Branch. He also kept a steady hand on the rudder in the full committee as committee counsel. In what could be partisan posts, David has won praise and admiration from both sides of the aisle.

Besides being skilled in parliamentary and committee procedure, generous, patient, and self-effacing to a fault, David was always known for having the quick yet correct answer to any complex or arcane budget question thrown his way. David retired from Appropriations once, but was persuaded to return to be Chairwoman LOWEY's staff for the Joint Select Committee on Budget and Appropriations Process Reform. Following that endeavor, he agreed to stay on for a time to be sure that my subcommittee got off to a steady start.

We knew we were on borrowed time with him and that he was anxious to get back to his outside pursuits. David left in August and we are truly sorry to have lost him. Our best regards to him and his family as he continues his post-congressional life.

Ms. GRANGER. Madam Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE of Ohio. Madam Speaker, I thank the ranking member for the time and opportunity to speak today as the ranking member on the Interior, Environment, and Related Agencies Subcommittee.

I also want to thank the chair of the subcommittee, my friend and fellow Great Lakes advocate, Congresswoman BETTY MCCOLLUM. We have worked tirelessly over the past month to negotiate a reasonable compromise in order to be able to deliver the product before you today and avoid a government shutdown.

While it is not the bill I would have written and there are things in here that I might not necessarily agree with, I do believe that there is more in this bill that unites us than divides us.

The bill increases America's investment in our own abundant energy and mineral resources. It fully funds the Payments in Lieu of Taxes program which is so critical to counties with Federal lands. It also invests $1.8 billion for maintenance and construction of our Nation's parks and our other public lands.

This agreement also provides for a 29 percent increase to fight devastating wildfires that threaten our communities.

This agreement provides an additional $392 million for healthcare, law enforcement, and related programs to honor our country's sacred trust and treaty obligations to the American Indians and Alaska Natives.

I am deeply proud of our nonpartisan efforts in support of these important programs. But just as important as the targeted funding increases are the longstanding policy provisions we have fought to hold on to and the new poison pills that we have successfully fought to eliminate.

For example, we have succeeded in continuing two provisions blocking the Green New Deal regulation of greenhouse gas emissions from livestock. We have successfully blocked an attempt to limit reorganization of the Department of the Interior and relocation of the BLM and EPA offices.

Finally, as a lifelong Ohioan, I want to highlight the work we did to protect the Great Lakes, one of the greatest natural resources and economic powerhouses in the United States. They hold 95 percent of the United States' fresh surface water. The lakes also support over 1.5 million jobs and provide $62 billion in wages, annually.

Protecting the Great Lakes is not a red issue or a blue issue. Many Members of Congress from both sides of the aisle understand the important role the lakes play in our lives and the need to protect them.

My colleague BETTY MCCOLLUM has been a great partner to work with in my fight to protect the Great Lakes, and I am happy to report the conference agreement includes $320 million—a $20 million increase—for the Great Lakes Restoration Initiative, which helps us provide and address invasive species like Asian carp, reduce phosphorus runoff that causes harmful algal blooms, and protect and preserve the Great Lakes for future generations.

In closing, I want to thank Chairwoman LOWEY and Ranking Member GRANGER for their leadership and the staffs on both sides of the aisle for their extremely hard work to get the annual appropriations bills over the finish line once again.

I urge all of my colleagues to vote ''yes'' on this bill.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 3 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the distinguished chairwoman of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I thank Chairwoman LOWEY for yielding.

I rise in support of this funding package which includes Military Construction-Veterans Affairs funding, which I am privileged to chair, and seven other appropriations bills.

This package increases funding for our national priorities and soundly rejects President Trump's unserious and immoral budget. This package increases funding and makes sure that our bicameral, bipartisan compromise that we reached on the Military Construction-Veterans Affairs bill meets the needs of our servicemembers, supports our military families, and provides for our veterans.

I want to underscore that the agreement does not provide any money for backfilling the funding that President Trump took—really, stole—from our military projects after he declared a fake national emergency for the border wall, and it also denies advanced backfilling by the administration for their next attempt to steal more funding.

There are zero dollars in the Military Construction-Veterans Affairs legislation for this wasteful border wall project.

We secured a solid $1 billion in military construction, notably in family housing improvements, energy resiliency, and child development centers.

Further, this agreement fully funds family housing construction at $1.3 billion and includes $140.8 million for costs associated with mold, lead-based paint, and vermin.

I am disappointed that we could not get agreements from the administration to limit the transfer of funds from all MILCON dollars, but I am pleased that we were able to prevent vital disaster funding from being transferred in the future.

The administration needs to think twice about moving money from congressionally approved projects to fund a border wall and understand that there is no back door around Congress' power of the purse.

I am proud that the bill includes $585 million in funding for gender-specific care for women for the first time, as well as additional funding for homeless assistance programs, whole health, and mental health and suicide prevention programs.

As a member of the Energy and Water Development, and Related Agencies Subcommittee, I am thrilled by how much this bill invests in water infrastructure, clean energy, and economic ecosystem restoration—and by how much this bill helps my home State of Florida.

The bill includes mine and other Floridians' request for full funding for Everglades restoration at $200 million. Even more, it fully authorizes the Central Everglades Planning Project, a suite of restoration projects that aims to fix freshwater flows in south Florida's ecosystem.

I am also proud to have helped secure six new construction starts and funding to help major ports like Port Everglades, in my district, expand and adapt to the modern economy.

As a breast cancer survivor, I am glad that the Labor-HHS-Education division of the bill includes language that I sponsored to ensure that young women have access to coverage for breast cancer screenings beginning at age 40.

It also includes $5 million to fund my EARLY Act legislation for the CDC to promote breast cancer awareness for young and at-risk women.

The Foreign Operations division ensures that America helps Venezuelans who are suffering through instability and economic pain and includes funding for democracy promotion, human rights, and civil society programs in Venezuela.

Finally, I am pleased that the minibus also includes legislation that I sponsored and worked on with my south Florida colleagues. The Venezuela Emergency Relief, Democracy Assistance, and Development Act will require greater monitoring and strategies to prevent Russian meddling in Venezuela's affairs, a bill I sponsored; increased humanitarian aid; and restrict the exportation of weapons used to stifle domestic dissent in Venezuela.

I urge all Members to support this bill.

Ms. GRANGER. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Speaker, I want to thank both leaders, but I want to thank KAY GRANGER for her extraordinary support for legislation that I authored, two bills that are included in this act. I thank NITA LOWEY as well, the distinguished chairwoman.

The first bill is known as the TICK Act. Twenty-one years ago, in 1998, I introduced the Lyme Disease Initiative Act of 1998. Every 2 years, every Congress, with well over 100 cosponsors, would have a bill that would look to create a national strategy in combating Lyme disease.

This legislation includes that strategy, and I am deeply grateful for that. It also is now named after Senator Kay Hagan, who, sadly, died from a tick-borne disease in October. But it provides a national strategy, $150 million authorization for Lyme research, prevention, and treatment programs, and enables additional Federal agencies to step up and coordinate their efforts in the fight against Lyme.

As we know from the working group, there are 300,000 new cases every year. The high-end estimate is 437,000 cases. Chronic Lyme is a very serious problem.

The NIH recently came out with their new strategy, and I am very grateful to the Trump administration for doing that because there is no real detection capability that is reliable, so the diagnosis is often faulty. There is also the very real problem that there are no therapeutics that can deal with Lyme disease, especially if it is missed in the beginning from a tick bite.

Madam Speaker, the second bill has to do with ending neglected tropical diseases, another one of my bills that just passed this House on December 3.

We know for a fact that 1.4 billion people are walking around with horrific worms and parasites which, terribly, cause death, but also there is a great deal of morbidity attached to it.

Thankfully, this legislation has that bill in its entirety in it, so there is no need to worry about the Senate taking up this bill. It will become law, and I am thankful for that.

I had a number of hearings on neglected tropical diseases in Africa and other places, particularly where there is a warm environment. People are walking around with parasites. They are walking around with dengue and all of the other diseases, so I am very grateful for both of those bills.

Mrs. LOWEY. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. LEE), a senior member of the Appropriations Committee.

Ms. LEE of California. Madam Speaker, let me thank Chairwoman LOWEY for yielding, but also for her tremendous and tireless work, day and night, on behalf of the American people, and also our ranking member, KAY GRANGER, for her leadership.

I rise in strong support of this domestic and foreign assistance appropriations bill. First, as a member of the Labor, Health and Human Services, Education, and Related Agencies Subcommittee and also the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee, I am really pleased to see such a comprehensive bill that strongly invests in our rural and our urban communities.

For example, there is $266 million for the new Ending HIV initiative. This is new funding. We have an increase of $42 million to historically Black colleges and universities and a $19 million increase to Hispanic-serving institutions. These institutions help improve the higher education of our students of color; also, an increase in the Healthy Food Financing Initiative and the College Hunger Initiative, which this bill addresses.

It also includes $65 million for the Education Innovation Research grants for computer science for young girls and students of color and $20 million for Special Olympics education programs, which the President's budget initially proposed to eliminate.

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

Mrs. LOWEY. Madam Speaker, I yield the gentlewoman an additional 10 seconds.

Ms. LEE of California. Madam Speaker, I also want to thank our chair of the State, Foreign Operations, and Related Programs Subcommittee for the increase for our international AIDS program and for the Global Fund.

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Ms. GRANGER. Madam Speaker, I yield 2 minutes the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

Miss GONZÁLEZ-COLÓN of Puerto Rico. Madam Speaker, I thank Ranking Member GRANGER for this opportunity, and I appreciate the hard work and bipartisan work that the gentlewoman, Chairwoman LOWEY, and the leadership have put together to make this bill a reality.

I rise in strong support of the spending package for fiscal year 2020 because it includes several provisions that directly impact 3.2 million citizens living in Puerto Rico by providing funding for the Nutritional Assistance Program, as well as the Puerto Rico Air National Guard projects, and the Army Corps of Engineers, among others.

I am especially pleased that the agreement provides 2-year funding for the island's Medicaid program. The funding levels included in the bill will give certainty to the 1.1 million beneficiaries who rely on this program to meet their healthcare needs, as well as to put into effect several critical sustainability measures designed to enhance the provision of healthcare. This guarantee of funding for the next 2 years constitutes an important step towards correcting the problems arising from the chronic underfunding of the program.

I look forward to continuing this conversation for a long-term solution that guarantees citizens in Puerto Rico a standard of healthcare that we can expect from a nation as great as ours.

Mrs. LOWEY. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI), who is an appropriator. She is and has been valuable in our discussions of this bill and getting the completion of these bills in an orderly and timely way.

Ms. PELOSI. Madam Speaker, I thank the gentlewoman for yielding in a very gracious and generous way. More importantly, I want to thank her for her tremendous leadership as chair of the Appropriations Committee to bring a bill to the floor that has shared values, meeting the needs of the American people. And I want to commend Ranking Member KAY GRANGER for her leadership, as well, so that we can have strong, bipartisan support in meeting the needs of the American people.

I congratulate Madam Chair for getting all of our bills done this summer. The gentlewoman worked around the clock and across the aisle to overcome any opposition and to craft a strong appropriation package that we are bringing to the floor.

As the gentlewoman mentioned, I am an appropriator, and when I served on committee I had always said to the administration and to others: When left to their own devices, our appropriators can get the job done. They have experience in working in a bipartisan way, they understand everyone's concerns, regional needs, and the rest, and that we must by the clock get the job done. I thank the gentlewoman for doing that and making today possible.

Madam Speaker, this weekend I was pleased to join a bipartisan delegation to observe the 75th anniversary of the Battle of the Bulge. We spent time in Luxembourg and in Belgium where so much of that conflict took place. We

met with the leaders of the community, the king, the queen, and the archduke; and that was all wonderful.

But what was really important, and the purpose of our visit was to meet with our own veterans—now 75 years later, who are revisiting the site—and to thank them, to hear their ongoing stories, and to hear their purpose in fighting.

Some of them were as young as 18 years old at the Battle of the Bulge. Do the math. They are in their nineties. One of them told me he was 20, and one was 21. The oldest one is 98 years old now. But all of them were full of vitality and concern about our country as we go forward. We promised them in a tribute to their courage, their determination, and their patriotism that we know that our responsibility is to build a future worthy of their sacrifice and that we also want to always be ready to meet the needs of our men and women in uniform today as they protect and defend democracy and freedom as our valiant veterans did 75 years ago.

Mr. CONAWAY was with us on that trip—a very valued leader on that trip—and I think you will agree, Madam Speaker, that America was truly blessed by the courage of our veterans then and now.

So I am glad that in this legislation we meet the needs of those who are providing for our defense and the security of our country to make us the home of the brave and the land of the free.

I do believe that our success on this legislation began when working together we were able to come to an agreement on the caps in funding to make sure that although we obviously all support our national security, we want to be sure that people understood that we measure the strength of America not just in our military might but in the health, education, and well-being of the American people, and this part of the legislation does just that.

We will vote on the earlier part and now on the part that deals with, shall we say, the health and well-being of the American people. With this agreement we are investing in the good health of the American people. We are protecting the quality of affordable healthcare of millions as we permanently repeal healthcare taxes and block the President's ACA sabotage nuclear options by preventing him from ending silver loading and auto re-enrollment.

At the same time we are investing in innovation and the future of healthcare with robust funding for the National Institutes of Health that our distinguished colleague, Mr. SMITH of New Jersey, mentioned, we continue our leadership to combat the opioid epidemic, and we honor our responsibility to our fellow Americans in Puerto Rico and the other territories.

Of course, we want more, and, of course, we need to get more at some point. But for now we are very pleased with the fact that we have 2 years' adequate funding to go forward. Again, I look forward to preparing further into the future.

While this legislation does not contain permanent fixes for everything, we are proud that it lays the groundwork for further progress to end the financial catastrophe of surprise billing, to lower prescription drug costs, and to extend robust funding for key health initiatives.

This appropriations package also achieves critical victories for, as I mentioned, our national security and the economic security of the American people. Our appropriations legislation makes America safer at home by funding gun violence research at the CDC and the National Institutes of Health for the first time in more than 20 years; and funding election security grants to protect against foreign attack which the minority, the Republicans, then the majority, refused to do last year.

These bills make workers and families stronger by protecting the pensions of 100,000 coal miners; reauthorizing the job-creating Export-Import Bank; extending the National Flood Insurance Program; protecting schools, small businesses, and other pillars of communities, as well as commercial interests by reauthorizing the Terrorism Risk Insurance Program and doing so in a timely fashion; extending key tax provisions through 2020 that encourage investments in clean energy, provide relief for families recovering from disasters, support investment in low-income communities with the low-income housing tax credit, and protect families facing high medical costs for the loss of home to foreclosure.

Again, this is very personal. People always talk about coming to Washington and having a seat at the table. The most important seat at the table for us is the seat at America's kitchen table where people talk about their plans for the future and how they intend to meet their financial obligations, whether it is the education of their children, the mortgage on their house, their medical expenses, or providing for their own pension future.

Personally and officially, I am proud that this legislation takes strong action to advance the health and well-being of America's children. The three most important issues, in my view, facing the Congress are the well-being of our children, our children, our children; strengthening Family First Prevention Services; securing record funding levels for Head Start, Child Care and Development Block Grants, and Title I schools; and extending funding for thousands of schools in rural communities across 41 States because there is no better investment that Congress can make than an investment in the education of our children.

By the way, there is nothing that we can do that brings more resources to the Federal Treasury than investing in education: early childhood, K–12, higher education, and lifetime learning training for our workers.

I also want to acknowledge the important investment that this legislation does in IDEA, meeting the needs of our children with additional challenges.

In this House our title and job description are one and the same: Representative. Today we must pass this legislation so that we can meet the needs of the people whom we are privileged to represent. I know that this is going to be a strong, bipartisan vote, and I think that is a very good thing for the health, the economic security, and the well-being of the American people.

I am grateful to Ranking Member GRANGER, Chairwoman LOWEY, and all of the leadership of our subcommittees who made this successful day possible for us.

Madam Speaker, I urge a strong, bipartisan vote on minibus 1 and minibus 2, and, again, a great victory for our children, our children, our children.

Ms. GRANGER. Madam Speaker, I yield myself the balance of my time to close.

Madam Speaker, this is a strong conservative package that provides the President with the funding and authority he needs. I look forward to passing these bills through the House and Senate and getting them to the President's desk for his signature before time runs out on Friday.

Madam Speaker, before I close, I want to give a special thanks to my staff director, Anne Marie Chotvacs, for her tireless work and leadership throughout the process. Her wisdom and guidance have been invaluable to me and all the committee members.

Madam Speaker, I urge my colleagues to join me in voting in favor of these bills, and I yield back the balance of my time.

Mrs. LOWEY. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, as we close debate on this important package, I want to thank the many hardworking staff who made this possible. While there are too many to name them all, many thanks to my staff at the State, Foreign Operations, and Related Programs Subcommittee; my entire committee staff led by Staff Director Shalanda Young, Deputy Staff Director Chris Bigelow, and to the minority staff as well. To the extraordinary staff in my congressional office, I want to express my appreciation because it is teamwork that brought us to this point.

Madam Speaker, I urge support for the bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in strong support of the House Amendment to Senate Amendment to H.R. 1865, which makes the consolidated appropriations needed to fund critical departments, agencies, and programs of the federal government through September 30, 2020.

I thank Chairman LOWEY, Ranking Member GRANGER, and their fellow House conferees

for their work in reaching this bipartisan agreement.

Specifically, this legislation provides $540.4 billion and reflects conference agreements for the FY 2020 Labor-Health and Human Services-Education, Agriculture-Rural Development-Food and Drug Administration, Energy and Water Development, Interior-Environment, Legislative Branch, Military Construction-Veterans Affairs State-Foreign Operations, and Transportation-Housing and Urban Development appropriations bills.

Madam Speaker, in total this appropriations package provides:

1. $35.9 billion in base defense funding;
2. $484.5 billion in base nondefense funding;
3. $0.6 billion for defense Overseas Contingency Operations;
4. $8 billion for nondefense OCO;
5. $6.2 billion for defense emergency requirements;
6. $4.6 billion for nondefense emergency requirements, program integrity, and wildfire suppression; and
7. $0.6 billion for 21st Century Cures Act funding.

I appreciate the Appropriations Committee working with me to include the following Jackson Lee Amendments in the legislation:

LABOR-HHS

1. Amendment reprogramming $10,000,000 to support greater diversity in the pool of diabetes research professionals and patients participating in clinical trials.
2. Amendment reprogramming $10,000,000 to support programs providing outreach and support services targeting college students at greatest risk of not completing a college degree.

STATE AND FOREIGN OPERATIONS

3. Amendment reprogramming $1,000,000 to combat the practice of Female Genital Mutilation.
4. Amendment reprogramming $1,000,000 to combat the poaching and trafficking of endangered species.

AGRICULTURE

5. Amendment increasing funding by $2,000,000 for the USDA agency that provides grant research funding for ''1890s Land Grant Universities,'' which are 19 Historically Black Colleges and Universities.

T-HUD

6. Amendment reprograms $10,000,000 to support urban bicycle and pedestrian safety programs financed through the National Infrastructure Investments account.
7. Amendment reprograms Office of Inspector General account to provide $2 million to investigate the Department's delay in releasing over $5 billion in Hurricane Harvey Disaster Community Block Grant funds.

Madam Speaker, left to our own devices, House Democrats clearly could and would have made many different and better funding decisions, but this agreement is the best deal attainable in the circumstances, and importantly, it responsibly funds the government for the remainder of the fiscal year.

Coming from a border state, I am very pleased that this legislation does not provide the President the billions of dollars he demanded for a wasteful, ineffective, and immoral concrete wall.

Madam Speaker, the bipartisan agreement before us rejects the Trump Administration's attacks on the environment by blocking the Administration's deep cuts to initiatives to protect clean water, clean air and public lands and it invests more than $9 billion in the EPA and Land and Water Conservation Fund.

The agreement reinforces and strengthen America's global leadership by rejecting the Trump Administration's radical cuts and securing $9.1 billion in security assistance for allies, including $3.03 billion for Israel, $5.9 billion for PEPFAR and $1.7 billion for the Food for Peace program.

Madam Speaker, I would like to draw particular attention to provisions in the consolidated appropriations conference report that are of special interest to my congressional district.

DEPARTMENT OF LABOR (DOL)

The bill provides a total of $12.4 billion in discretionary appropriations for DOL—$1.2 billion above the 2019 enacted level and $2.4 billion above the President's budget request, including $9.3 billion for the Employment Training Administration, $709 million above the 2019 enacted level and $2 billion above the President's budget request.

$2.8 billion for Workforce Innovation and Opportunity Act Grants, $178 million above the fiscal year 2019 enacted level and President's budget request.

$98 million for the Reintegration of Ex-Offenders, an increase of $7 million above the fiscal year 2019 enacted level and $22 million above the President's budget request.

$175 million for Registered Apprenticeships, an increase of $90 million above the fiscal year 2019 enacted level and the President's budget request.

$95 million for YouthBuild, an increase of $5 million above the fiscal year 2019 enacted level and $10 million above the President's budget request.

$40 million for a new investment in community colleges and eligible four-year partners through Strengthening Community College Training Grants (SCCTG). Funding will help meet local and regional labor market demand for a skilled workforce by providing training to workers in in-demand industries.

$1.7 billion for Job Corps, $150 million above the 2019 enacted level and $853 million above the President's budget request.

$405 million for the Senior Community Service Employment for Older Americans Program, $64 million above the 2019 enacted level. The President's budget request proposed to eliminate this program.

$1.7 billion for Worker Protection Agencies, $48 million above the fiscal year 2019 enacted level and $21 million above the President's budget request:

1. $242 million for the Wage and Hour Division, an increase of $69 million above the 2019 enacted level and $66 million above the President's budget request.
2. $582 million for the Occupational Safety and Health Administration, an increase of $103 million above the 2019 enacted level and the President's budget request.
3. $106 million for the Office of Federal Contract Compliance Programs, an increase of $17 million above the 2019 enacted level and $16 million above the President's budget request.

$96 million for the International Labor Affairs Bureau (ILAB), an increase of $36 million above the 2019 enacted level and $104 million above the President's budget request.

$14 million for the Women's Bureau, an increase of $4 million above the 2019 enacted level and $14 million above the President's budget request. Within this amount, the Women in Apprenticeship and Nontraditional Occupations (WANTO) program is funded at $1.3 million. The President's budget proposed to eliminate WANTO.

$92 million for Migrant and Seasonal Farmworkers, an increase of $10 million above the fiscal year 2019 enacted level. The President's budget request proposed to eliminate this program.

$311 million for Veterans Employment and Training Service (VETS), an increase of $16 million above the 2019 enacted level and $10 million above the President's budget request, including:

1. $55 million for the Homeless Veterans Reintegration Program, an increase of $10 million above the 2019 enacted level and the President's budget request.
2. $29 million for the Transition Assistance Program, an increase of $6 million above the 2019 enacted level and the same as the President's budget request.
3. $300,000 to establish a Disabled Veteran Program to address the high unemployment and low labor force participation rate of veterans with service-connected and non-service-connected disabilities.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

The bill includes a total of $94.9 billion for HHS, an increase of $8.9 billion above the 2019 enacted level and $21.3 billion above the President's budget request.

NATIONAL INSTITUTES OF HEALTH (NIH)

$41.7 billion for NIH, an increase of $2 billion above the 2019 enacted level and $6.9 billion above the President's budget request to continue to support several critical research initiatives, including:

1. $2.8 billion for Alzheimer's disease research.
2. $3.1 billion for HIV/AIDS research.
3. $500 million for the All of Us precision medicine research initiative.
4. $500 million for the Brain Research through Application of Innovative Neurotechnologies (BRAIN) initiative.
5. $195 million for the Cancer Moonshot research initiative.
6. $50 million for the Childhood Cancer Data Initiative.
7. $12.5 million for firearm injury and mortality prevention research.
8. $75 million for Research Centers in Minority Institutions.

CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC)

$8.0 billion for CDC—$938 million above the 2019 enacted level and $1.7 billion above the President's budget request.

This includes $854 million in transfers from the Prevention and Public Health Fund and $225 million in transfers from the HHS Nonrecurring Expenses Fund for a new research support building and campus infrastructure improvements.

For the first time in more than 20 years, the bill includes funding—$12.5 million—to specifically support firearm injury and mortality prevention research.

The bill includes significant investments in our nation's public health infrastructure including:

1. $50 million for the first year of a multiyear effort to support modernization of public

health data surveillance and analytics at CDC, State and local health departments and the National Center for Health Statistics.

2. $63 million, an increase of $6 million, for food safety.

3. $56 million, an increase of $5 million, in public health workforce initiatives.

4. $700 million, an increase of $25 million, for public health emergency preparedness cooperative agreements.

5. $140 million to support CDC's efforts to reduce new HIV infections by 90 percent in 10 years.

6. $10 million for the establishment of a suicide prevention program.

7. $230 million, an increase of $40 million, to address tobacco and e-cigarettes.

8. $160 million, an increase of $20 million, for heart disease and stroke.

9. $27 million for the Diabetes Prevention Program.

10. $15 million, an increase of $5 million, for the health impacts of climate change.

11. $342.8 million, an increase of $10 million, for the National Institute for Occupational Safety and Health.

12. $173.4 million, an increase of $25 million, for global disease detection efforts.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

The bill funds SAMHSA at $5.9 billion, including increased funding for:

1. Mental health resources for children and youth including $102 million for Project AWARE, an increase of $13 million; and $71 million for the National Child Traumatic Stress Initiative, an increase of $7 million;

2. Suicide prevention including $16 million for the Zero Suicide program, an increase of $5 million; and $20 million for the Suicide Lifeline, an increase of $8 million;

3. Substance use treatment: $3.8 billion, an increase of $24 million, including continued funding for opioid prevention and treatment, and three new behavioral health programs to enhance treatment efforts; and

4. Substance abuse prevention: $206 million, an increase of $7 million above the 2019 enacted level.

HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA)

$7.3 billion for HRSA, which is $485 million above the 2019 enacted level and $1.5 billion above the President's budget request and specifically:

1. $1.6 billion, an increase of $5o million, for the Health Centers program.

2. $2.4 billion, an increase of $116 million, for the Ryan White HIV/AIDS program.

3. $50 million in Health Centers and $70 million in the Ryan White HIV/AIDS program to reduce new HIV infections by 90 percent in 10 years.

4. $1.2 billion, an increase of $148 million, for HRSA's Bureau of Health Professions programs to support the medical workforce.

5. $944 million, an increase of $46 million, for programs to improve maternal and child health, including an additional $5 million to reduce maternal mortality.

6. $286 million, an increase of $114 million, for the Title X Family Planning program.

CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS)

$4 billion for CMS administrative expenses, an increase of $315 million above the 2019 enacted level and $405 million above the President's budget request.

This funding level includes an increase of $10 million for State Survey and Certification activities to ensure that beneficiaries receive care at facilities that meet health, safety, and quality standards required by CMS.

The bill also directs CMS to use $100 million in carryover funds from ACA user fees to support the ACA Navigators program, as well as outreach, enrollment, and advertising during the ACA open enrollment period.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY (AHRQ)

$338 million for AHRQ, an increase of $20 million above the 2019 enacted level.

ADMINISTRATION FOR CHILDREN AND FAMILIES (ACF)

$24.4 billion in discretionary funding for ACF, which is $4.7 billion above the 2019 enacted level and $9.6 billion above the President's budget request.

Early childhood programs receive an increase of $4 billion:

1. $5.8 billion for the Child Care and Development Block Grant, an increase of $2.4 billion;

2. $10.6 billion for Head Start, an increase of $1.5 billion;

3. $275 million for Preschool Development Grants, an increase of $100 million;

4. $3.7 billion for the Low-Income Home Energy Assistance Program (LIHEAP), an increase of $150 million;

5. $740 million for the Community Services Block Grant, an increase of $35 million.

ADMINISTRATION FOR COMMUNITY LIVING (ACL)

$2.3 billion for ACL, which is $180 million above the 2019 enacted level and $317 million above the President's budget request, including:

1. $937 million for Senior Nutrition programs, an increase of $93 million above the 2019 enacted level.

2. $196 million for Family Caregivers Services, an increase of $26 million above the 2019 enacted level.

OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT

$544 million, an increase of $5 million above the 2019 enacted level and $141 million above the President's budget request, including:

1. $108 million for the Teen Pregnancy Prevention program, an increase of $9 million above the fiscal year 2019 enacted level.

2. $59 million for the Office of Minority Health, an increase of $8 million above the fiscal year 2019 enacted level.

3. $54 million for the Minority HIV/AIDS Initiative, an increase of $6 million above the fiscal year 2019 enacted level.

4. $34 million for the Office on Women's Health, an increase of $4 million above the 2019 enacted level.

5. $5 million for Kidney X, a new public-private partnership to accelerate the development and adoption of novel therapies and technologies to improve the diagnosis and treatment of kidney diseases.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND (PHSSEF)

$2.7 billion for PHSSEF, an increase of $377 million above the 2019 level and $342 million above the President's budget request, including:

1. $562 million, an increase of $5 million, for the Biomedical Advanced Research and Development Authority (BARDA).

2. $735 million for Project BioShield, the same as the 2019 enacted level and the President's budget request.

3. $705 million, an increase of $310 million, for the Strategic National Stockpile.

4. $300 million, an increase of $35 million, for Hospital Preparedness Program formula grants.

5. $11 million for the National Ebola Training and Education Center (NETEC) and 10 existing regional Ebola and other special pathogen treatment centers. This effort was previously supported with Ebola supplemental funds.

6. $6 million for Regional Disaster Health Response System Demonstration Pilot. This effort was previously supported with Ebola supplemental funds.

DEPARTMENT OF EDUCATION (ED)

The bill provides a total of $72.8 billion in discretionary appropriations for the Department of Education to fund the following programs.

K–12 EDUCATION

Overall, the bill provides $40.1 billion for K–12 education programs, including the Individuals with Disabilities Act, an increase of $1.2 billion above the 2019 enacted level and $5.9 billion above the President's budget request.

Of this amount, the bill includes:

1. $16.3 billion for Title I Grants to Local Educational Agencies, an increase of $1 billion above the 2019 enacted level and the President's budget request.

2. $13.9 billion for Special Education, an increase of $1.05 billion above the 2019 enacted level and $1.07 billion above the President's budget request. Within this amount, the bill provides: $12.8 billion for Part B Grants to States, an increase of $1 billion above the 2019 enacted level and President's budget request, and $20.1 million for Special Olympics education programs, an increase of $3.5 million above the 2019 enacted level. The President's budget initially proposed to eliminate this program and subsequently requested funding for it through a Budget amendment.

3. $2.1 billion for Supporting Effective Instruction State Grants (Title II–A), an increase of $500 million over the 2019 enacted level. The President's budget proposed to eliminate this program.

4. $787 million for English Language Acquisition, an increase of $76 million above the 2019 enacted level and the President's budget request.

5. $1.2 billion for Student Support and Academic Enrichment State Grants, an increase of $150 million above the 2019 enacted level. The President's budget proposed to eliminate this program.

6. $1.2 billion for 21st Century Community Learning Centers, an increase of $100 million above the 2019 enacted level. The President's budget proposed to eliminate this program.

7. $123 million for a Social-Emotional Learning (SEL) Initiative to support SEL and "whole child" approaches to education.

Within this amount, the bill provides:

1. $65 million within the Education Innovation and Research program for grants for evidence-based, field-initiated innovations that address student social, emotional, and cognitive needs;

2. $23 million within the Supporting Effective Educator Development (SEED) grant program for teacher professional development and pathways into teaching that provide a strong foundation in child development and learning, including skills for implementing SEL strategies;

3. $10 million within the School Safety National Activities program to make schools safer through a new competition that will help local educational agencies (LEAs) directly increase the number of mental health and child development experts in schools; and

4. $25 million for Full-Service Community Schools to provide comprehensive services and expand evidence-based models that meet the holistic needs of children, families, and communities.

STUDENT FINANCIAL ASSISTANCE

$24.5 billion for Federal student aid programs, $75 million above the 2019 enacted level and $1.5 billion above the President's budget request. Within this amount, the bill provides: $6,345 for the maximum Pell Grant, an increase of $150 over the 2019 enacted level and the President's budget request.

$865 million for the Federal Supplemental Educational Opportunity Grant program, an increase of $25 million above the 2019 enacted level. The President's budget request proposed to eliminate this program.

$1.2 billion for Federal Work Study, an increase of $50 million above the 2019 enacted level and $680 million above the President's budget request.

HIGHER EDUCATION

$2.5 billion for higher education programs, an increase of $163 million above the 2019 enacted level and $941 million above the President's budget request. Within this amount, the bill provides $760 million, an increase of $93 million over the 2019 enacted level and $220 million over the President's budget request, to assist primarily Minority Serving Institutions (MSIs) in the Aid for Institutional Development account, including:

1. $325 million for Historically Black Colleges and Universities, an increase of $93 million above the 2019 enacted level and the President's budget request.

2. $143 million for Hispanic Serving Institutions, an increase of $26 million above the 2019 enacted level. The President's budget proposes to consolidate this and other MSI programs into a single MSI grant program, which the bill rejects.

3. $37 million for Tribally Controlled Colleges and Universities, an increase of $19 million above the 2019 enacted level and $23 million over the President's budget request.

4. $1.1 billion for Federal TRIO programs, an increase of $100 million above the 2019 enacted level and $210 million above the President's budget request.

5. $365 million for GEAR UP, an increase of $35 million above the 2019 enacted level. The President's budget proposed to consolidate the program into the TRIO programs.

6. $50 million for Teacher Quality Partnerships, an increase of $10 million above the 2019 enacted level. The President's budget request proposes to eliminate this program.

7. $53 million for the Child Care Access Means Parents in School, an increase of $10 million above the 2019 enacted level and $45 million above the President's budget request.

8. $7 million to restart the Centers of Excellence for Veterans Student Success Program. The President's budget request did not include funding for this program.

RELATED AGENCIES

$12.9 billion for the Social Security Administration's (SSA) operating expenses, with an increase of $300 million above the 2019 enacted level to hire additional staff at field offices, teleservice and processing centers and improve public services.

$342 million for the National Labor Relations Board, an increase of $67 million above the 2019 enacted level and $100 million above the President's budget request.

$1.1 billion for the Corporation for National and Community Service (CNCS), an increase of $55 million above the 2019 enacted level. The President's budget proposed to eliminate CNCS and included $104 million for this purpose. Within the total amount, the bill includes $222 million for Senior Corps programs, an increase of $13 million over the 2019 enacted level. With this increase, the stipend will increase to $3.00/hour for the first time.

$495 million for the Corporation for Public Broadcasting (CPB), in 2022 advance funding, an increase of $50 million above the 2019 enacted level. In addition, the bill includes $20 million for the interconnection system and system wide infrastructure, the same as the 2019 enacted level. The President's budget request proposes to eliminate the CPB and includes $30 million for this purpose.

$267 million for the Institute of Museum and Library Services, an increase of $25 million above the 2019 enacted level. The President's budget request proposes to eliminate IMLS and includes $23 million for this purpose.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

$6.0 billion in discretionary funding for Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) WIC, which is $100 million below the FY/2018 enacted level and $325 million above the President's budget request.

$67.886 billion for Supplemental Nutrition Assistance Program (SNAP), which will fully fund the program in 2019.

$23.615 billion for Child Nutrition Programs, which will fully fund the program in 2019.

INTERNATIONAL PROGRAMS

$1.945 billion for Food for Peace and $210.255 million for the McGovern-Dole International Food for Education and Child Nutrition Program.

Food and Drug Administration (FDA) is funded at $3.16 billion in discretionary funding for the FDA, an increase of $269 million.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

National Park Service is funded at $3.38 billion, an increase of $20 million above the FY 2018 enacted level and $521 million above the President's budget request.

Bureau of Indian Affairs and Bureau of Indian Education is funded at $3.2 billion, an increase of $17 million above the FY 2018 enacted level and $667 million above the President's budget request.

Land and Water Conservation Fund is appropriated at $495 million, which is $57 million above the FY 2019 enacted level and $462 million above the President's budget request.

Clean Water State Revolving Fund receives $2.77 billion, which is equal to the 2018 enacted level and $300 million above the President's budget request.

Safe Drinking Water State Revolving Fund is funded at $1.2 billion, which is equal to the 2018 enacted level and $300 million above the President's budget request.

Indian Health Service is funded at $6.0 billion, an increase of $266 million above the FY 2018 enacted level and $380 million above the President's budget request.

Smithsonian Institution is funded at $1.05 billion, equal to the FY 2018 enacted level and $86 million above the President's budget request.

$162.5 million each for the National Endowment for the Arts and Humanities (NEA/NEH), the President's budget proposal to eliminate the Agencies.

U.S. DEPARTMENT OF STATE

$16.6 billion for State Department Operations, which is $114 million above the FY 2018 enacted level and $662 million above the President's budget request, and $6.1 billion for Embassy and Diplomatic Security, which is the same as the FY 2018 enacted level and $716 million above the President's budget request.

Security Assistance—$9.0 billion, including $3.3 billion for Israel, fully meeting U.S. commitments under the new Memorandum of Understanding.

Education and Cultural Exchanges—$730.7 million, which is $55 million above the FY 2018 enacted level and $542 million above the President's budget request.

Contributions to International Organizations—$1.47 billion for assessed contributions to international organizations, which is $107 million less than the FY 2018 enacted level and $265 million above the President's budget request.

Contributions to International Peacekeeping—$1.5 billion, which is $169 million above the FY 2018 enacted level and $355 million above the President's budge request.

President's Emergency Plan for AIDS Relief (PEPFAR)—$5.9 billion, which is $50 million above the FY 2018 enacted level and $945 million above the President's budget request, including $1.35 billion for the Global Fund to Fight AIDS, Tuberculosis, and Malaria.

U.S. Agency for International Development (USAID)—$1.66 billion in total funding for the operating expenses of USAID, which is $25 million above the FY 2018 enacted level and $258 million above the President's budget request.

Global Health Programs—$3.1 billion, including $575 million for family planning programs, $302 million to fight tuberculosis, $145 million for nutrition programs, $755 million to combat malaria, and $290 million for GAVI, the Vaccine Alliance.

Development Assistance—$3 billion for Development Assistance.

Humanitarian Assistance and Disaster Assistance—$7.8 billion, which is $173 million above the FY 2018 enacted level and $1.46 billion above the President's budget request.

International Disaster Assistance (IDA)—$4.4 billion, which is $100 million above the FY 2018 enacted level and $828 million above the President's budget request.

Refugee Assistance—$3.43 billion, which is $73 million above the FY 2018 enacted level and $632 million above the President's budget request.

Multilateral Assistance—$1.86 billion to meet U.S. commitments to multilateral organizations and international financial institutions, which is equal to the FY 2018 enacted level and $440 million above the President's budget request.

Peace Corps—$410 million, $500,000 above the FY 2018 enacted level and $14 million above the President's budget request.

Millennium Challenge Corporation—$905 million, which is equal to the FY 2018 enacted level and $105 million above the President's budget request.

TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

Department of Transportation (DOT) $86.2 billion overall for DOT, including $9 billion for new transportation infrastructure.

National Infrastructure Investments (TIGER or BUILD) is funded at $1 billion, an increase of $100 million above the FY 2019 enacted level. The funding will ensure parity between urban areas and to rural areas.

Federal Aviation Administration (FAA)—$17.6 billion, which is $549 million below the FY 2018 enacted level and $1.3 billion above the President's budget request.

Airport Improvement Program grants receive an additional $400 million to accelerate infrastructure investments at airports.

Federal Highway Administration (FHWA)—$49.3 billion, an increase of $1.8 billion above the FY 2018 enacted level and $3.5 billion above the President's budget request.

Highway Infrastructure Programs are funded at $2.2 billion for highway and bridge rehabilitation and construction as well as safety improvements at railroad grade crossings.

National Highway Traffic Safety Administration, (NHTSA)—$989 million, an increase of $19 million above the FY 2019 enacted level and $52 million above the President's budget request.

Federal Railroad Administration (FRA)—$2.8 billion, which is $218 million below the FY 2018 enacted level and $1.9 billion above the President's budget request.

Amtrak is funded at $2.0 billion, $58.4 million above FY 2019 enacted level, and $670 million is provided for rail infrastructure improvements.

Federal Transit Administration (FTA) is funded at $12.9 billion, $503 million above the FY 2019 enacted level.

Capital Investment Grants are funded at $2.0 billion, sufficient to fund all signed Full Funding Grant Agreements and continue work on projects in the development pipeline.

Transit Infrastructure Grants are funded at $510 million to improve and modernize transit infrastructure.

Maritime Administration (MARAD)—$1.0 billion, which is $419 million above the President's budget request; within this amount, the Maritime Security Program is funded at $300 million, funding is provided for the construction of a new schoolship, and $293 million is provided for port infrastructure development.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

$8 billion for new housing and public infrastructure.

Public and Indian Housing (PIH)—$32.4 billion, an increase of $6.4 billion above the President's budget request.

Tenant-Based Rental Assistance is funded at $23.9 billion, adequate to renew all existing vouchers.

Public Housing Capital Fund is funded at $2.9 billion and the Choice Neighborhoods Initiative is funded at $150 million—both programs will revitalize our nation's public housing stock.

A mobility voucher demonstration program is funded at $25 million.

Community Planning and Development (CPD)—$7.7 billion, an increase of $29 million above the FY 2018 enacted level and $5 billion above the President's budget request.

Homeless Assistance Grants are funded at $2.8 billion.

Community Development Block Grants are funded at $3.4 billion.

The HOME program is funded at $1.35 billion.

Housing Opportunities for Persons with AIDS is funded at $410 million.

Housing Programs are funded $13.6 billion, an increase of $956.8 million above the President's budget request.

$61 million is for the renovation and construction of housing units for the elderly and $30 million is for new housing units for persons with disabilities.

Project-Based Rental Assistance is fully-funded at $12.6 billion.

Fair Housing and Equal Opportunity is funded at $70.3 million, $5 million above the FY 2019 enacted level and $8 million above the President's budget request.

Office of Lead Hazard Control and Healthy Homes is slated to receive $290 million, an increase of $49 million above the FY 2018 enacted level and $134 million above the President's budget request.

Madam Speaker, shutting down the Government of the United States, or any portion thereof, is not an acceptable tactic or strategy for resolving differences regarding policy, funding levels, or governing philosophy.

It should never happen.

And that begins with an overwhelming majority vote in support of the House Amendment to Senate Amendment to H.R. 1865.

Mr. RICE of South Carolina. Madam Speaker, I rise today to clarify the intent of Section 205 of this amendment and thank you for including my 60 day disaster relief extension in the House Amendment to the Senate Amendment to H.R. 1865—Further Consolidated Appropriations Act of 2020, although I cannot support this bill in its final form.

The language of Sec. 205 of the House Amendment to the Senate Amendment to H.R. 1865—Further Consolidated Appropriations Act of 2020 was originally introduced in my bill, H.R. 3287—Tax Relief and Expedited Assistance for Disasters Act of 2019 (TREAD Act). This provision provides disaster related tax relief to those who are victims of a natural disaster. Specifically, this provision allows for people to receive a 60 day extension to file their taxes if there is a federally declared disaster. I want to clarify that this extension is not limited to the current Internal Revenue Service (IRS) policy of extending by a declaration for FEMA Individual Assistance or FEMA Public Assistance, but may be triggered by any federal assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, and Related Authorities as of August 2016. This would include Technical Assistance to State and Local Governments for Effective Warnings or any assistance outlined in Section 202 of the Stafford Act. Additionally, this provision does not prevent the IRS from extending this tax relief beyond 60 days.

Thank you again for including this common sense provision to assist disaster relief victims.

Mr. CARTER of Texas. Madam Speaker, I rise to express my support for the Military Construction, Veterans Affairs, and Related Agencies Appropriations bill, 2020, as it is included in H.R. 1865.

The bill includes a total of $11.315 billion for military construction projects and military family housing. This is $1.05 billion above the FY19 enacted level and includes $1.045 billion in funding for the Services' unfunded priority projects.

At the Subcommittee's first hearing for the FY20 appropriations cycle in February 2019, we heard from the Senior Enlisted leader in each Service. Each of them testified about the need to ensure clean, safe and quality housing and childcare facilities for Servicemembers and their families. I'm pleased this bill maintains the additional $141 million included in the House-passed bill to help the Services improve oversight of privatized military housing, as well as the additional $33 million for the Services to speed up planning and design for childcare centers where they are most urgently needed.

The bill includes a total of $233 million for the Energy Conservation and Infrastructure Resilience Initiative. With this funding, the bill funds 7 projects on the Services' unfunded priority list. The bill also includes nearly $400 million in the Base Closure account to clean up former military installations. Some of these installations have PFOS/PFOA contamination in their drinking water supplies. The bill provides an additional $60 million for cleanup efforts.

I am thrilled to mention that the bill provides a total of $67 million for urgent projects at Fort Hood. This includes $32 million for a new barracks; $18.5 million for a vehicle bridge; and $16.5 million for the Central Energy Plant. This is good news for the home of the Army's premier heavy armor units and good news for the surrounding communities. We have a lot to do to reinvest in Fort Hood and its soldiers, civilians and families. I am already looking forward to continuing this effort next year.

For the Department of Veterans Affairs, the bill provides a total of $92 million for Veterans programs. Recognizing the scourge of Veteran suicides, the bill includes $9.4 billion, an increase of $20 million above the budget request, for mental health and suicide prevention programs. It also includes $800 million for medical and prosthetic research, an increase of $21 million above FY19, and for the first time carves out a specific amount of funding ($585 million) for women Veterans' health care.

The bill provides a total of $15.3 billion to fully fund implementation of the MISSION Act (Medical Community Care) and includes funding to provide for Veterans now eligible for benefits and care under the Blue Water Navy Vietnam Veterans Act. The bill provides $1.5 billion for VA to continue to develop an interoperable electronic health record system and maintains the strong reporting and oversight guidelines to ensure the efforts stays on track and on budget. It also includes a new provision that limits VA's research that uses canines, felines, and non-human primates.

The bill includes funding for four agencies that provide a unique and important service to the Nation's Veterans. They are the American Battle Monuments Commission, the Army's National Military Cemeteries and Arlington National Cemetery, the Armed Forces Retirement Home, and the Court of Appeals for Veterans Claims. While the allocation would not permit significant funding increases for these agencies, the Subcommittee does continue to support their unique missions. It is fair to say the Subcommittee strongly support Arlington National Cemetery and its Southern Expansion. We firmly believe the Cemetery must remain

available into the 2050 timeframe to serve Veterans.

Importantly, the bill provides more than $6.22 billion in emergency funding to repair damage from earthquakes, flooding, hurricanes, and tornadoes that affected military installations in 2018 and 2019. China Lake Naval Weapons Station, Camp Lejeune, and Tyndall and Offutt Air Force Bases sustained significant damage in these storms. Without this funding, our national security will suffer as these installations are struggling to fully execute their missions.

In closing, I would like to thank the Subcommittee's Chairwoman for her commitment to our bill and her willingness to work across party and regional lines. I also extend my great appreciation to the Subcommittee's majority staff, Matt Washington, Sarah Young, Jenny Hollrah, Nicole Cohen, and Keihysha Cenord, as well as the Subcommittee's minority staff, Betsy Bina and Kiya Batmanglidj, for their expertise, generosity, and support for America's Servicemen and women and our Nation's Veterans.

I urge my colleagues to support this bill.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 765, the previous question is ordered.

The question is on the motion by the gentlewoman from New York (Mrs. LOWEY).

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

Ms. GRANGER. 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Motion to suspend the rules and pass H.R. 2548;

Motion to concur in the Senate amendment to H.R. 1865, with an amendment; and

Motion to concur in the Senate amendment to H.R. 1158, with an amendment.

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.

HAZARD ELIGIBILITY AND LOCAL PROJECTS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2548) to modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Mrs. FLETCHER) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 409, nays 7, not voting 14, as follows:

[Roll No. 688]

YEAS—409

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (NC)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cline
Cloud
Clyburn
Cohen
Cole
Collins (GA)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foster
Foxx (NC)
Frankel
Fudge
Fulcher
Gaetz
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gianforte
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Griffith
Grijalva
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill (AR)
Himes
Holding
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Napolitano
Neal
Neguse
Newhouse
Norcross
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roy
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sewell (AL)
Shalala
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Young
Zeldin

NAYS—7

Amash
Biggs
Duncan
Grothman
Massie
Norman
Yoho

NOT VOTING—14

Gabbard
Hollingsworth
Hunter
Johnson (TX)
Lewis
Lucas
Nadler
Serrano
Shimkus
Thompson (MS)
Van Drew
Vargas
Walker
Wilson (FL)

□ 1356

Messrs. GALLAGHER, OLSON, ARRINGTON, FLORES, BROOKS of Alabama, FERGUSON, Mrs. LESKO, and Mr. HOLDING changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to concur in the Senate amendment to the bill (H.R. 1865) to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement

Museum in the District of Columbia, and for other purposes, with an amendment, offered by the gentlewoman from New York (Mrs. LOWEY) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to concur.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 297, nays 120, not voting 13, as follows:

[Roll No. 689]

YEAS—297

Adams
Aderholt
Aguilar
Allred
Amodei
Axne
Bacon
Baird
Balderson
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Bust
Butterfield
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crenshaw
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doyle, Michael F.
Dunn
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Fortenberry
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Gibbs
Golden
Gomez
Gonzalez (TX)
Gottheimer
Granger
Graves (GA)
Green, Al (TX)
Grijalva
Guthrie
Haaland
Hagedorn
Harder (CA)
Hartzler
Hastings
Hayes
Heck
Herrera Beutler
Higgins (NY)
Hill (AR)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaMalfa
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Mast
Matsui
McBath
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meeks
Meng
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Napolitano
Neal
Neguse
Newhouse
Norcross
O'Halleran
Palazzo
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Reed
Reschenthaler
Rice (NY)
Richmond
Roby
Roe, David P.
Rogers (KY)
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell (AL)
Shalala
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (NE)
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stauber
Stefanik
Stevens
Stivers
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (PA)
Thornberry
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Young

NAYS—120

Abraham
Allen
Amash
Armstrong
Arrington
Babin
Banks
Biggs
Bishop (NC)
Brooks (AL)
Buck
Budd
Burchett
Burgess
Byrne
Carter (GA)
Chabot
Cheney
Cline
Cloud
Collins (GA)
Crawford
Curtis
Davidson (OH)
DesJarlais
Doggett
Duncan
Emmer
Estes
Ferguson
Flores
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gohmert
Gonzalez (OH)
Gooden
Gosar
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Harris
Hern, Kevin
Hice (GA)
Higgins (LA)
Holding
Hudson
Huizenga
Johnson (LA)
Johnson (SD)
Jordan
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
Kind
King (IA)
LaHood
Lamborn
Latta
Lesko
Long
Loudermilk
Marchant
Marshall
Massie
McAdams
McClintock
Meadows
Meuser
Mullin
Murphy (NC)
Norman
Nunes
Ocasio-Cortez
Olson
Omar
Pallone
Palmer
Perry
Peters
Posey
Ratcliffe
Rice (SC)
Riggleman
Rodgers (WA)
Rogers (AL)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Smith (MO)
Smucker
Spano
Steil
Steube
Stewart
Taylor
Timmons
Tipton
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wittman
Wright
Yoho
Zeldin

NOT VOTING—13

Bishop (UT)
Gabbard
Hollingsworth
Hunter
Johnson (TX)
Lewis
Lucas
Nadler
Serrano
Shimkus
Thompson (MS)
Vargas
Walker

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1405

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. BISHOP of Utah. Madam Speaker, had I been present, I would have voted "nay" on rollcall No. 689.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 457. An act to require that $1 coins issued during 2019 honor President George H.W. Bush and to direct the Secretary of the Treasury to issue bullion coins during 2019 in honor of Barbara Bush.

S. 2824. An act to amend title 17, United States Code, to require the Register of Copyrights to waive fees for filing an application for registration of a copyright claim in certain circumstances, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1790) ''An Act to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.''.

DHS CYBER INCIDENT RESPONSE TEAMS ACT OF 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to concur in the Senate amendment to the bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes, with an amendment, offered by the gentlewoman from New York (Mrs. LOWEY), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to concur.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 280, nays 138, not voting 12, as follows:

[Roll No. 690]

YEAS—280

Abraham
Adams
Aderholt
Allen
Allred
Amodei
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blunt Rochester
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Carbajal
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Chabot
Cheney
Cicilline
Cisneros
Clark (MA)
Clay
Cleaver
Clyburn
Cole
Collins (GA)
Conaway
Connolly
Cook
Cooper
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeLauro
DelBene
Delgado
Demings
DesJarlais
Deutch
Diaz-Balart
Dingell
Dunn
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foster
Foxx (NC)
Frankel
Fudge
Garamendi
Gianforte
Gibbs
Golden

Gonzalez (OH)
Gooden
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Guest
Guthrie
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Herrera Beutler
Higgins (NY)
Hill (AR)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Hurd (TX)
Jeffries
Johnson (GA)
Johnson (OH)
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kildee
Kilmer
Kim
Kind
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (NV)
Lesko
Levin (CA)
Lipinski
Loebsack
Long
Loudermilk
Lowey
Luetkemeyer
Luria
Lynch
Malinowski
Maloney, Sean
Marchant
Marshall
Mast
Matsui
McBath
McCarthy
McCaul
McCollum
McEachin
McHenry
McKinley
McNerney
Meeks
Meuser
Miller
Mitchell
Moolenaar
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Murphy (NC)
Neal
Newhouse
Nunes
O'Halleran
Olson
Palazzo
Pappas
Payne
Pence
Perlmutter
Peters
Peterson
Phillips
Pingree
Porter
Posey
Price (NC)
Quigley
Reed
Reschenthaler
Rice (NY)
Riggleman
Roby
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouda
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sarbanes
Scalise
Scanlon
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, Austin
Scott, David
Sewell (AL)
Shalala
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (NE)
Smith (NJ)
Soto
Spanberger
Stanton
Stauber
Stefanik
Stevens
Stewart
Stivers
Swalwell (CA)
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Torres Small (NM)
Trone
Turner
Underwood
Upton
Van Drew
Veasey
Visclosky
Wagner
Walberg
Walden
Walorski
Waltz
Wasserman Schultz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Young

NAYS—138

Aguilar
Amash
Armstrong
Arrington
Barragán
Bass
Biggs
Bishop (NC)
Blumenauer
Bonamici
Boyle, Brendan F.
Buck
Budd
Burchett
Byrne
Cárdenas
Castro (TX)
Chu, Judy
Clarke (NY)
Cline
Cloud
Cohen
Comer
Correa
Cuellar
Curtis
Davidson (OH)
DeFazio
DeGette
DeSaulnier
Doggett
Doyle, Michael F.
Duncan
Emmer
Engel
Escobar
Eshoo
Espaillat
Fulcher
Gaetz
Gallagher
Gallego
García (IL)
Garcia (TX)
Gohmert
Gomez
Gonzalez (TX)
Gosar
Green, Al (TX)
Griffith
Grijalva
Grothman
Haaland
Hern, Kevin
Hice (GA)
Higgins (LA)
Holding
Huffman
Huizenga
Jackson Lee
Jayapal
Johnson (LA)
Johnson (SD)
Jordan
Joyce (PA)
Keller
Kelly (PA)
Kennedy
Khanna
King (IA)
LaHood
Latta
Lee (CA)
Levin (MI)
Lieu, Ted
Lofgren
Lowenthal
Luján
Maloney, Carolyn B.
Massie
McAdams
McClintock
McGovern
Meadows
Meng
Mooney (WV)
Moore
Mullin
Napolitano
Neguse
Norcross
Norman
Ocasio-Cortez
Omar
Pallone
Palmer
Panetta
Pascrell
Perry
Pocan
Pressley
Raskin
Ratcliffe
Rice (SC)
Richmond
Rodgers (WA)
Rooney (FL)
Rouzer
Roy
Roybal-Allard
Sánchez
Schakowsky
Schweikert
Sensenbrenner
Smith (MO)
Smith (WA)
Smucker
Spano
Speier
Steil
Steube
Suozzi
Takano
Taylor
Timmons
Titus
Tlaib
Tonko
Torres (CA)
Trahan
Vela
Velázquez
Waters
Watson Coleman
Welch
Wright
Yoho
Zeldin

NOT VOTING—12

Gabbard
Hollingsworth
Hunter
Johnson (TX)
Lewis
Lucas
Nadler
Serrano
Shimkus
Thompson (MS)
Vargas
Walker

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1415

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 1158

Mrs. LOWEY. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 81

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 1158, the Clerk of the House of Representatives shall make the following correction: Amend the long title so as to read: ''Making consolidated appropriations for the fiscal year ending September 30, 2020, and for other purposes.''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 1865

Mrs. LOWEY. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 82

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 1865, the Clerk of the House of Representatives shall make the following corrections:

(1) Amend the long title so as to read: ''Making further consolidated appropriations for the fiscal year ending September 30, 2020, and for other purposes.''.

(2) Strike the first section 1 immediately following the enacting clause and all that follows through section 9.

(3) In section 101 of title I of division P, strike the matter in quotes and insert ''Platte River Recovery Implementation Program Extension Act''.

(4) In the table of contents for subtitle F of title I of division N, strike the item relating to section 601.

(5) Strike section 601 of subtitle F of title I of division N.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

FUNDING INSTRUCTION FOR SAFETY, HEALTH, AND SECURITY AVOIDS FISHING EMERGENCIES ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 4719) to amend the Federal share of the fishing safety standards grants, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Mrs. FLETCHER) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BANNING SMOKING ON AMTRAK ACT OF 2019

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2726) to amend title 49, United States Code, to prohibit smoking on Amtrak trains.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

12 DAYS OF SALT

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

Ms. SHERRILL. Mr. Speaker, I rise today on this ninth day of SALT because a bipartisan group of mayors in

my district have shared with me statements about how SALT is harming residents in New Jersey's 11th District.

Mayor Molly Whilesmith of Sparta said: ''The current trend is to sell the house and pack the moving truck right after the youngest child graduates from high school. The cap makes New Jersey much less attractive for the average, hardworking New Jersey family.''

Mayor Keith Kazmark from Woodland Park said: ''Fifty-one percent of Woodland Park taxpayers pay more than $10,000 in local property taxes, and that does not include their State taxes. That is over 1,800 residential property owners in our town.''

Mayor Bruce Harris of Chatham Borough said: ''The average property tax bill in Chatham Borough is about $14,100, so 40 percent is no longer deductible. That impacts people's pockets; it also impacts housing values.''

Mayor John Kelley, the Borough of Caldwell, said: ''Caldwell families manage their finances and tax liability closely, and for many years have relied upon their State income taxes and Caldwell property taxes to reduce their Federal income tax through itemized deductions.''

DMC PROGRAM EXTENSION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to highlight the Department of Agriculture's Dairy Margin Coverage program.

The Dairy Margin Coverage program, or DMC program, is a relatively new voluntary risk management tool for dairy producers that was authorized in the 2018 farm bill. It replaces the Margin Protection Program for dairy.

As everyone in agriculture knows, the industry is subject to many unpredictable or uncontrollable factors.

This year, weather has left a sizeable impact on production.

The DMC program exists for incidents like this: for when factors outside of our control impact agriculture yields.

The enrollment period for the DMC program has been extended through December 20.

The USDA website has plenty of information on the program, including a tool to help select the ideal level of coverage.

Agriculture is Pennsylvania's number one industry, with dairy being the largest sector. With just a few days left to enroll, I would like to encourage our hardworking dairy farmers to take advantage of the tools at their disposal, like Dairy Margin Coverage.

HONORING PETER FRATES

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

Mr. MOULTON. Mr. Speaker, I rise today to celebrate the life of Pete Frates.

I am reminded of something my minister at Harvard, Peter Gomes, used to say often: ''The radical news of the Gospel is not that heaven is a destination of the faithful. The radical news is that God wants us to flourish in our present lives, our earthly existence, and to do so more in the future than in the past.''

Mr. Speaker, Pete Frates flourished, and even in his darkest days, he looked to the future. He was the epitome of strength, leadership, and courage, both as an athlete and as an advocate.

I have met a lot of inspiring people in this job, but none more so than Pete. Because of Pete, we will cure ALS.

Mr. Speaker, to Julie, Lucy, John, Nancy, Jennifer, and Andrew, thank you for sharing him with us.

COMPELLING, OVERWHELMING, AND BIPARTISAN

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

Mr. BOST. Mr. Speaker, earlier this year, Speaker NANCY PELOSI said that impeachment should be ''compelling, overwhelming, and bipartisan.''

Let me tell you that, if you come from the State of Illinois, you understand what it is to have an impeachment that is compelling, overwhelming, and bipartisan, and what it looks like.

And if you are a Member in this House and you served in Illinois, you know, because your constituents know as well.

A decade ago, the Illinois General Assembly impeached Governor Rod Blagojevich. There was clear and convincing evidence of crimes committed by the Governor.

I served on that bipartisan impeachment committee to recommend impeachment, and it was recommended by the committee 21–0.

After impeachment advanced to the floor, it passed 114–1, and the one that dissented was his sister-in-law.

Let me tell you that that was compelling, overwhelming, and bipartisan.

What we have that we are dealing with here this week is not a crime, and it is not overwhelming, and it is not compelling, and it sure isn't bipartisan.

HONORING PETE FRATES: DO NOT BE AFRAID TO BE GREAT

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

Mr. LAMB. Mr. Speaker, I echo the comments of my colleague from Massachusetts, Mr. MOULTON.

On December 9, the United States lost a great hero. Peter Frates once crushed a home run into the bullpen at Fenway in Boston's Beanpot Championship for his BC Eagles.

But Pete will be remembered for another reason: ALS would go on to rob him of his physical gifts, but not his spiritual ones. Pete simply refused to give up.

He helped launch the Ice Bucket Challenge, which raised more than $220 million. These funds have already begun to change the world for ALS patients. They helped find a new gene that may open pathways to treatment.

It is said that, in the Bible, God breaks through to humanity 366 times to say, ''Do not be afraid,'' once for every day and once more in case we just didn't get it.

In the Christmas season, we are reminded that God sent his most precious gift to this planet for such a short time. We don't know why, but we do know that he invites others to carry the message.

Pete was known for telling others, ''Do not be afraid to be great.''

I cannot think of better words to close out the year of our Lord 2019 or a better man for us all to honor.

USMCA RATIFICATION IS A GREAT WIN FOR AMERICA

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

Mr. ROUZER. Mr. Speaker, after months of delay, the House is on the cusp of approving the U.S.-Mexico-Canada Agreement, a landmark trade deal that fulfills President Trump's promise to renegotiate and improve NAFTA.

This agreement reduces tariffs, cracks down on unfair trading practices, and removes other barriers to American-grown and -made products. This is particularly true for many North Carolina products.

Mexico and Canada are North Carolina's most important trade partners. North Carolina exported nearly $10.5 billion in total goods to Canada and Mexico in 2018, and our agriculture industry is particularly dependent upon trade with these two countries as well.

My home State exported more than $3.5 billion in agriculture products in 2017. Under this agreement, North Carolina farm families can expect to export even more.

Ratification of this trade deal means stability and more prosperity for our farm families as well as for North Carolina's economy as a whole.

Mr. Speaker, I want to thank Ambassador Lighthizer and his entire team at USTR, as well as the fine professionals at USDA, for their tireless work to make this achievement possible.

This is a great win for America.

□ 1430

PROTECT CONSTITUTION WITH VOTE TO IMPEACH

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

Ms. UNDERWOOD. Mr. Speaker, our country's Founders created impeachment so that no President could place themselves above the law, a crucial constitutional check of power that ensures our country's security and values are protected against corruption and foreign influence in our elections.

As I have weighed this solemn decision, I have listened to our community, examined important testimony and evidence, and studied the drafted articles.

The President has demonstrated a pattern of corrupt behavior and abused his power for his own personal political gain when he pressured foreign leaders to conduct investigations against political rivals, jeopardizing our country's national security and the integrity of our elections.

The testimony and evidence put forth led me to a clear conclusion: In order to uphold my sworn oath, I must vote to protect the Constitution and will vote in support of the Articles of Impeachment.

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

HONORING PETTY OFFICER FIRST CLASS H. TRAVIS PARKER

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

Mr. BURCHETT. Mr. Speaker, I rise to honor Petty Officer First Class H. Travis Parker, an American hero who served in World War II and the Korean war.

Mr. Parker enlisted in the Navy on August 26, 1942. He began his service on the USS *Midway* during World War II, flying Consolidated PBY Catalina seaplanes. He then flew Vought OS2U Kingfisher floatplanes as a member of Scouting Squadron VS–62 during the Korean war. He was stationed on the USS *Monterey*.

Petty Officer First Class Parker was honorably discharged on January 5, 1963, after nearly 21 years of service to his country.

Mr. Parker became very involved with A.L. Lotts Elementary School after his military service. He was consistently present at the school, reading to children and serving as a mentor for troubled students throughout the years.

Mr. Parker also devoted his time and resources to improving the school and always took it upon himself to help fix problems. He purchased school supplies and even fixed up a classroom after it was vandalized by hoodlums.

Our country's heroes are the men and women of our Armed Forces like Mr. Parker, not those who throw a baseball or throw a football. They served and sacrificed for our freedom.

It is my honor to recognize Petty Officer First Class H. Travis Parker as the Tennessee Second District's December 2019 Veteran of the Month.

D.C. SHOULD HAVE IMPEACHMENT VOTE

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

Ms. NORTON. Mr. Speaker, when the matter of impeaching President Trump comes to the House floor tomorrow, the House will vote on its most solemn matter, except for matters of war and peace. Yet, more than 700,000 Americans who reside in our Nation's Capital cannot be recorded.

It is un-American to deny any Americans who pay Federal taxes the vote on any bill. That denial is even more unconscionable, considering that D.C. residents pay the highest Federal taxes per capita in the United States.

The 23rd Amendment of our Constitution gave D.C. residents the right to vote for President and Vice President. It should follow, as day follows night, that D.C. residents should have the vote to remove the President, as well.

Yet another reason, Mr. Speaker, the House will pass our D.C. statehood bill this session.

HONORING FLORIDA FIRE MARSHAL OF THE YEAR JENNIFER PIERCE

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

Mr. SPANO. Mr. Speaker, I rise to honor the 2019 Florida Fire Marshal of the Year, Jennifer Pierce.

Pierce currently serves as the fire marshal of the Clermont Fire Department. With over 15 years of fire service under her belt, she also oversees the daily operations of the fire prevention division, which includes reviewing life safety plans, conducting fire investigations, and coordinating community relations.

Clermont city manager Darren Gray highlighted how Fire Marshal Pierce has provided ''the highest level of service to Clermont's growing list of businesses, especially working with downtown's historic buildings and new business owners.''

In addition to being awarded the Fire Marshal of the Year title, Pierce was chosen to serve as the statewide director of fire marshals on the Florida Fire Marshals and Inspectors Association's board of directors.

Her leadership and dedication to the city of Clermont has been exceptional, and I am confident that we will see more outstanding contributions from her in the future.

From the bottom of my heart, I thank Fire Marshal Pierce and all the incredible first responders who serve District 15 and our Nation.

CONGRATULATING PIERCE COUNTY HIGH SCHOOL

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the Pierce County High School competition cheerleading squad for winning the 2019 AAA State championship.

Located in the First Congressional District of Georgia, this is the fifth straight year that Pierce County has won the State championship. It is the seventh time the team has posted a 97.5-point performance.

This year was a unique challenge for a team that lost nine seniors from the previous year and had 12 new members on the 2019 squad. However, they proved they were up to the challenge on the State's largest stage.

Congratulations, Pierce County. You have made the First Congressional District of Georgia proud.

CONGRATULATING CAPTAIN JOHN SHELSON

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

Mr. WILSON of South Carolina. Mr. Speaker, we are grateful for Captain John ''JT'' Shelson for having served in the Washington office of the Second Congressional District of South Carolina from the Army for the past year as a defense fellow.

After graduating from Drexel University, Captain Shelson enlisted in the Army, attending basic combat training at Fort Jackson, South Carolina. He then attended the U.S. Army Officer Candidate School at Fort Benning, Georgia, where he was awarded the Jess Walls Award for commissioning as the top graduate in his class.

In 2017, Captain Shelson assumed command of Headquarters and Headquarters Company, 1st Battalion, 18th Infantry Regiment and was deployed to Eastern Europe in support of Atlantic Resolve. Captain Shelson has also served in Afghanistan and Kuwait.

Captain Shelson has been vital to the office for the past year. He was instrumental in repealing the widow's tax. I am grateful to him for helping enact this important legislation for military families. I am thankful for his commitment to America and wish him all the best for continued success.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism with the leadership of President Donald Trump.

HONORING STATE REPRESENTATIVE RAY ROGERS

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

Mr. GUEST. Mr. Speaker, I rise today to honor Representative Ray Rogers as he completes his distinguished service in the Mississippi House of Representatives.

Representative ROGERS has served his hometown of Pearl and Rankin County with honor and integrity for 36 years. In that time, he was appointed chairman of the Military Affairs Committee and vice chairman of the Ways and Means Committee, and he served as a member of the Management and the Education Committees, to name a few.

Earlier this year, Representative ROGERS was presented the Mississippi Meritorious Civilian Service Award by the Mississippi National Guard for his distinguished career in public service.

Known as a man of wisdom, kindness, and selflessness, Representative ROGERS has made a positive impact on our State that will last generations.

I am grateful for the example Representative ROGERS has set for those serving in elected office, and I wish him many years of happiness in his much-deserved retirement.

RECOGNIZING 41ST ANNUAL MINNESOTA HMONG NEW YEAR

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

Mr. EMMER. Mr. Speaker, I rise today to recognize the 60,000 members of the Hmong community in Minnesota who recently celebrated their 41st new year celebration.

My home State is home to one of the largest Hmong communities in the Nation. They are great neighbors and coworkers, and they have been an integral part of the fabric of our State and culture since the first Hmong family arrived in 1975.

Although I was not able to participate in this year's new year's ceremony, the celebration's theme of ''Embracing the Present, Inspiring Future Generations'' could not be more appropriate. Minnesota's Hmong families and leaders have worked hard to embrace everyone in their surrounding communities and inspire those interested in learning more about their rich heritage and history.

I thank all the Hmong in our great State of Minnesota for their many years of friendship with our office and wish everyone a happy and healthy new year.

COMMEMORATING THE 100TH BIRTHDAY OF IRIS BARTLEY

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

Mr. COMER. Mr. Speaker, I rise today to pay special recognition to Ms. Iris Bartley from my hometown of Tompkinsville, Kentucky, who recently celebrated her 100th birthday.

While many may begin slowing down when they reach this incredible milestone, that is not who Iris is. A mother of 4, grandmother of 14, great-grandmother of 30, and great-great-grandmother of 7, Iris can still be found weed-eating at her home and teaching Sunday school at my church, First Baptist in Tompkinsville, Kentucky.

An accomplished musician, she is also known for her famous singing and guitar playing.

After opening a beauty shop in her own home in the mid-1940s, Iris was a hairstylist in Tompkinsville until retiring at the young age of 92.

Born and raised on a farm, she never forgot the values of hard work, faith, and family. She has always lived out those values while also instilling them in her children and their families.

While I know she still has many good years left, I, nonetheless, wanted to take this time to honor Iris for reaching the century mark. I am honored to represent someone as respected as Iris, along with the rest of my constituents in the First Congressional District.

CONGRATULATING JOHN FERRIOLA

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

Mr. CRAWFORD. Mr. Speaker, I rise today to congratulate John Ferriola on his retirement from Nucor Corporation after more than 28 years with the company. He has been CEO since 2013 and has served as chairman of the board since 2014. In his time with Nucor, he has worked at facilities in Texas, Nebraska, and Indiana, and at the corporate headquarters in Charlotte, North Carolina.

Nucor takes scrap metal and recycles it into new steel products in its electric arc furnaces. When Mr. Ferriola joined the company in 1991, Nucor was a small steel company that made less than $1.5 billion in sales and had just opened two state-of-the-art steel mills in Mississippi County, Arkansas. Last year, Nucor generated $25 billion in revenue, making it the largest steel producer in the United States.

I have had the pleasure of working with Mr. Ferriola on the issues affecting the domestic steel industry, particularly the need for strong trade enforcement to ensure a level playing field for American steelworkers. He frequently appeared before the Congressional Steel Caucus to testify on the state of the American steel industry and has served as chairman of the board for both the American Iron and Steel Institute and the World Steel Association.

Mr. Speaker, I ask my colleagues to join me today in honoring John Ferriola for his outstanding career in the steel industry. I wish him all the best in his retirement.

SUPPORT ABILITYONE PROGRAM

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute.)

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to express my strong support for the Department of Veterans Affairs Contracting Preference Consistency Act and the AbilityOne program.

This vital bill corrects an error made in previous law to ensure thousands of blind and visually impaired Americans, many of whom are veterans, are able to keep their jobs.

Bosma Enterprises in my district, which has served Indiana for over 100 years, serves blind and visually impaired Hoosiers by giving them meaningful work. These Hoosiers want to work. They want to be self-sufficient. They want to contribute to their community. Many contributed to their country through their military service, which actually is where they sustained injuries causing their blindness or visual impairment.

But Bosma relies on contracts with the VA through the AbilityOne program to be able to provide those good jobs to Hoosiers. Sadly, changes in VA policy and a series of court rulings threaten the viability of this productive partnership.

With this important bill, Bosma and many other AbilityOne employers like it around the country will continue to provide meaningful work to those Americans.

I am proud to be an original cosponsor of this bill, and I urge the Senate to adopt and take it up.

□ 1445

IMPEACHMENT VOTE IS SHAMEFUL

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

Mr. ALLEN. Mr. Speaker, our Founding Fathers warned us against what is happening this week on the House floor when one political party abandons constitutional principles simply for political gain.

Tomorrow's impeachment vote is shameful and sets a dangerous precedent. Without bringing forward any evidence of an impeachable offense, House Democrats have rushed this partisan vote. You cannot impeach a duly elected President simply because you don't like him.

For the past few months, Speaker PELOSI and House Democrats have been so obsessed with impeaching President Trump that they have forgotten to do their sworn duty, and that is to work on behalf of the American people.

While I am glad we are finally voting on the United States-Mexico-Canada Agreement this week, the vital trade deal was used by Democrats as a political pawn until after they brought forward their sham Articles of Impeachment.

Americans must question the timing of the votes this week: a rushed impeachment vote, and a much-delayed trade deal.

So, when the American people ask me back home, ''What in the world is

going on in Washington?'' I say, ''It is just putting politics before the American people.''

AMERICANS ARE NOT IN FAVOR OF IMPEACHMENT

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

Mr. LAMALFA. Mr. Speaker, our Democratic colleagues have spent the last few months claiming there was clear criminal conduct from the President, but they don't specifically cite the crime in their Articles of Impeachment, which we are voting on tomorrow.

The Intelligence Committee chairman, Mr. SCHIFF, said there was clear extortion, but extortion is not a direct crime they are accusing the President of in the articles tomorrow.

The Speaker herself has decided to use the term ''bribery'' over the last few weeks, but that is not explicitly cited in the articles either.

It seems like my colleagues across the aisle may have pulled back in accusing the President of bribery in the last week, realizing they couldn't enforce it.

So what is it then? Collusion, quid pro quo, or just some vague catchall charge, which is what we are seeing.

It is clear the American people are not in favor of this impeachment. Polling shows that they are moving against that.

But what about polling? Indeed, Democrats know this isn't going to stick. This is going to be a problem for them, especially for those in the moderate districts.

Let's get back to work and do what needs to be done around here.

CONGRATULATING STATE CHAMPION FOOTBALL TEAMS FROM LOUISIANA'S FIFTH DISTRICT

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

Mr. ABRAHAM. Mr. Speaker, I rise to congratulate five State championship football teams from Louisiana's Fifth District.

On December 13 and 14, the Louisiana High School Athletic Association held its State championship at the Superdome in New Orleans, Louisiana.

The Ouachita Christian Eagles won the division IV State championship. The Ferriday Trojans won the class 2A State championship, and the Oak Grove Tigers won the 1A State championship.

In mid-November, the Midsouth Association of Independent Schools held its high school football championships. The Riverfield Academy Raiders won the 4A championship, and Briarfield Academy won the 8-man 1A championship.

These five teams have made their communities in northeast Louisiana proud. Please join me in congratulating them on a job well done.

RECESS

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

Accordingly (at 2 o'clock and 48 minutes p.m.), the House stood in recess.

□ 2136

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. SCANLON) at 9 o'clock and 36 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES. 755, IMPEACHING DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES, FOR HIGH CRIMES AND MISDEMEANORS

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 116–355) on the resolution (H. Res. 767) providing for consideration of the resolution (H. Res. 755) impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEWIS (at the request of Mr. HOYER) for December 12.

PUBLICATION OF BUDGETARY MATERIAL

REVISION TO THE AGGREGATES, ALLOCATIONS, AND OTHER BUDGETARY LEVELS FOR FISCAL YEAR 2020

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, December 17, 2019.

MADAM SPEAKER, Pursuant to the Bipartisan Budget Act of 2019 (BBA of 2019), Congressional Budget Act of 1974 (CBA), Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA), and H. Res. 293 (116th Congress), I hereby submit for printing in the Congressional Record a revision to the aggregates and allocations set forth in the Statement of Aggregates, Allocations, and Other Budgetary Levels for Fiscal Year 2020 published in the Congressional Record on May 3, 2019, as adjusted.

In accordance with these Acts and House Resolution, this revision includes an allowable adjustment for disaster relief pursuant to section 251(b) of BBEDCA as contained in the House Amendment to the Senate Amendment to H.R. 1158, the Consolidated Appropriations Act, 2020. Additionally, an allowable adjustment has been made for Overseas Contingency Operations pursuant to section 251(b) of BBEDCA. These amounts are contained respectively in the House Amendment to the Senate Amendment to H.R. 1158, the Consolidated Appropriations Act, 2020 and the House Amendment to the Senate Amendment to H.R. 1865, the Further Consolidated Appropriations Act, 2020.

Accordingly, I am revising aggregate spending levels for fiscal year 2020 and the allocation for the House Committee on Appropriations for fiscal year 2020. For purposes of enforcing titles III and IV of the CBA and other budgetary enforcement provisions, the revised aggregates and allocation are to be considered as aggregates and allocations included in the budget resolution, pursuant to the Statement published in the Congressional Record on May 3, 2019, as adjusted.

Questions may be directed to Jennifer Wheelock or Raquel Spencer of the Budget Committee staff.

JOHN YARMUTH.

TABLE 1—REVISION TO ON-BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	2020	2020–2029
Current Aggregates:		
Budget Authority	3,802,734	n.a.
Outlays	3,721,545	n.a.
Revenues	2,740,533	34,847,515
Revisions for the Consolidated Appropriations Act, 2020, and the Further Consolidated Appropriations Act, 2020 (H.R. 1158 & H.R. 1865):		
Budget Authority	3,428	n.a.
Outlays	1,278	n.a.
Revenues	– – –	– – –
Revised Aggregates:		
Budget Authority	3,806,162	n.a.
Outlays	3,722,823	n.a.
Revenues	2,740,533	34,847,515

n.a. = Not applicable because annual apppropriations for fiscal years 2021 through 2029 will not be considered until future sessions of Congress.

TABLE 2—REVISED ALLOCATION OF SPENDING AUTHORITY TO THE HOUSE COMMITTEE ON APPROPRIATIONS

[In millions of dollars)]

	2020
Current Discretionary Action:	
BA	1,388,167
OT	1,406,028
Revision for Disaster Relief (H.R. 1158):	
BA	3,428
OT	280
Revision for OCO amounts (H.R. 1158 & H.R. 1865):	
BA	– – –
OT	998
Revised Allocation:	
BA	1,391,595
OT	1,407,306
Current Law Mandatory:	
BA	1,075,820
OT	1,067,358

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2824

An act to amend title 17, United States Code, to require the Register of Copyrights to waive fees for filing an application for registration of a copyright claim in certain circumstances, and for other purposes; to the Committee on the Judiciary.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 7(b) of House Resolution 758, the House stands adjourned until 9 a.m. tomorrow.

Thereupon (at 9 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, December 18, 2019, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3309. A letter from the General Counsel, Government Accountability Office, transmitting a report of a violation of the Antideficiency Act by the Commodity Futures Trading Commission, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

3310. A letter from the General Counsel, Government Accountability Office, transmitting a report of a violation of the Antideficiency Act by the U.S. Environmental Protection Agency, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

3311. A letter from the General Counsel, U.S. Government Accountability Office, transmitting the Office's Fiscal Year 2018 Antideficiency Act Reports Compilation, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926) and 31 U.S.C. 1517(b); Public Law 110-161, Sec. 1517(b); (121 Stat. 2285); to the Committee on Appropriations.

3312. A letter from the Acting Assistant Secretary for Legislation, Office of the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's FY 2017 Report to Congress: Older Americans Act, pursuant to 42 U.S.C. 3018(a); Public Law 89-73, Sec. 207(a) (as amended by Public Law 106-501, Sec. 205); (114 Stat. 2234); to the Committee on Education and Labor.

3313. A letter from the Director, Defense Security Cooperation Agency, transmitting a report of defense articles and services delivered associated with Presidential Determinations as of September 30, 2019, pursuant to 22 U.S.C. 2318(b)(2); Public Law 87-195, Sec. 506(b)(2) (as amended by Public Law 96-92, Sec. 5(b)); (93 Stat. 702); to the Committee on Foreign Affairs.

3314. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a six-month periodic report, covering May 15 to November 15, 2019, on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

3315. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period of June 1 through July 31, 2019, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

3316. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the FY 2019 Annual Report of the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training, pursuant to Sec. 112(f) and (g) of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256), as amended (22 U.S.C. 2460(f) and (g)); to the Committee on Foreign Affairs.

3317. A letter from the Secretary, Department of Education, transmitting the Department's Office of Inspector General Semiannual Report to Congress covering the six-month period ending September 30, 2019, pursuant to Sec. 5(b) of the Inspector General Act; to the Committee on Oversight and Reform.

3318. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's FY 2019 Performance and Accountability Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Reform.

3319. A letter from the Acting Director, Office of Management and Budget, Office of Information and Regulatory Affairs, Executive Office of the President, transmitting the 2017 Report to Congress on the Benefits and Costs of Federal Regulations and Agency Compliance with the Unfunded Mandates Reform Act, pursuant to 31 U.S.C. 1105 note; Public Law 106-554, Sec. 624(a); (114 Stat. 2763A-161) and 2 U.S.C. 1538; Public Law 104-4, Sec. 208; (109 Stat. 67); to the Committee on Oversight and Reform.

3320. A letter from the Chairman of the Board, Pension Benefit Guaranty Corporation, transmitting the Corporation's Office of Inspector General Semiannual Report to Congress, pursuant to the Inspector General Act of 1978, as amended; to the Committee on Oversight and Reform.

3321. A letter from the Director, Peace Corps, transmitting the Corps' Agency Financial Report for FY 2019, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Reform.

3322. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes [Docket No.: FAA-2019-0584; Product Identifier 2019-NM-096-AD; Amendment 39-19809; AD 2019-23-15] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3323. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment and Removal of Air Traffic Service (ATS) Routes; Southeastern United States [Docket No.: FAA-2019-0638; Airspace Docket No.: 19-ASO-7] (RIN: 2120-AA66) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3324. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace: Madera, CA [Docket No.: FAA-2018-1002; Airspace Docket No.: 18-AWP-23] (RIN: 2120-AA66) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3325. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D; Los Angeles, CA [Docket No.: FAA-2019-0535; Airspace Docket No.: 19-AWP-20] (RIN: 2120-AA66) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3326. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31283; Amdt. No.: 3879] received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3327. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31284; Amdt. No.: 3880] received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3328. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines, LLC Turbofan Engines [Docket No.: FAA-2019-0995; Product Identifier AD-2019-00113-E; Amendment 39-21001; AD 2019-25-01] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3329. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aeronautics (Formerly Known as Saab AB, Saab Aerosystems) Airplanes [Docket No.: FAA-2019-0669; Product Identifier 2019-NM-091-AD; Amendment 39-19802; AD 2019-23-08] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3330. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2019-0321; Product Identifier 2019-NM-013-AD; Amendment 39-19794; AD 2019-23-01] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3331. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes [Docket No.: FAA-2019-0479; Product Identifier 2019-NM-020-AD; Amendment 39-19790; AD 2019-22-11] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3332. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters [Docket No.: FAA-2017-1105; Product Identifier 2017-SW-023-AD; Amendment 39-19803; AD 2019-23-09] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3333. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2019-0668; Product Identifier 2019-NM-108-AD; Amendment 39-19799; AD 2019-23-05] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3334. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2019-0697; Product Identifier 2019-NM-110-AD; Amendment 39-19796; AD 2019-23-03] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3335. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2019-0437; Product Identifier 2019-NM-074-AD; Amendment 39-19800; AD 2019-23-06] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3336. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31286; Amdt. No.: 3882] received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3337. A letter from the Management and Program Management, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2019-0440; Product Identifier 2019-NM-032-AD; Amendment 39-19806; AD 2019-23-12] (RIN: 2120-AA64) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3338. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace and Establishment of Class E Airspace; La Crosse, WI [Docket No.: FAA-2019-0503; Airspace Docket No.: 19-AGL-19] (RIN: 2120-AA66) received December 13, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

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. NADLER: Committee on the Judiciary. H.R. 5140. A bill to amend title 17, United States Code, to narrow the category of households eligible to receive signals under a distant-signal satellite license, and for other purposes; with an amendment (Rept. 116–354). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCGOVERN: Committee on Rules. House Resolution 767. Resolution providing for consideration of the resolution (H. Res. 755) impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors (Rept. 116–355). Referred to the House Calendar.

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 Ms. UNDERWOOD (for herself, Ms. SCHAKOWSKY, Mr. GUTHRIE, Mr. KELLY of Pennsylvania, and Mr. LEVIN of Michigan):

H.R. 5444. A bill to amend the Biologics Price Competition and Innovation Act of 2009 to streamline the transition of certain products from approval as a drug to licensure as a biological product, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STEWART:

H.R. 5445. A bill to amend the Endangered Species Act of 1973 to encourage the construction of critical infrastructure and for other purposes; to the Committee on Natural Resources.

By Mr. LARSON of Connecticut (for himself and Mr. REED):

H.R. 5446. A bill to amend title VII of the Social Security Act to provide for a single point of contact at the Social Security Administration for individuals who are victims of identity theft; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself, Mr. GALLEGO, and Mr. CASE):

H.R. 5447. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide certain veterans with nonarticulating trailers in furnishing adaptive equipment to veterans; to the Committee on Veterans' Affairs.

By Mr. KHANNA (for himself, Ms. LEE of California, Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, Ms. JUDY CHU of California, Ms. JAYAPAL, Ms. NORTON, Mr. CARSON of Indiana, Ms. OCASIO-CORTEZ, and Ms. TLAIB):

H.R. 5448. A bill to direct the Secretary of Health and Human Services to conduct a study to assess the unintended impacts on the health and safety of people engaged in transactional sex, in connection with the enactment of the Allow States and Victims to Fight Online Sex Trafficking Act of 2017 (Public Law 115-164) and the loss of interactive computer services that host information related to sexual exchange, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BLUMENAUER (for himself and Mr. LOWENTHAL):

H.R. 5449. A bill to amend the FAST Act to reauthorize the surface transportation system funding alternatives program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BEYER (for himself, Mr. TONKO, Ms. BONAMICI, Ms. NORTON, Mr. ROUDA, Mr. KHANNA, Mr. THOMPSON of Mississippi, Mr. HUFFMAN, Ms. ESHOO, Mr. QUIGLEY, Mr. NEGUSE, Mr. GRIJALVA, Mr. LOWENTHAL, Mr. SHERMAN, Mr. SUOZZI, Ms. SCHAKOWSKY, and Mr. BLUMENAUER):

H.R. 5450. A bill to amend title 51, United States Code, to require a National Aeronautics and Space Administration initiative on reduction of greenhouse gas emissions and noise emissions from aircraft, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. KATKO (for himself, Mr. BRINDISI, Mr. SEAN PATRICK MALONEY of New York, Mr. ZELDIN, Ms. STEFANIK, Mr. ROSE of New York, Miss RICE of New York, Mr. DELGADO, Mr. ESPAILLAT, Mr. KING of New York, Ms. MENG, Ms. VELÁZQUEZ, Mr. TONKO, Mrs. LOWEY, Mr. SERRANO, Mr. HIGGINS of New York, Mr. SUOZZI, Mr. NADLER, Ms. OCASIO-CORTEZ, and Mr. MORELLE):

H.R. 5451. A bill to designate the facility of the United States Postal Service located at 599 East Genesse Street in Fayetteville, New York, as the ''George H. Bacel Post Office Building''; to the Committee on Oversight and Reform.

By Mr. KING of New York (for himself, Miss RICE of New York, Mr. ZELDIN, and Mr. SUOZZI):

H.R. 5452. A bill to provide a duplication of benefits fix for Sandy CDBG-DR recipients, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LUJÁN (for himself and Mr. BILIRAKIS):

H.R. 5453. A bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare; 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. MALINOWSKI (for himself, Mrs. WATSON COLEMAN, Mr. TONKO, Ms. KUSTER of New Hampshire, and Mr. HUFFMAN):

H.R. 5454. A bill to amend the Natural Gas Act with respect to actions for eminent domain by holders of certificates of public convenience and necessity, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 5455. A bill to require sales and leases of assets of public housing projects to financially benefit the residents of such public housing project and the budget of the public housing agency that owns such public housing project, and for other purposes; to the Committee on Financial Services.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 5456. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, or adult child, or another related individual, who has a serious health condition, and to allow employees to take, as additional leave, parental involvement and family wellness leave to participate in or attend their children's and grandchildren's educational and extracurricular activities or meet family care needs; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 5457. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on fuel based on the carbon content of such fuel, and for other purposes; to the Committee on Ways and Means.

By Mr. NEGUSE:

H.R. 5458. A bill to modify the boundary of the Rocky Mountain National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. NEGUSE:

H.R. 5459. A bill to authorize the Secretary of the Interior to correct a land ownership error within the boundary of Rocky Mountain National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. PERRY:

H.R. 5460. A bill to direct the Board of Governors of the Federal Reserve System to revise the transfers and withdrawals limit with respect to savings deposits and transaction accounts, and for other purposes; to the Committee on Financial Services.

By Mr. PERRY:

H.R. 5461. A bill to provide that the Secretary of Homeland Security may not admit to the United States as a nonimmigrant under certain categories aliens who are nationals of noncompliant countries, and for other purposes; to the Committee on the Judiciary.

By Mr. PERRY:

H.R. 5462. A bill to direct the Secretary of Transportation to take actions to address issues affecting motorcoach and school bus operators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SCHRIER (for herself and Ms. BONAMICI):

H.R. 5463. A bill to amend the Richard B. Russell National School Lunch Act to require a study of the time and duration of school lunch periods, and for other purposes; to the Committee on Education and Labor.

By Ms. SPEIER (for herself, Mr. BYRNE, Ms. UNDERWOOD, Mr. FITZPATRICK, and Ms. KUSTER of New Hampshire):

H.R. 5464. A bill to amend the Congressional Accountability Act of 1995 to require Members of Congress to reimburse the Treasury for amounts paid as settlements and awards under such Act in all cases of employment discrimination acts committed personally by Members, to require the General Counsel of the Office of Congressional Workplace Rights to conduct an investigation of all workplace discrimination claims filed by covered employees under such Act, and for other purposes; to the Committee on House Administration.

By Mr. STANTON (for himself, Mr. GOSAR, Mr. BIGGS, Mr. SCHWEIKERT, and Mrs. KIRKPATRICK):

H.R. 5465. A bill to provide technical and financial support for the completion of the Interstate 11 environmental impact statement, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TAKANO:

H.R. 5466. A bill to provide relief for victims of hate crimes, advance the safety and well-being of immigrants and refugees, and fund improved law enforcement and prosecution official training; to the Committee on the Judiciary.

By Mr. TIPTON:

H.R. 5467. A bill to amend the Endangered Species Act of 1973 to increase transparency, to support regulatory certainty, and to reauthorize that Act, and for other purposes; to the Committee on Natural Resources.

By Ms. TORRES SMALL of New Mexico (for herself, Mr. CUELLAR, Mr. MCCAUL, Mr. HURD of Texas, Mr. PETERS, and Mr. CLOUD):

H.R. 5468. A bill to provide for U.S. Border Patrol Processing Coordinators to enhance border security, and for other purposes; to the Committee on Homeland Security.

By Mrs. WATSON COLEMAN (for herself, Mr. HASTINGS, Ms. NORTON, Mr. CLEAVER, Ms. OMAR, Mr. DANNY K. DAVIS of Illinois, Ms. ADAMS, Mrs. HAYES, Mr. HORSFORD, and Ms. LEE of California):

H.R. 5469. A bill to address mental health issues for youth, particularly youth of color, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEBER of Texas:

H.R. 5470. A bill to ensure American leadership in low-earth orbit and deep Space exploration, and for other purposes; to the Committee on Science, Space, and Technology.

By Mrs. LOWEY:

H. Con. Res. 81. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1158; considered and agreed to. considered and agreed to.

By Mrs. LOWEY:

H. Con. Res. 82. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1865; considered and agreed to. considered and agreed to.

By Ms. GABBARD:

H. Res. 766. A resolution censuring President Donald J. Trump; to the Committee on the Judiciary.

By Ms. BASS (for herself and Mr. SMITH of New Jersey):

H. Res. 768. A resolution calling on African governments to protect and promote human rights through internet freedom and digital integration for all citizens across the continent of Africa; to the Committee on Foreign Affairs.

By Mr. LAMBORN (for himself, Mr. ADERHOLT, Mr. BABIN, Mr. BANKS, Mr. COLE, Mr. CONAWAY, Mr. DUNCAN, Mr. GAETZ, Mr. KEVIN HERN of Oklahoma, Mr. KING of Iowa, Mr. WEBER of Texas, Mr. WENSTRUP, and Mr. GROTHMAN):

H. Res. 769. A resolution expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected for use by those who celebrate Christmas; to the Committee on Oversight and Reform.

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 Ms. UNDERWOOD:

H.R. 5444.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. STEWART:

H.R. 5445.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 18 of The United States Constitution

By Mr. LARSON of Connecticut:

H.R. 5446.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution: ''The Congress shall have the Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. SENSENBRENNER:

H.R. 5447.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. KHANNA:

H.R. 5448.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution gives Congress the power to make laws that are necessary and proper to carry out its enumerated powers.

By Mr. BLUMENAUER:

H.R. 5449.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause III

By Mr. BEYER:

H.R. 5450.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. KATKO:

H.R. 5451.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7.

By Mr. KING of New York:

H.R. 5452.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. LUJÁN:

H.R. 5453.

Congress has the power to enact this legislation pursuant to the following:

Article 1; Section 8

By Mr. MALINOWSKI:

H.R. 5454.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, Clause 18 of the Constitution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 5455.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 5456.

Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the US constitution
By Mr. SEAN PATRICK MALONEY of New York:
H.R. 5457.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. NEGUSE:
H.R. 5458.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. NEGUSE:
H.R. 5459.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. PERRY:
H.R. 5460.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Section 5
By Mr. PERRY:
H.R. 5461.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 4
By Mr. PERRY:
H.R. 5462.
Congress has the power to enact this legislation pursuant to the following:
Article One, Section Eight ofthe United States Constitution.
By Ms. SCHRIER:
H.R. 5463.
Congress has the power to enact this legislation pursuant to the following:
Article I
By Ms. SPEIER:
H.R. 5464.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 5 of the United States Constitution
By Mr. STANTON:
H.R. 5465.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8
By Mr. TAKANO:
H.R. 5466.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8
By Mr. TIPTON:
H.R. 5467.
Congress has the power to enact this legislation pursuant to the following:
section 8 of article I of the Constitution
By Ms. TORRES SMALL of New Mexico:
H.R. 5468.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the U.S. Constitution
By Mrs. WATSON COLEMAN:
H.R. 5469.
Congress has the power to enact this legislation pursuant to the following:
Article 1, 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 the Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. WEBER of Texas:
H.R. 5470.
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. 20: Mr. MCCARTHY, Mr. GRAVES of Georgia, Mr. FLEISCHMANN, Mr. SIMPSON, Mr. BABIN, Mr. DAVIDSON of Ohio, Mrs. RODGERS of Washington, Mr. MCKINLEY, Mr. RIGGLEMAN, Mr. GRAVES of Louisiana, Mr. MCADAMS, Mr. MCHENRY, and Mr. RICE of South Carolina.
H.R. 93: Ms. WILSON of Florida.
H.R. 100: Ms. KENDRA S. HORN of Oklahoma.
H.R. 141: Ms. Velázquez.
H.R. 142: Mr. GOTTHEIMER.
H.R. 307: Mr. GOTTHEIMER.
H.R. 369: Mr. MCCARTHY.
H.R. 414: Mr. GOTTHEIMER.
H.R. 444: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 467: Ms. SLOTKIN and Mr. WALTZ.
H.R. 485: Mr. GOTTHEIMER.
H.R. 510: Ms. HOULAHAN.
H.R. 541: Mr. TRONE.
H.R. 600: Mr. GOTTHEIMER.
H.R. 613: Mr. GOTTHEIMER.
H.R. 630: Mr. SHERMAN and Mr. PHILLIPS.
H.R. 656: Mr. KENNEDY.
H.R. 689: Mr. NADLER.
H.R. 712: Mrs. NAPOLITANO.
H.R. 730: Mr. GOTTHEIMER.
H.R. 784: Mr. MCCARTHY, Mr. BURGESS, Mr. FLEISCHMANN, Mr. DAVIDSON of Ohio, Mr. RIGGLEMAN, Mr. GRAVES of Louisiana, and Mr. MCHENRY.
H.R. 808: Ms. TORRES SMALL of New Mexico.
H.R. 832: Mr. GOTTHEIMER.
H.R. 838: Mr. THOMPSON of Mississippi and Ms. GRANGER.
H.R. 856: Mr. YOUNG.
H.R. 877: Mr. KELLY of Mississippi.
H.R. 878: Ms. ESHOO.
H.R. 954: Mr. GOTTHEIMER.
H.R. 960: Mr. GOTTHEIMER.
H.R. 961: Mr. DOGGETT, Mr. THOMPSON of Mississippi, and Mr. HORSFORD.
H.R. 1002: Mr. MEEKS, Mr. BUTTERFIELD, Ms. CLARKE of New York, Ms. JAYAPAL, Mr. LANGEVIN, and Ms. OCASIO-CORTEZ.
H.R. 1042: Mr. HORSFORD.
H.R. 1135: Mr. GOTTHEIMER.
H.R. 1139: Mrs. HAYES.
H.R. 1173: Mr. MCCAUL.
H.R. 1175: Mr. CISNEROS, Ms. HOULAHAN, Mrs. BUSTOS, Mr. COOPER, and Mr. LARSEN of Washington.
H.R. 1337: Mr. SHERMAN and Mr. PERLMUTTER.
H.R. 1360: Mr. GOODEN.
H.R. 1364: Mr. LYNCH and Mrs. KIRKPATRICK.
H.R. 1530: Mr. ABRAHAM, Mr. ROUZER, and Ms. ADAMS.
H.R. 1680: Mr. DEUTCH, Mr. RIGGLEMAN, Mr. MOONEY of West Virginia, Mr. VEASEY, Ms. WILSON of Florida, Mr. GALLAGHER, and Mr. PAYNE.
H.R. 1683: Ms. WILSON of Florida.
H.R. 1691: Mr. THOMPSON of Mississippi.
H.R. 1695: Mr. LOWENTHAL.
H.R. 1749: Mr. GOTTHEIMER.
H.R. 2081: Mr. GOTTHEIMER.
H.R. 2117: Mr. PERLMUTTER.
H.R. 2147: Mr. BIGGS, Mrs. LEE of Nevada, and Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 2149: Mr. GOTTHEIMER and Mr. BALDERSON.
H.R. 2178: Ms. SPANBERGER.
H.R. 2223: Ms. WILSON of Florida.
H.R. 2226: Mr. GOTTHEIMER.
H.R. 2258: Ms. PORTER.
H.R. 2283: Mr. TAKANO, Mr. GOMEZ, and Mr. SUOZZI.
H.R. 2293: Mr. KIM, Mrs. NAPOLITANO, and Mr. PAPPAS.
H.R. 2315: Mr. NEGUSE.
H.R. 2343: Mrs. WAGNER, Mr. CHABOT, Mr. STEIL, Mr. RATCLIFFE, and Mr. CRENSHAW.
H.R. 2407: Ms. WATERS.
H.R. 2408: Mr. KIM.
H.R. 2435: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. GOTTHEIMER.
H.R. 2442: Mr. GOTTHEIMER.
H.R. 2444: Mr. SHERMAN, Mr. MALINOWSKI, and Mr. PHILLIPS.
H.R. 2529: Mr. CONNOLLY and Mr. KEATING.
H.R. 2577: Mr. CARSON of Indiana.
H.R. 2693: Mr. EMMER, Mr. DANNY K. DAVIS of Illinois, and Ms. JUDY CHU of California.
H.R. 2711: Ms. MOORE and Mr. KHANNA.
H.R. 2746: Mr. RODNEY DAVIS of Illinois.
H.R. 2771: Mr. PAPPAS and Mr. AUSTIN SCOTT of Georgia.
H.R. 2796: Mr. TRONE.
H.R. 2818: Mr. NEGUSE.
H.R. 2828: Mr. GOTTHEIMER.
H.R. 2847: Mr. GOTTHEIMER.
H.R. 2850: Mr. PAPPAS and Mr. VARGAS.
H.R. 2867: Mr. PRICE of North Carolina and Mr. CASTEN of Illinois.
H.R. 2874: Ms. KUSTER of New Hampshire.
H.R. 2912: Mr. KILMER.
H.R. 2931: Mrs. DINGELL.
H.R. 2953: Mrs. AXNE and Mr. KIM.
H.R. 2964: Mr. BLUMENAUER.
H.R. 2965: Mr. PHILLIPS.
H.R. 2986: Ms. JOHNSON of Texas.
H.R. 3036: Mr. COLE.
H.R. 3155: Mr. HILL of Arkansas and Mr. WENSTRUP.
H.R. 3157: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 3192: Ms. JACKSON LEE.
H.R. 3373: Mr. MALINOWSKI, Mr. SHERMAN, and Mr. PHILLIPS.
H.R. 3414: Mr. BUTTERFIELD.
H.R. 3522: Mr. CÁRDENAS.
H.R. 3524: Ms. SHALALA.
H.R. 3535: Mr. GOTTHEIMER.
H.R. 3536: Ms. SPANBERGER.
H.R. 3571: Mr. SHERMAN.
H.R. 3632: Ms. ADAMS, Mr. COURTNEY, Mrs. HARTZLER, Mr. HOLLINGSWORTH, Mr. MOULTON, and Ms. WEXTON.
H.R. 3637: Mr. RICHMOND.
H.R. 3708: Mr. KEVIN HERN of Oklahoma.
H.R. 3799: Mr. PALLONE and Mr. LOWENTHAL.
H.R. 3843: Mr. SHERMAN and Mr. CICILLINE.
H.R. 3880: Ms. WILSON of Florida.
H.R. 3917: Mrs. CAROLYN B. MALONEY of New York and Mr. MEEKS.
H.R. 4022: Mr. TRONE and Mr. RUSH.
H.R. 4092: Ms. KELLY of Illinois.
H.R. 4107: Ms. KENDRA S. HORN of Oklahoma.
H.R. 4140: Mr. PHILLIPS.
H.R. 4148: Mr. NEGUSE, Mr. CARTWRIGHT, Mr. LARSEN of Washington, Mrs. HAYES, Mr. SOTO, Mr. KENNEDY, and Ms. WILSON of Florida.
H.R. 4220: Ms. JACKSON LEE.
H.R. 4393: Ms. MOORE.
H.R. 4516: Ms. WILSON of Florida.
H.R. 4661: Ms. KUSTER of New Hampshire.
H.R. 4674: Mr. JEFFRIES.
H.R. 4705: Mr. KENNEDY.
H.R. 4722: Mr. LAWSON of Florida.
H.R. 4754: Mr. CLOUD.
H.R. 4755: Mr. SHERMAN.
H.R. 4764: Mr. BUTTERFIELD.
H.R. 4864: Mr. HURD of Texas, Mr. LANGEVIN, and Mr. ROONEY of Florida.
H.R. 4884: Mr. DEUTCH.
H.R. 4901: Ms. GARCIA of Texas.
H.R. 4913: Mr. GONZALEZ of Ohio.
H.R. 4934: Mr. LAHOOD.
H.R. 4945: Mr. BUTTERFIELD and Mr. AUSTIN SCOTT of Georgia.
H.R. 4980: Mr. STEUBE and Mr. FITZPATRICK.
H.R. 5004: Ms. ADAMS and Mr. GALLEGO.
H.R. 5028: Mrs. NAPOLITANO.
H.R. 5036: Mr. CONNOLLY.
H.R. 5051: Mr. RIGGLEMAN.
H.R. 5151: Mr. RUSH and Mr. CISNEROS.
H.R. 5169: Mr. GOODEN.
H.R. 5170: Mr. LOWENTHAL and Mr. SIRES.
H.R. 5176: Mr. HUFFMAN.

H.R. 5231: Mr. CARSON of Indiana.
H.R. 5236: Mr. COOPER.
H.R. 5238: Ms. SHERRILL.
H.R. 5245: Ms. NORTON.
H.R. 5255: Mr. CASE.
H.R. 5273: Ms. SLOTKIN.
H.R. 5297: Mr. CARBAJAL.
H.R. 5299: Mr. THOMPSON of Pennsylvania.
H.R. 5307: Mr. BYRNE, Mrs. ROBY, Mr. ROGERS of Alabama, Mr. ADERHOLT, Mr. BROOKS of Alabama, and Mr. PALMER.
H.R. 5317: Mr. GOHMERT, Mr. CRENSHAW, Mr. TAYLOR, Mr. RATCLIFFE, Mr. GOODEN, Mr. WRIGHT, Mr. BRADY, Mr. GREEN of Texas, Mr. MCCAUL, Mr. CONAWAY, Mr. ROY, Mr. THORNBERRY, Mr. WEBER of Texas, Mr. GONZALEZ of Texas, Ms. ESCOBAR, Mr. FLORES, Ms. JACKSON LEE, Mr. ARRINGTON, Mr. CASTRO of Texas, Mr. OLSON, Mr. HURD of Texas, Mr. MARCHANT, Mr. WILLIAMS, Mr. CLOUD, Mr. CUELLAR, Ms. GARCIA of Texas, Ms. JOHNSON of Texas, Mr. CARTER of Texas, Mr. ALLRED, Mr. VEASEY, Mr. VELA, Mr. DOGGETT, Mr. BABIN, Mr. COSTA, Ms. STEVENS, Mr. FITZPATRICK, Mr. GARAMENDI, and Mr. COX of California.
H.R. 5338: Mr. SHERMAN and Mr. PHILLIPS.
H.R. 5393: Ms. ESHOO.
H.R. 5418: Mr. SERRANO.
H.R. 5434: Mr. MULLIN, Mr. BISHOP of Georgia, Mr. COOK, and Mr. BUDD.
H.R. 5438: Mr. VARGAS.
H. J. Res. 2: Mr. CLAY and Mr. LAWSON of Florida.
H. J. Res. 76: Mr. KRISHNAMOORTHI and Mr. CASTEN of Illinois.
H. Con. Res. 20: Mr. GOODEN.
H. Con. Res. 27: Mr. EVANS, Mr. ZELDIN, and Mr. KINZINGER.
H. Con. Res. 52: Mr. PAPPAS.
H. Res. 114: Mr. MAST.
H. Res. 255: Ms. SPANBERGER and Ms. DAVIDS of Kansas.
H. Res. 452: Mr. TRONE and Ms. NORTON.
H. Res. 514: Ms. KUSTER of New Hampshire.
H. Res. 732: Mr. CARSON of Indiana and Ms. SPEIER.
H. Res. 744: Mr. FLEISCHMANN and Mr. LAMBORN.
H. Res. 746: Mr. KILDEE, Mr. DOGGETT, Mr. LAHOOD, and Mr. FERGUSON.
H. Res. 752: Mr. SHERMAN, Mr. HURD of Texas, Mr. ALLRED, Mr. TRONE, Mr. BERA, Mr. RESCHENTHALER, Mr. CICILLINE, Mr. PHILLIPS, Mr. KEATING, Mr. SIRES, Mr. SCHNEIDER, and Mr. HASTINGS.
H. Res. 754: Mr. VARGAS, Mr. SHERMAN, Mr. VELA, Mr. BERA, Mr. MEEKS, Mr. ESPAILLAT, Mr. PAYNE, Mr. CICILLINE, Mr. KEATING, and Mr. DEUTCH.

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PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, help us to remember Your mighty acts. You are kind and merciful, better to us than we deserve. You feed the sparrows and cause the Sun to rise. You forgive our sins and provide us with strength for every challenge.

Lord, use our lawmakers today for Your glory. May they be courteous and kind as they seek to do what is best for this land we love. Remind them that they represent the hopes and dreams of many people.

Thank You, Lord, for the wonderful things that You continue to do for us all.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Under the previous order, the leadership time is reserved.

The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to address the Senate for 1 minute as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX CUTS AND JOBS ACT

Mr. GRASSLEY. Madam President, this week marks the second anniversary of the passage of the Tax Cuts and Jobs Act—December 2017—when the biggest tax cut in the history of the country was passed by the Congress. It has been very successful.

The reason I come to honor this second anniversary is because polls show that people don't realize the benefits of the tax cuts. Some of them even wonder: Did we get a tax cut?

I have some appreciation for that because I spent 10 years on an assembly line in Cedar Falls, IA, and probably if I got a 50-cent cut every week, I wouldn't know until the end of the year that that added up to $250 more in my pocket. So under the circumstances of the working men and women of America, it might be difficult to know that.

Studies show a great benefit to the middle-class families from this tax cut. Thanks to these historic tax cuts and reforms, Americans do in fact have more money in their paychecks and their pocketbooks. Individuals and families have more to spend or, if they want, to save it, and maybe a lot of people save for retirement.

Small businesses and entrepreneurs benefit from the tax cut. They have more to invest in their employees and in their business operations, and they probably hire more Americans.

As a result, we have experienced the longest U.S. economic expansion in history, higher wages, and historically low unemployment—the lowest since 1969.

I am proud to say on this 2-year anniversary of the tax reform that it has been a resounding success.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMPEACHMENT

Mr. MCCONNELL. Madam President, all signs seem to suggest that later this week, the House Democrats are finally going to do what many of them have been foreshadowing for 3 years now and impeach President Trump. It appears that the most rushed, least thorough, and most unfair impeachment inquiry in modern history is about to wind down after just 12 weeks and that its slapdash work product will be dumped on us over here in the Senate.

I will have much more to say to our colleagues and to the American people if and when the House does move ahead. As we speak today, House Democrats still have the opportunity to do the right thing for the country and avoid setting this toxic new precedent. The House can turn back from a cliff and not deploy this constitutional remedy of last resort to deliver a predetermined partisan outcome. This morning, I just want to speak to one very specific part of this.

Over the weekend, the Democratic leader decided to short-circuit the customary and collegial process for laying the basic groundwork in advance of a potential impeachment trial. The preferable path would have been an in-person conversation, which nonetheless I still hope to pursue. Instead, he chose to begin by writing me an 11-paragraph letter on Sunday evening, delivering it by way of the news media, and beginning a cable television campaign a few hours later.

The Democratic leader's letter is an interesting document from the very beginning. For example, in the second of his 11 paragraphs, our colleague literally misquotes the Constitution. That error actually aligns with our colleague's apparent confusion about some of the deeper questions. I will come back to that in a moment.

At first, our colleague's letter appears to request that a potential impeachment trial adopt similar procedures to the Clinton impeachment trial

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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back in 1999. Now, I happen to think that is a good idea. The basic procedural framework of the Clinton impeachment trial served the Senate and the Nation well, in my view. But the problem is that while the Democratic leader notionally says he wants a potential 2020 trial to look like 1999, he goes on to demand things that would break with the 1999 model.

In President Clinton's trial, we handled procedural issues in two separate Senate resolutions that passed at different times. The first resolution passed unanimously before the trial. It sketched out basic things like scheduling, opening arguments, and the timing of a motion to dismiss. Other, more detailed questions about the middle and the end of the trial, including whether any witnesses would be called, were reserved for a second resolution that was passed in the middle of the trial itself. As a matter of fact, we passed it only after a number of Democrats, including Senator SCHUMER himself, voted to dismiss the case. They got a motion to dismiss before the Senate had even decided whether to depose a single witness.

Instead of the tried-and-true 1999 model—start the trial and then see how Senators wish to proceed—the Democratic leader wants to write a completely new set of rules for President Trump. He wants one single resolution up front instead of two or however many are needed. He wants to guarantee up front that the Senate hear from very specific witnesses instead of letting the body evaluate the witness issue after opening arguments and Senators' questions, like back in 1999.

Very tellingly, our colleague from New York completely omits any motions to dismiss the case, like the one he was happy to vote for himself as a new Senator back in 1999.

Almost exactly 20 years ago today, prior to the Senate trial, Senator SCHUMER said this on television—a direct quote—this is what he said:

> Certainly any senator, according to the rules, could move to dismiss, which is done. . . . Every day, in criminal and civil courts throughout America, motions to dismiss are made. And if a majority vote for that motion to dismiss, the procedure could be truncated.

That was Senator SCHUMER in January of 1999, but now the same process that Senator SCHUMER thought was good enough for President Clinton, he doesn't want to afford President Trump. Go figure.

Look, most people understand what the Democratic leader is really after: He is simply trying to lock in live witnesses. That is a strange request at this juncture for a couple of reasons.

For one thing, the 1999 version of Senator SCHUMER vocally opposed having witnesses—even when the question was raised after hours of opening arguments from the lawyers, hours of questions from Senators, and a failed motion to dismiss. How can he have prejudged that he favors live witnesses so strongly this time before the Senate even has articles in hand?

Moreover, presumably it will be the House prosecutors' job to ask for the witnesses they feel they need to make their case. Why does the Democratic leader here in the Senate want to predetermine the House impeachment managers' witness request for them before the House has even impeached the President? Might he—just might he be coordinating these questions with people outside the Senate?

Here is one possible explanation: Maybe the House's public proceedings have left the Democratic leader with the same impression they have left many of us: that from everything we can tell, House Democrats' slapdash impeachment inquiry has failed to come anywhere near—anywhere near—the bar for impeaching a duly-elected President, let alone removing him for the first time in American history. So those who have been eagerly hoping for impeachment are starting to scramble.

Chairman ADAM SCHIFF and House Democrats actively decided not to go to court and pursue potentially useful witnesses because they didn't want to wait for due process. Indeed, they threatened to impeach the President if they had to go to court at all. That intentional, political decision is the reason why the House is poised to send the Senate the thinnest, least thorough Presidential impeachment in our Nation's history.

By any ordinary legal standard, what the House Democrats have assembled appears to be woefully, woefully inadequate to prove what they want to allege. Now the Senate Democratic leader would apparently like our Chamber to do House Democrats' homework for them. He wants to volunteer the Senate's time and energy on a fishing expedition to see whether his own ideas could make Chairman SCHIFF's sloppy work more persuasive than Chairman SCHIFF himself bothered to make it. This concept is dead wrong. The Senate is meant to act as judge and jury, to hear a trial, not to rerun the entire factfinding investigation because angry partisans rushed sloppily through it.

The trajectory that the Democratic leader apparently wants to take us down before he has even heard opening arguments could set a nightmarish precedent for our institution. If the Senate volunteers ourselves to do House Democrats' homework for them, we will only incentivize an endless stream of dubious partisan impeachments in the future, and we will invite future Houses to paralyze future Senates with frivolous impeachments at will.

This misunderstanding about constitutional roles brings me back to something I raised earlier. The Democratic leader's letter to me, by way of the press, literally misquoted the Constitution. Senator SCHUMER wrote that we should exercise ''the Senate's 'sole Power of Impeachment' under the Constitution with integrity and dignity.'' He attributed to the Senate the ''sole Power of Impeachment.'' Well, there is his problem. That is the role the Constitution gives, actually, to the House, not to the Senate. It gives it to the House. Article I, section 2 says: ''The House of Representatives . . . shall have the sole Power of Impeachment.'' It doesn't sound ambiguous to me.

If my colleague wants to read about our responsibilities here in the Senate, he needs to turn to the next page. Article I, section 3 says: ''The Senate shall have the sole Power to try all Impeachments.'' We don't create impeachments over here; we judge them.

The House chose this road. It is their duty to investigate. It is their duty to meet the very high bar for undoing the national election. As Speaker PELOSI herself once said, it is the House's obligation to ''build an ironclad case to act.'' That is Speaker PELOSI. ''It is the House's obligation to build an ironclad case to act.'' If they fail, they fail. It is not the Senate's job to leap into the breach and search desperately for ways to get to guilty. That would hardly be impartial justice.

The fact that my colleague is already desperate to sign up the Senate for new factfinding, which House Democrats themselves were too impatient to see through, well, that suggests something to me. It suggests that even Democrats who do not like this President are beginning to realize how dramatically insufficient the House's rushed process has been.

Well, look, I hope the House of Representatives sees that too. If the House Democrats' case is this deficient and this thin, the answer is not for the judge and jury to cure it over here in the Senate; the answer is that the House should not impeach on this basis in the first place. If the House plows ahead, if this ends up here in the Senate, we certainly do not need jurors to start brainstorming witness lists for the prosecution and demanding to lock them in before we have even heard opening arguments.

I still believe the Senate should try to follow the 1999 model—two resolutions—first thing's first. The middle and the end of this process will come later.

So I look forward to meeting with the Democratic leader very soon and getting our very important conversation back on the right foot.

(Mr. ROUNDS assumed the Chair.)

LEGISLATIVE AGENDA

Mr. MCCONNELL. Mr. President, on an entirely different matter, there remains a great deal of outstanding legislation the Senate must complete for the American people before we adjourn for the holidays.

I was glad to see yesterday's overwhelming bipartisan vote to advance the conference report to the 59th consecutive National Defense Authorization Act. We moved it in the Senate by a vote of 76 to 6.

For months, unprecedented partisan delays threatened a nearly six-decade

tradition of expressing Congress's bipartisan commitment to our national defense, but with the Senate's final vote later today, we will finally put this vital legislation on the President's desk. I look forward to voting to pass the NDAA today by another overwhelming bipartisan vote for our servicemembers and the critical missions they carry out.

Of course, the Senate needs to follow up the Defense authorization bill with appropriations measures and funding our national defense and domestic priorities. Ensuring the Federal Government makes careful use of taxpayer dollars is an uphill battle by definition. So it is critical that we plan in advance and deliver clarity for the full year ahead, rather than careen from one short-term stopgap to another. This point is especially crucial for our Armed Forces. Underwriting the commitments we make to the security of America's interests and our allies are the investments we make in a 21st century fighting force.

Our Nation's top military commanders have been crystal clear: This requires stable and predictable annual funding. It is as simple as that. As the Chairman of the Joint Chiefs, General Milley, put it recently, continuing resolutions are ''a very ineffective and inefficient use of the taxpayers' dollars.''

The Secretary of Defense hasn't minced words either: ''Every day that a CR continues is one less day that we can invest in future capabilities and future technologies.''

As a simple matter of good governance, avoiding another stopgap CR is an important step. So I am encouraged that the House is preparing to advance full-year appropriations bills this week. Obviously, what is actually in these bills certainly matters. So I am glad to say the efforts of Chairman SHELBY, Senator LEAHY, and their counterparts in the House and White House negotiators have produced a bipartisan package of full-year funding measures that will make needed investments in our Nation's top priorities.

First is a topline increase in funding that our national defense requires. For the third consecutive year, President Trump and Republicans in Congress will deliver on our commitment to continue rebuilding America's military after nearly a decade of forced belt-tightening.

As threats to the United States, our allies, and our interests continue to emerge and evolve, this work is more important than ever. America no longer stands unchallenged in the international system.

As Russia tests the reach of its meddling influence in Europe and the Middle East, as China invests heavily in reshaping the order of the Asia-Pacific region in its image, a new era of great power competition demands our attention and our action.

The defense funding measure the House will consider today answers these realities with a significant increase in defense funding. Our commanders will have more resources to modernize force structure, develop cutting-edge weapon capabilities, and ensure that American servicemembers receive the best training, equipment, and support available. It includes much needed upgrades to the nuclear force that backs up America's strategic posture, investments in hypersonic technologies to keep pace with our biggest adversaries, and renewed commitments to our servicemembers and their families here at home.

But our efforts are about more than equipping the U.S. military to win a fight. The funding bill takes a comprehensive approach to the security of the United States and our allies. It will unlock targeted resources for countering the creeping influence of authoritarian powers so military engagements become less likely in the first place.

I am particularly proud that, thanks to my own efforts, the legislation modernizes the reporting requirements of the Hong Kong Policy Act I sponsored back in 1992. It expands our support for democracy in Hong Kong, including legal support to Hong Kong activists, and increases the Countering Russian Influence Fund.

Of course, our work goes beyond defense and foreign affairs. We are talking about full-year funding for the Federal Government's domestic work as well, for example, big wins for the President's agenda to bring more security to the southern border. This year's funding bills provide another $1.4 billion for the border wall system plus more flexibility on location than last year's funding. Despite the efforts of some House Democrats during this process, Presidential authorities to transfer necessary funds remain intact.

The bills also fund critical transportation infrastructure grants and inland waterways projects. They provide for our Nation's continuing fight against the opioid epidemic and help equip local authorities and first responders combating the scourge of addiction nationwide.

I am very proud and pleased that this legislation also includes Tobacco 21 legislation that I introduced with my friend from Virginia, Senator KAINE, this year. Raising the age of purchasing vaping devices and other tobacco products to 21 years old nationwide will take bold, direct action to stem the tide of early nicotine addiction upon our Nation's youth.

In another provision I fought to include in this legislation, we will secure the pension benefits of nearly 100,000 coal miners and their dependents in Kentucky and across the country.

Another key section provides hundreds of millions of dollars more for election security, another step in the work by Congress and this administration to make sure the lapses that took place on the Obama administration's watch in 2016 are not repeated.

The list goes on and on. All manner of important priorities will benefit this bipartisan legislation. It is not just about what these bills will continue, it is also about what this legislation will end.

It will take several more big bites out of the failures of ObamaCare by repealing more of its burdensome taxes. Already Republicans have repealed the board that ObamaCare set up to micromanage healthcare and zeroed out the individual mandate penalty. We have already done that. Now this legislation the House will pass today will repeal even more of ObamaCare's misguided measures such as the medical device tax and the Cadillac tax.

So there are two timeless truths about the appropriations process in divided government. First, neither side will ever get what they would consider to be perfect bills, but, second, full-year funding definitely beats drifting endlessly from CR to CR. This legislation we expect the House to send us today satisfies the important priorities for the White House, for each of my colleagues, and for the American people. I look forward to supporting it, and I hope Senators on both sides of the aisle will do the same.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020—CONFERENCE REPORT—Resumed

The PRESIDING OFFICER. The Senate will now resume legislative session.

Under the previous order, the Senate will resume consideration of the conference report to accompany S. 1790, which will be stated by title.

The senior assistant legislative clerk read as follows:

The committee of conference on the votes of the two Houses on the amendment of the House to the bill (S. 1790) to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL LABOR RELATIONS BOARD

Mrs. MURRAY. Mr. President, I come here today to address the current status of the National Labor Relations Board and, in particular, how the rights of workers are being undermined by Republican obstructionism. You see, for decades, Presidents have nominated—and Democrats and Republicans in the Senate have confirmed—NLRB nominees from both parties in order to ensure the agency can enforce laws necessary to protect workers' rights.

Yet, for the first time in the history of the Board, we are now left with zero Democratic members on the Board because of Republican inactions. To say this is highly problematic is an understatement. We will be left with zero Democrats, because, yesterday, Lauren McFerran's term expired. Now, Lauren McFerran is a dedicated, highly-qualified, and well-respected public servant.

Despite the repeated requests my colleagues and I have sent to the White House, President Trump refuses to renominate Ms. McFerran. Last year, Republicans in the Senate stalled the renomination of another exceptionally qualified nominee to the NLRB, Mark Gaston Pearce. How? Just by simply refusing to hold the vote—instead, allowing that seat to remain empty. Now, workers are confronted with a Board made up solely of three Republicans and zero Democrats to serve on this historically bipartisan agency.

That is simply unacceptable. I get it—Board members, nominations, Washington infighting—to many folks, this may seem like ''inside baseball,'' but let me explain what this will mean for everyday people. When workers stand together to form a union, the NLRB ensures that the election is fair. If a worker is fired or unfairly punished because they want to join a former union, the NLRB is there and tasked with protecting their rights. If a company refuses to negotiate fairly with unions who are fighting for higher rates or better benefits or safer working conditions, it is the NLRB that safeguards those rights that have helped build our country's middle class.

Quite frankly, the NLRB is a critical worker protections agency, and workers across the country will suffer because of the Republicans' dereliction of duty, especially as the Republican NLRB members are now mired in allegations of ethics issues. They are pursuing an aggressive rulemaking agenda that will gut workers' rights and are undermining efforts that will enforce protections for workers. It is clear that workers in this country today cannot afford, now, an imbalanced and increasingly partisan NLRB.

By the way, that is just the latest example of Republicans standing in the way of Democratic nominees. I am still waiting for a Democratic nominee to the Equal Employment Opportunity Commission after Republicans blocked the renomination of Chai Feldblum last year.

I am deeply disappointed by the inaction of the Republicans. I deplore them to return to the normal process. The NLRB must not become a playing field for partisan politics. We need to end this obstructionism and fill these seats without any further delay.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic Leader is recognized.

IMPEACHMENT

Mr. SCHUMER. Mr. President, I just listened to Leader MCCONNELL's lengthy response to my letter proposing the outlines of a fair impeachment trial in the Senate. Leader MCCONNELL was apparently upset that I sent him the letter on Sunday, saying the first step was for the two leaders to meet and then discuss a resolution. Well, if we were allowed to show a video here on the Senate floor of a Republican leader's appearance on Sean Hannity's program last week, it would expose the fallacy of his argument.

Leader MCCONNELL, unfortunately, skipped his first step when he began publicly talking about the rules of a Senate trial, telling Hannity that he would be taking cues from the White House and his idea for how to conduct a trial long before any conversation—which he still hasn't had—with me. My letter was intended as a good-faith proposal to kick-start the discussions that Leader MCCONNELL has so far delayed in scheduling. I still expect we will sit down and discuss trial parameters despite his public appearances on FOX News, but let me say this: I listened to the leader's speech. I did not hear a single argument as to why the witnesses I suggested should not give testimony. Impeachment trials, like most trials, have witnesses. To have none would be an aberration.

Why is the President so afraid of having these witnesses come testify? What are they afraid the witnesses would say? I would like to hear Leader MCCONNELL come to the floor and give specific reasons why the four witnesses we have asked for should not testify. I do not know what they will say. They are President Trump appointees. They might have something exculpatory to say about President Trump, or they might not, but they are certainly the four key people who saw exactly what was going on.

What is Leader MCCONNELL afraid of? What is President Trump afraid of? The truth? But the American people want the truth, and that is why we have asked for witnesses and documents to get at the whole truth and nothing but.

This week, the House of Representatives will vote on Articles of Impeachment against the President of the United States. If these articles pass the House, the Constitution dictates that the Senate serve as a court of impeachment. Conducting an impeachment trial is a tremendously weighty and solemn responsibility entrusted to us by our Founders. If such a trial is to happen, Democrats strongly believe it must be fair, and the American people must regard it as fair. A fair trial is one that allows Senators to get all the relevant facts and adjudicate the case impartially.

In the letter I sent to Leader MCCONNELL, I proposed a very reasonable structure for a fair trial. I have sent that same letter to every one of my colleagues, Democrat and Republican. There is a grand tradition in America, speedy and fair trials. We want both. The leader seems obsessed with speedy and wants to throw fair out the window.

To simply repeat the arguments that were made in the House and Senate, when there are witnesses and documents that could shed light on what actually happened, why not have them? Let's hear a single word of answer to that. We have heard none. In fact, the American people want it as well. A poll today in the Washington Post/ABC says 72 percent of Americans want to hear these witnesses; 64 percent of Republicans do. The American people are fair. They don't want a coverup. They don't want concealment. This is weighty stuff.

The House has put together a very, very strong case that the President abused his power and wanted to let a foreign power interfere in our elections. That goes to the heart of what our democracy is and what the Founding Fathers warned against. Now, to not allow witnesses to come forward who would be able to discuss what actually happened—if we don't have them, the trial won't be fair. The four witnesses we proposed have direct knowledge of why aid to Ukraine was delayed, and the administration's request for Ukraine to conduct two investigations for political reasons, they have direct knowledge of those facts.

We don't know, as I said, what kind of evidence they will present. It may be incriminating. It may be exculpatory. It may influence how Senators vote. It may not. But they certainly ought to be heard. By virtue of their senior positions in the White House, each witness we named was directly involved in the events that led to the charges made by the House.

We have also proposed subpoenaing certain records, including emails by certain key officials that are directly related to the charges brought by the

House. I believe these documents are also of great importance to making Senators have the information necessary to make a fully informed decision, this terribly weighty decision.

The House has built a very strong case against the President. Maybe that is why Leader MCCONNELL doesn't seem to want witnesses—at least not to agree to them now. Maybe that is why the President is afraid, because the House case is so strong that they don't want witnesses who might corroborate it.

The evidence the House put together includes public testimony given under oath by numerous senior officials appointed by President Trump. These are Trump appointees we are calling, not some partisan Democrat.

Some Republican Senators have said that while the charges are serious, they haven't seen enough evidence to make a decision. That is one of the reasons I proposed subpoenas for these witnesses and documents—all directly relevant—from officials who have yet to testify under oath during any stage of the House process.

Senators who oppose this plan will have to explain why less evidence is better than more evidence. Let me say that again to every Senator in this room, Democrat and Republican: Senators who oppose this plan will have to explain why less evidence is better than more evidence, and they are going to have to explain that position to a public that is understandably skeptical when they see an administration suppressing evidence and blocking senior officials from telling the truth about what they know.

Let me repeat this Washington Post/ABC poll I read about in the paper just this morning. Seventy-one percent of Americans believe the President should allow his top aides to testify in a potential Senate trial. Seventy-two percent of Independents and 64 percent of Republicans—64 percent of Republicans—think President Trump should allow his top aides to testify in a potential Senate trial—7 out of 10 Americans.

The American people have a wisdom, which seems to be lacking with some of my colleagues, that a trial without witnesses is not a trial. It is a rush to judgment. It is a sham trial.

The American people understand that a trial without relevant documents is not a fair trial. Again, it is a desire not for sunlight but for darkness to conceal facts that may well be very relevant.

The American people understand that if you are trying to conceal evidence and block testimony, it is probably not because the evidence is going to help your case. It is because you are trying to cover something up.

President Trump: Are you worried about what these witnesses would say? If you are not worried, let them come forward. And if you are worried, we ought to hear from them.

Again, the Republican leader went on for 15, 20 minutes without giving a single argument for why these witness shouldn't testify or these documents shouldn't be produced—unless the President has something to hide.

In the coming weeks, every Senator will have a choice: Do they want a fair, honest trial that examines all the facts or do they want a trial that doesn't let all of the facts come out?

We will have votes during this proceeding, should the House send it to us—when they send it to us. After voting for it, we will have votes on whether these people should testify and whether these documents should be made public and part of the trial.

The American people will be watching. They will be watching. Who is for an open and fair trial? Who is for hiding facts—relevant facts, immediate facts? Who is for covering up?

I expect to discuss this proposal for a fair trial with Leader MCCONNELL, but each individual Senator will have both the power and the responsibility to help shape what an impeachment trial looks like.

In Federalist 65, Alexander Hamilton wondered:

> Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent [to serve as a court of impeachment]? What other body would be likely to feel CONFIDENCE ENOUGH . . . to preserve unawed and uninfluenced, the necessary impartiality?

My colleagues, Leader MCCONNELL: Are you, in Alexander Hamilton's words, unawed and uninfluenced to produce the necessary impartiality or will you participate in a coverup?

Can we live up to Hamilton's fine words with dignity, independence, and confidence to preserve the necessary impartiality to conduct a fair trial? That question should weigh heavily upon every single Senator.

APPROPRIATIONS

Before the week concludes, we must pass legislation to keep the government open and provide appropriations for the following year. Luckily, over the weekend, an agreement was reached between appropriators—House and Senate, Democrat and Republican—that would see us achieve that goal.

I am proud to report that the final appropriations agreements includes several important Democratic priorities to help American families.

Democrats have secured more than $425 million in election security grants, nearly double the amount Senate Republicans reluctantly supported in earlier legislation.

Democrats have secured an increase of $550 million in grants to help offset the cost of childcare for low-income families.

Democrats have made progress on a number of fronts to combat climate change: Record-level funding for clean energy and energy efficiency programs; record-level funding to provide clean, electric buses; and increased funding for climate change science and research.

For the first time in decades, Democrats have secured $25 million in gun violence research at the CDC and NIH, breaking through what had been a ridiculous ban on gun violence research.

Medical research, scientific research, environmental protection, education, and housing programs will all see significant increases in federal support.

Of course, we did not achieve everything we wanted. I am sorely disappointed that we were unable to reach an agreement on more resources to clean up PFAS contamination, a toxic chemical that has plagued too many communities in my home State of New York and communities across the country.

Senate Democrats have done a lot of hard work on this issue. Our disappointment today will in no way diminish our resolve to force Congress to take action on PFAS next year.

NATIONAL LABOR RELATIONS BOARD

Yesterday, the term of National Labor Relations Board member Lauren McFerran expired. For the first time in over 35 years, the Nation's most important labor protection agency is now without a single Democratic board member to defend labor rights.

For nearly eight decades, the NLRB has been the Nation's top agency fighting for the protection of workers' rights, including the right to form a union and collectively bargain for better wages, benefits, and safer conditions. Over the past three years, as President Trump has sought to undermine these protections, Democratic members of the Board have been crucial in pushing back. The NLRB was designed to be bipartisan, but I fear that with Ms. McFerran's departure, an all-Republican NLRB—without a strong pro-worker, pro-labor voice—will not stand in the way of President Trump's dismantling of worker protections, and may even help accelerate it.

The President has claimed to be a champion for working Americans, but over the last 3 years, he has shown that he is anything but. From opposing minimum wage increases to reversing rules that protect workers on the job . . . to nominating people like Eugene Scalia to the Department of Labor and Neil Gorsuch to the Supreme Court, the President has put powerful corporate interests before workers' interests. Meanwhile, Senate Republicans have stonewalled Democratic nominees to the NLRB. Working Americans will remember the record as 2020 fast approaches.

CHINA

Last Friday, President Trump announced a temporary, partial trade agreement with China. After 8 months of negotiations, it is stunning how little this deal achieved for the United States at such a high cost to American workers and businesses.

In exchange for a drastic reduction in our leverage, China has made some short-term assurances to buy more agricultural products from us without real commitments to end its most rapacious trade practices. It appears that

President Trump has ordered a retreat while declaring victory.

I have been very open about praising President Trump's tough stance on negotiating with China. To succeed in these high-stakes negotiations, I have urged the President to stay tough and not settle for photo ops or weak deals. I have said that he must be prepared to walk away if China refuses to make significant, credible, and enforceable concessions.

But under this new, temporary deal, President Trump is selling the farm for a few magic soybeans. By USTR Lighthizer's admission, last week's deal fails to make significant progress on ending China's worst trade abuses, like intellectual property theft, forced technology transfers, illegal dumping, and more. That is not nearly good enough. And I worry that President Trump, by cutting this small, insubstantial deal, has made the success of future, more difficult negotiations much more doubtful.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Kentucky.

S. 1790

Mr. PAUL. Mr. President, we have before us today the National Defense Authorization Act to authorize the programs and policies of the Department of Defense. We will be taking a vote to finalize this bill shortly.

Our national defense is incredibly important. It is mandated in the Constitution. Our national defense is arguably Congress's primary constitutional responsibility.

I have great respect and honor for those in uniform who serve. In fact, I recently introduced a bill to give each soldier who served in the War on Terror a $2,500 bonus and, at the same time, officially end the war in Afghanistan. Ending the Afghan war would save us about $50 billion a year.

Unfortunately, the bill before us does not end any of our multitude of wars. The bill before us simply continues the status quo and throws more money around the world at conflicts we can't even begin to fathom.

Before rubberstamping more money, it is worth a moment for us to take a step back and consider two things. First, we need to ask ourselves whether borrowing millions of dollars year after year to fuel our appetite for more military spending is a wise policy in the years ahead.

Second, we need to look at how this bill has been loaded up to carry things only somewhat related or not related at all to national defense.

As I have reminded my colleagues often, Admiral Mullen, the former chairman of the Joint Chiefs of Staff, said that the national debt was our greatest national security threat. His exact wording was ''the most significant threat to our national security is our debt.'' That was in 2010.

When he made that remark, our debt was only $13 trillion. Our debt is now over $23 trillion. We just keep borrowing and borrowing, and there is no end in sight.

Under the new budget deal passed by Republicans and Democrats, we are borrowing $2.75 billion every day. In fact, we are borrowing nearly $2 million every minute.

We spend more on our military than the next seven largest militaries combined. Our Defense Department is so large that it took them a decade to even figure out how to audit themselves. Then they said that the audit itself would cost over half a billion dollars. But then, last year, they arrived back at square one. After all that effort, they said: Well, we just can't figure it out. It is too big. We can't audit the Army, the Navy, the Marines, or the Air Force.

We spend so much money that the Department of Defense literally can't keep track of all of it. We don't have a great idea of exactly how much we are wasting because no one can get a grip on how much is being spent.

A few years ago, the Defense Business Board, which is a defense advisory panel of corporate executives who report to the Secretary of Defense, recommended that the Department of Defense can save $125 billion in administrative expenses.

According to news accounts, that report scared everyone at the Pentagon, so they buried the report. They even tried to keep it away from Congress for fear that Congress might actually do something with it, although I wouldn't be holding my breath or too worried. I am not familiar with Congress ever cutting anything.

We are set to spend $738 billion on the military this year. That is up $22 billion from last year. Over the past 6 years, military spending has risen over $120 billion. We say that we are for accountability, efficiency, and savings. Yet we keep piling good money after bad. How can we demand better accounting and efficiency when we budget increases every year?

To be clear, I support our national defense. Supporting our servicemembers is a worthy cause. There are things in this bill that I do support. I am a cosponsor of the bill to eliminate the so-called widow's tax, and I have argued that it is the right thing to do. We should find the money to pay for it. That is in this bill.

I support returning the 101st Airborne at Fort Campbell to its full air assault capacity with the return of a combat aviation brigade. That is in this bill.

I support giving our servicemembers a pay increase. That is in the bill. But I take issue when Congress adds other things to this bill that don't have anything to do with our military.

This bill would sanction NATO allies and potentially American energy companies if they have any involvement with Nord Stream 2 pipeline. This is a pipeline between Russia and Germany. The pipeline is basically done. It may well be completed in the next few months. The pipeline will be completed. Yet we want to jeopardize our relationship with our allies and with businesses both in Europe and America.

This bill would also drop more sanctions into the middle of the Syrian civil war, as well as funding for so-called ''vetted'' Syrian rebel groups. All this would do is prolong the Syrian civil war and, with it, the humanitarian suffering and displacement we have seen in the region. The Syrian civil war is largely over. I agree with President Trump that it is time to come home.

Another problem with our insatiable appetite for more military spending is that it requires conservatives to make bad compromises. If you want $40 billion in new defense spending, then you have to give the liberals $40 billion new domestic spending. If anything, that is the real nature of today's bipartisanship: You can have your money as long as we get our money.

The dirty little secret in Washington is that there is actually too much compromise. Republicans want more military spending; Democrats want more welfare money. And with each new Congress, Congress always chooses to spend and borrow more money.

For example, this bill provides a new mandatory benefit program: paid parental leave for all Federal employees, starting next year. The program will cost over $3 billion forever—and most of these programs continue to expand forever. The program will cost $3 billion a year, and, of course, there is nothing in the bill that tells how we are going to pay for it. So we are going to have paid leave, everybody, but we are going to borrow the money from China to give this great benefit.

In essence, today, Congress is simply saying: Add it to my tab; the deficit be damned. Regardless of how you feel about the issue, this represents a better benefit than many working Americans enjoy, and it has nothing to do with national defense.

Conservatism is more than supporting military spending at any cost. We have to do more and make tough decisions that enable a strong national defense and a balanced budget.

Many so-called conservatives will hail this bloated military spending, but, in truth, there is nothing fiscally conservative about borrowing money from China to pay for our military. In fact, I would argue that borrowing money to buy more tanks or planes or to police the far corners of the Earth actually damages our national security.

Some have argued that our military is hollowed out, exhausted from so many far-flung conflicts—probably true. They will argue that we must expand military spending to meet the mission.

Perhaps we should entertain the opposite argument. Perhaps it is not that our military budget is too small but

that our military mission is too large. I, for one, hope for a day when Congress rediscovers that our constitutional mandate is to defend America first and only to become involved in war as a last resort and, even then, America should only become involved in war when Congress has debated and done its constitutional duty to declare war.

Until that day, I will continue to argue that the only fiscally conservative, fiscally responsible action is to vote against expanding the military budget. I encourage my fellow Senators to consider that.

I yield back.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank my colleague for his words. I will add to that, I hope.

As we approach the end of the first session of Congress, I think it may be prudent to look back at some of the news surrounding the current state of the Nation's budgetary affairs. Unfortunately, none of the news is good.

This past summer, Congress passed the Bipartisan Budget Act of 2019, which increased the last 2 years of the Budget Control Act's discretionary funding caps. The Congressional Budget Office tells us that the bill has increased their forecast of the Nation's projected deficits by $1.7 trillion over the next 10 years.

I will be the first to admit that it is largely due to mandatory programs, which already have inadequate revenues.

In the fall, we received final tax and spending data for fiscal year 2019. The report showed the deficit for the last fiscal year was $984 billion, even though revenues were greater than ever before. Relative to the size of the economy, that deficit—an estimated 4.6 percent of GDP—was the highest since 2012. This also marked the fourth consecutive year the deficit increased as a share of the economy. These growing deficits at a time of economic strength should be a warning sign to all. Yet hardly a whimper was heard.

In October, our national debt hit the $23 trillion mark. It was in the papers for a while, but interest quickly waned. We simply cannot continue down this path.

I know the bill before us is well-intentioned, and it contains many proposals that I support. Chairman INHOFE and Ranking Member REED and our Armed Services colleagues have worked hard to deliver the Defense authorization bill, and I commend them for the work they put into trying to reach agreement with the House. Unfortunately, CBO tells us this bill will significantly add to our debt both in the near and long term. This is much different than the budgetary impact of the bill the Senate approved earlier this year.

Ultimately, this bill furthers the practice of passing legislation while ignoring the budget rules of the Senate and our overspending problem. All of this borrowing will continue to cost us increased interest payments and will hamstring future generations of Americans. Congress has the power to correct course now, and I look forward to working in good faith with the proponents of this legislation. Until that work can be completed, I have to oppose it.

Mr. President, the conference report accompanying S. 1790 would cause a deficit increase of more than $5 billion in each of the four consecutive 10-year periods beginning in fiscal year 2030. A benefit that isn't funded, once put in place, will never be taken away or even reduced. This increase violates section 3101 of the 2016 budget resolution. Therefore, I raise a point of order under section 3101(b) of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016. Finally, I ask unanimous consent that this point of order be debatable until the postcloture time on the conference report to accompany S. 1790 expires.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to discuss the fiscal year 2020 National Defense Authorization Act. After several weeks of debate and negotiation, the House and Senate Armed Services Committees have completed the conference report, which addresses critical issues facing our military and our country's national security.

I would like to thank Senator INHOFE, Chairman SMITH, and Ranking Member THORNBERRY for their thoughtfulness, hard work, and cooperation throughout the process.

This was not an easy conference. There were many difficult issues and differences of opinion that had to be worked through. I think it is safe to say that many have misgivings about one provision or another, but there are so many other positive provisions that many will consider a legislative successes, in my view. That is the art of compromise. Overall, it is a very good conference report that helps the military and the American people. Last week, this conference report passed by a vote of 379 to 48 in the House, and I hope it will have the same strong support in the Senate.

As we consider the conference report, I would like to highlight several areas that I am particularly pleased with and address several items that have been of concern to some Members.

In accordance with the budget agreement, the NDAA conference report authorizes $658.4 billion for the Department of Defense and national security programs of the Department of Energy, $71.5 billion for overseas contingency operations, and $5.3 billion in emergency funding to restore installations that were damaged by extreme weather and natural disasters.

The conference report includes a number of important provisions to support our servicemembers, their families, and the civilian employees of the Department of Defense who support them, including a 3.1-percent pay raise for troops and the authorization of a number of bonus, special, and incentive pays to encourage enlistment and reenlistment in the Armed Forces.

We continue our efforts to eliminate sexual harassment and assault in our military. Over the last 12 years, we have legislated nearly 200 changes in law to combat sexual assault. In this conference report, we direct the Comptroller General to assess the implementation and effectiveness of these requirements.

We also include a number of new provisions to continue our fight against this scourge, including increasing investigative resources to expedite investigations, increasing access to Victims' Legal Counsel and Victim Witness Program liaisons to support survivors of sexual assault, requiring additional training for commanders, and requiring more transparency with sexual assault survivors about the progress of court-martial and administrative processes. We also include new provisions to more effectively address domestic violence and child exploitation. We cannot rest. We must continue to insist that we do all we can to prevent this scourge from permeating our military forces.

The conference report also includes the Fair Chance Act, which ensures that applicants for positions in the Federal Government and with Federal contractors are treated fairly by restricting requests for criminal background information until the conditional offer stage.

As everyone is aware, the conference report includes 12 weeks of paid parental leave for the Federal civilian workforce, an important benefit that will help the Federal Government recruit and retain the very best civilian talent.

The conference report authorizes a number of important Army and Air Force programs. The final bill supports funding for 73 UH–6M Blackhawks and 48 AH–64 Apache helicopters in the Army.

In addition, the conference bill authorizes an additional $75.6 million to accelerate the Future Long-Range Assault Aircraft Program, which is a top modernization priority for the U.S. Army. The agreement also fully supports upgrading 165 Abrams tanks and includes an additional $249.2 million to integrate a medium caliber weapon system onto the Stryker platform. This was an unfunded armor requirement which we were able to meet.

With regard to the Air Force, the conference report includes $1 billion for 12 additional F–35A aircraft, which was an unfunded requirement for the Air Force, as well as $392 million for 4 additional C–130J aircraft to support increased inter-theater airlift capability. The bill also includes language that extends the Department's authority to protect critical facilities and assets from unauthorized operation of unmanned aircraft.

I am pleased the conference agreement includes key provisions and authorizes critical funding that will strengthen naval readiness and submarine production. This conference report reaffirms that we must maintain a minimum of 11 aircraft carriers to protect our national interests around the world and authorizes the first year appropriations for the midlife refueling of the USS *Harry S. Truman*.

It continues the construction of two Virginia-class submarines per year and supports the nine-boat multiyear contract, with an option for a tenth boat, that the Navy and Electric Boat signed earlier this month.

The report also supports full funding for the Columbia-class ballistic missile submarine.

I am particularly pleased that the conference agreement also authorizes additional funding to continue to support the expansion of the submarine industrial business, as well as workforce development.

The conference report further bolsters maritime sealift and mobilization by reauthorizing the Maritime Administration, including authorizing a new cable security fleet program and requiring the Secretary of the Navy to seek to enter into a contract for additional sealift vessels.

Finally, in order to keep our existing ships ready for deployment, the conference agreement authorizes additional funding for Navy ship and submarine depot maintenance to ensure key shipyard availabilities are not further delayed due to the existing maintenance backlog.

The conference agreement authorizes full funding for the President's request to continue modernizing our nuclear deterrence and its triad of delivery platforms, which are rapidly aging out. This modernization effort began in 2010 and will continue for the next 15 to 20 years. Our ballistic submarines will begin to age out in the 2030s. Our heavy bombers will be replaced in the 2040s, after having served for over 80 years. And our ICBMs will start to be replaced in the 2030s, after having been on alert 24/7, 365-days a year, for over 60 years.

On the issue of low-yield nuclear weapons, while I opposed the deployment of the low-yield submarine ballistic missile in last year's bill and supported the provision in this year's House bill, which again would have prohibited deployment, that provision was not included in this year's conference report. I maintain that this is one weapon that will not add to our national security but would only increase the risk of miscalculation with dire consequences, and regret the House provision was not included in the House report.

Perhaps the most bipartisan topic in the fiscal year 2020 NDAA was privatized housing reform. Over 30 provisions were included to help the Defense Department reinvigorate its oversight of housing companies. Over the last year, the Armed Service Committee received hundreds of calls for help directly from military families. Their stories of hardship, photos of substandard home conditions, and reports of nonresponsive customer service by the housing companies spurred this comprehensive package of reforms.

While this will likely not be the last NDAA to address housing problems, the fiscal year 2020 bill makes a significant first step in several key areas. For example, we begin by requiring several standards in the ''tenant bill of rights.''

We ensure that DOD has a single individual in charge of privatized housing and, in the event housing companies are found to be responsible for causing medical problems, there will be a way for families to be compensated appropriately. Families will now be guaranteed access to work order systems and see what kind of home they are inhabiting prior to moving in, much like consumers get a Carfax report before they buy a used car. Companies must now disclose their bonus structures, document a complaint database made by families online, and are prohibited from forcing families to sign nondisclosure agreements.

The DOD must also create and implement a standardized formal dispute resolution process and a uniform lease across all installations.

We still have a long way to go as a Congress to ensure military families are getting the kinds of quality homes and living conditions they deserve, but the fiscal year 2020 NDAA sets everyone on the right path, and we will continue to be watching both DOD and the housing companies.

In another area of importance to the safety of all families, after too many years of status quo, the NDAA includes a number of new authorities and requirements for the DOD to confront its use of toxic PFAS chemicals. While we were ultimately unable to reach an agreement with the House establishing new regulations through the Safe Drinking Water Act and other substantial improvements, like cleanup via CERCLA and declarations of hazardous substances, the NDAA does make a number of new changes. For example, the Department of Defense must phase out the use of PFAS in firefighting foams on its installations. The bill restores the National Guard's access to defense environmental restoration accounts, presses DOD to enter cooperative agreements with local entities contaminated by PFAS chemicals, and extends the ongoing CDC human health study of PFAS in drinking water.

With respect to countering the continued threat by ISIS, the bill extends the train-and-equip programs that underpin our partnerships with the Syrian defense forces and Iraqi security forces, while ensuring appropriate congressional oversight of the use of such funds.

Specific to Iraq, the bill also begins to normalize security assistance to Iraq by transitioning funding to enduring authorities.

The conference report also includes the bipartisan Caesar Syria Civilian Protection Act, which is intended to help facilitate an end to the conflict in Syria and hold responsible those who have perpetrated war crimes. Specifically, the bill sanctions foreign persons who knowingly provide significant financial, material, or technological support to or knowingly engage in a significant transaction with the Syrian Government and authorizes the Secretary of State to provide support to entities conducting criminal investigations, supporting prosecutions, or collecting evidence against those who have committed war crimes or crimes against humanity in Syria.

With regard to Afghanistan, the bill extends several authorities to train and equip the Afghanistan National Defense and Security Forces. It also authorizes the Department of Defense to provide support for bottom-up, Governor of Afghanistan-led reconciliation activities and mandates that the Secretary of State, in coordination with the Secretary of Defense, advocate for the inclusion of Afghan women in ongoing future negotiations to end the conflict in Afghanistan. It is in the interest of all parties to forge a negotiated settlement that brings this conflict to a close while also protecting U.S. security interests and basic human rights.

The bill also includes 4,000 additional special immigrant visas and the extension of the SIV Program so we can continue to honor commitments made to our wartime allies in Afghanistan.

As recent press reports indicate, after almost 18 years of combat and capacity building, Afghan military and political institutions are fragile, and the Taliban remains a serious threat. Moreover, terrorist groups like al-Qaida and ISIS continue to pose a potential threat to the region and beyond. The Armed Services Committee and other committees of jurisdiction must undertake a comprehensive evaluation of the causes of the current situation and help facilitate a thoughtful way ahead.

The conference report also contains a number of provisions to address the continuing threat of foreign malign influence from Russia and others countries. Deterring and countering this threat to our democracy is critical ahead of the 2020 Presidential elections.

The bill requires an update to our strategy for countering Russian malign influence, which needs to be better coordinated across U.S. Government Departments and Agencies, and expands that strategy to cover China, Iran, and other malign actors.

To guard against malign foreign actors seeking to gain access to sensitive information through DOD contractors, the conference report includes a provision that I sponsored to enhance requirements for DOD contractors and

subcontractors to disclose beneficial ownership information, including whether companies are subject to foreign ownership, control, or influence.

The Intelligence authorization bill, which is part of the conference report, also includes key provisions to counter foreign malign influence that have been of particular interest to me.

First, it authorizes establishing a Foreign Malign Influence Response Center, which would bring together all elements of the intelligence community and serve as a primary organization for analyzing and integrating intelligence on foreign malign influence to provide a common operating picture across the government.

The Intelligence authorization bill also authorizes the Director of National Intelligence to facilitate the establishment of an independent, nonprofit, Social Media Data and Threat Analysis Center to bring tech companies and researchers together to analyze indicators of foreign adversary threat networks across social media platforms.

Finally, the conference report authorizes funds for research on foreign malign influence trends and indicators, including on foreign weaponization of ''deepfakes''—that is, videos or other media that is digitally manipulated by foreign governments to spread disinformation.

Turning to Ukraine, the conference report authorizes an increase in funding for the Ukraine Security Assistance Initiative to provide critical aid, including lethal assistance, to this strategic partner to defend itself against Russian aggression against its sovereignty and territorial integrity.

With respect to Turkey, the conference report prohibits Turkey's participation in the F–35 aircraft program as long as it possesses the Russian S–400 air defense system. It expresses the sense of Congress that Turkey's purchase of the S–400 system triggers congressionally mandated sanctions and urges the administration to impose those sanctions, which are long overdue.

As everyone is aware, this conference report does create a sixth service within the Air Force for a Space Force. Its mission will be to deter hostile actions in space against the United States and its allies.

I would note that the organization created in this conference report is far more robust than was originally passed in the Senate bill. I believe this bill may be trying to do too much, too fast, and will require significant oversight. That being said, I do believe the attention we have paid to space and protecting our national security assets in space is vitally important. I will continue to work on this issue in the coming years.

Finally, with respect to substantive provisions, I would like to touch on an issue I find very problematic. I am deeply disappointed that, despite my strong support, provisions intended to prohibit U.S. involvement in the civil war in Yemen, including arms transfers to the Saudi-led coalition, are not included in the conference report. The civil war in Yemen is the world's worst ongoing humanitarian crisis, and the administration should be playing a more active and constructive role in ending the conflict and achieving a sustainable peace.

I strongly support a prohibition on offensive arms transfers and other offensive support for the Saudi-led coalition and will continue working to stop the bloodshed and suffering in Yemen.

We must redouble our efforts in support of the Yemeni people and increase humanitarian assistance. Iran, al-Qaida, ISIS, and others continue to benefit from the chaos of this protracted conflict, and ending the war is in the long-term security interests of both the United States and Saudi Arabia.

Stronger U.S. support for peace talks can and should set the conditions for Yemenis to negotiate a durable peace and for the international community to begin the difficult but critical work of restoring stability and basic services to the people of Yemen. These objectives will remain significant priorities going forward.

Let me conclude by again thanking Senator INHOFE for his superb leadership and Chairman SMITH for his superb leadership of the conference, which is a very challenging responsibility. They discharged it with great skill. I also thank Ranking Member MAC THORNBERRY, who was extraordinarily thoughtful and professional in his deportment, and all the conferees for their bipartisan support throughout the process. This process has been collegial and has been an example of a strong piece of legislation that addresses concerns of Members on both sides of the aisle.

I would also like to thank the staffs of the Senate Armed Services Committee and the House Armed Services Committee for all their fine work on drafting a thoughtful and comprehensive bill. Their diligent work throughout the NDAA process has been integral in producing the strong bill before us today.

Let me say this: They are not identified enough, in my view. The work they did and continue to do has been superb—absolutely superb. I want to personally thank them. Let me thank John Bonsell, Elizabeth King, Jen Stewart, and Paul Arcangeli for their help. They are the staff directors of the committees in both the House and the Senate.

If my colleagues would bear with me, I want to recognize all of our staff members because they don't get the credit they deserve. Beginning alphabetically, Adam Barker, Stephanie Barna, Jody Bennett, Rick Berger, Augusta Binns-Berkey, Leah Brewer, John Bryant, Debbie Chiarello, Carolyn Chuhta, Jon Clark, Maggie Cooper, Allen Edwards, Jonathan Epstein, Jorie Feldman, Patty-Jane Geller, Tom Goffus, Creighton Greene, Ozge Guzelsu, Marta Hernandez, Gary Howard, Baher Iskander, Jackie Kerber, Gary Leeling, Greg Lilly, Katie Magnus, Kirk McConnell, Keri Lyn Michalke, Jackie Modesett, Bill Monahan, Mike Noblet, Sean O'Keefe, Tony Pankuch, Brad Patou, Jason Potter, John Quirk, John Riordan, Arun Seraphin, Katherine Sutton, Soleil Sykes, Arthur Tellis, Fiona Tomlin, Eric Trager, Dustin Walker, John Wason, Tyler Wilkinson, Bob Winkler, Gwyneth Woolwine, and Jennie Wright.

Thank you.

I strongly support this conference agreement and hope that it will receive the support of my colleagues in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that the following Senators be permitted to conclude their remarks before the vote begins: Senator JONES, Senator COLLINS, Senator THUNE, and Senator INHOFE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Thank you.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Mr. President, I want to first thank Senator INHOFE and Senator REED and their staff for their amazing work on this National Defense Authorization Act. What we are about to accomplish is truly remarkable, not only for America but for individuals and families.

I am rising today as grateful and as humbled as I could ever imagine being in this Senate Chamber, but I am also just the opposite—I am excited like a kid at Christmas waiting to have the final passage of this because it means so much. We are at the finish line, about to run through the tape in a race, a marathon that so many folks thought we could never finish. I am talking about this momentous and historic National Defense Authorization Act upon which we are about to vote and pass in just a few moments.

The NDAA includes so many of our collective priorities to bolster the defense of our Nation, to modernize our military, and to take care of our servicemembers and their families. But included very deep within this incredibly thick piece of legislation is a provision that has been repeatedly introduced over the past 18 years, but it has never gotten across that finish line. I am speaking about the Military Widow's Tax Elimination Act.

For the past four decades, the military widow's tax has prevented surviving military spouses from receiving the full benefits they are owed by the U.S. Government. Legislation to repeal this unfair law has been repeatedly introduced in Congress for the last 18 years, but money and budgets and points of order have always won out over the commitment we have made to these families.

When I introduced it with my friend and colleague Senator COLLINS earlier this year, we knew it was going to be an uphill battle. We knew that the fight had been going on for so long and that we faced a steep climb, but we took a great deal of strength and motivation from the impacted widows themselves who have fought and advocated for this bill for nearly two decades. They have been a regular presence on Capitol Hill, asking year after year for Members of Congress to lend an ear to their cause. I was heartbroken when one of them told me they felt like they were easy to brush off because they were ''just a bunch of little old ladies.''

I was heartbroken when Cathy Milford said every time she came up here it was like digging up her husband and burying him all over again.

After 18 years without success, yet all the while being told how supportive Members of Congress are for their service and sacrifice, time and time again, you could see how disheartening that might be when they would go home emptyhanded.

So when I told them this was the year—Senator COLLINS and I had made it our mission that this was going to be the year we were finally going to get this done—there were more than a few of them who were skeptical, but they were, of course, always optimistic.

We knew we had to fight harder than ever before if we were going to be successful. We had to make our case that this injustice could no longer stand. As we did, one by one, Senators and Members of the House joined this cause with us. By summertime, in this body, we had earned an unprecedented number of Senators' support for this bill.

Today, as we are about to vote, there are over three-fourths of the U.S. Senate who have cosponsored this legislation. Think of that. In such a partisan time as we live in right now, in this moment, three-fourths of the U.S. Senate has voiced their support.

Because of the momentum we built, this is the year, this is the day, we will finally honor the commitment we made to these families who have given everything to our country. This is the year, this is the day, we will let our actions speak louder than words, the year we finally put our money where our mouth is when it comes to honoring our servicemembers and their families. This is the year, this is the day, we finally repeal the widow's tax once and for all.

It is, to be candid, difficult to articulate what it means to me to be able to help bring this legislation across the finish line for these surviving spouses.

Their strength, their devotion, and their grit have made this all possible. Their loved ones gave what Abraham Lincoln called ''the last full measure of devotion'' to our country, and the continued commitment to that devotion by their surviving spouses is a daily reminder of why I am here, why we are all here.

In their own way, these widows have also fought to advance the ideals and values of the Nation we all love so much. Instead of becoming bitter or jaded when learning of this injustice, these incredible women worked to make things right. Year after year, they would gather in Washington to meet with Members of the House and the Senate to beg Congress to right this wrong, only to be told that as unfair as this may be, eliminating the widow's tax would just cost us too much. For 18 years, they were told it could never get done, but they never ever gave up.

It kind of reminds me of a movie that was one of my favorite movies years ago called ''Network,'' in which the late actor Peter Finch starred as a somewhat crazed newscaster who was so fed up with the state of affairs in this country that he implored all those watching to go to their windows and throw open the windows and just yell: ''I'm mad as hell, and I'm not going to take it anymore,'' and they did.

That is essentially what these widows did as well. Year after year, they screamed that they were not going to take it anymore, and they built momentum that led to this historic vote today.

I am so glad this fight is finally coming to an end. I am going to miss their regular visits and their friendship. I truly hope they know how much it has meant to me and my staff as well. My staff has been all in. Everybody has been so dedicated and so passionate about getting this across the finish line.

I am deeply grateful to Senators INHOFE and REED, who have been critical to this effort to get this done. Without them, it would not have been possible. For their support, I am truly appreciative.

More important, I am especially grateful to my partner in all of this, Senator COLLINS, whose deeply held commitment was vital to our success.

Today we will celebrate the end to our four-decades-old fight. We will take stock in this great achievement together, but tomorrow we must turn our attention to the next big issue because there are so many others who need our help, our attention, and our courage to do the right thing.

For now—for now we can celebrate because today those military spouses who had once proclaimed they were mad as hell and not going to take it are watching this proceeding with a more joyous feeling. These widows are watching in the quiet of their homes, perhaps in the Gallery, many of them grasping a photograph of their loved ones, their late husbands, but they all have tears in their eyes, saying to each other and to us in this body: Thank you because now I am happy as hell that I don't have to take it anymore.

I assure my colleagues that right now their spouses, those who gave the ultimate sacrifice for this country, are watching from that heavenly perch above, standing at full attention, and saluting the Members of this Congress and saying: Thank you. Thank you for recognizing the ultimate sacrifice I made for this country. Thank you because you have demonstrated a commitment to me and my service, and with that final commitment from you, the commitment I made to my loved ones, the commitment to care for them even after I am gone, has finally been fulfilled, and I can truly rest in peace.

To my colleagues in the Senate, by your vote today, you are doing so much more than modernizing our military providing for the Nation's defense. By your vote today, you are returning their salute—the salute to those brave servicemembers who gave their all in service to this country.

Folks, this is a really, really big deal, and I salute all the Members of this body for their efforts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am delighted to join my friend and colleague from Alabama, Senator JONES, to urge support for the final passage of the National Defense Authorization Act, which finally—finally—contains repeal of what is commonly called the military widow's tax.

I want to commend Chairman INHOFE and Ranking Member REED for including this important provision in the bill and for their excellent job in crafting the legislation overall.

This significant bill contains numerous provisions critical to our national security and important to the great State of Maine, but right now I want to join my colleague Senator JONES in celebrating and highlighting one long-fought-for provision, and that is the repeal of the Survivor Benefit Plan and Dependency and Indemnity Compensation offset, commonly referred to as the military widow's tax.

Let me explain exactly what the problem is. Many military retirees purchase, with their own money, a form of insurance called the Survivor Benefit Plan. If they subsequently die of a military-connected illness, their surviving spouse qualifies for a dependency and indemnity compensation benefit from the VA.

Unfortunately, these two programs are offset dollar for dollar for our military families. This makes no sense. The retirees are paying for this extra insurance with their own money.

The NDAA will finally remedy this inequity, this burdensome unfairness, and it will permit as many as 67,000 surviving spouses, including more than 260 in Maine, to begin collecting the full survivor benefits they are entitled to once it is fully phased in.

The average offset to the SBP amounts to more than $11,000 per year. That is a significant amount of money that a widow or widower needs to help support their families and themselves.

I would like to again recommend and thank Senator JONES for his strong advocacy and unceasing leadership, as

well as the countless military spouses and veteran advocates, the veteran service organizations that helped push this effort over the finish line this year.

This year, these dedicated advocates helped Senator JONES and I secure a record number of cosponsors to our bill to repeal the widow's tax—78 Senators and 383 House Members.

As Senator JONES was mentioning, that is phenomenal and shows the strong bipartisan support to correct this unfairness.

Often I am reminded by military commanders of the saying that you recruit the soldier, but you retain the family. We have an obligation to make sure we are taking care of our military families who have sacrificed so much.

I urge all of our colleagues to support final passage of the NDAA and to finally put an end to the military widow's tax.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, the vote we are talking about is to waive the budget point of order that was raised by Senator ENZI. If the budget point of order is not waived, the NDAA—which I believe is the most significant vote we pass every year; it has passed for 58 consecutive years—will be referred back to committee. So that is really what is at stake here.

The budget point of order on the NDAA is primarily caused by three provisions: first, repealing the widow's tax phased in over 3 years. We have been talking about that. That is part of this point of order; secondly, giving visas to Afghans who work closely with the U.S. military during the war; and, third, allowing military servicemembers to file claims for medical malpractice.

Now, all three provisions have significant bipartisan support. The widow's tax, as was just stated, has 76 cosponsors in the Senate, 383 in the House.

A vote in this Chamber in late September to instruct conference on the widow's tax passed 94 to 0. You might keep that in mind. Anyone who talks now about opposing it actually voted for it back in September.

Now, as I mentioned in my remarks last night, I started working to repeal the widow's tax after being inspired by one of my personal heroes, a young lady named Jane Horton.

I can remember back in September of 2011, I was in a little town north of Tulsa, OK—Collinsville, OK—and I was up there talking to people, the normal type of thing we do, going around speaking with our constituents, and I recall that is when I first met Jane Horton. She lived in Collinsville.

After I had visited for a while with the group, I commented that I am the chairman of the Senate Armed Services Committee, and I am going to be going to Afghanistan in this next week. She said that her husband, Chris Horton, was also right at that moment in Afghanistan. I made the statement: Well, let's find out where he is, and I did. I checked into it and arranged to go by to see him as I left for Afghanistan, but I didn't see him because on September 9, 2011, Chris Horton was killed in action.

Now, after all of Jane's sacrifices in losing her husband in the line of duty, it seemed unimaginable to me that she should have to deal with the further pain of a dollar-for-dollar offset in her benefits as a Gold Star spouse. So we have worked with Jane and the other Gold Star spouses for a long time to figure out how we can do this in a responsible way. That hasn't been talked about so far, but we did it. So it has happened over a period of time.

Similarly, supporting the Afghan partners who sacrificed so much to help us help their country has long been a bipartisan priority. Everyone involved in this conference, including the Department of Defense, recognized the importance of fixing the medical malpractice issues in a commonsense fashion.

I understand my colleagues' concerns. We have worked hard to make each of these provisions fiscally responsible, and we will continue to do that.

There is a document, which nobody reads anymore, called the Constitution. The Constitution says that our top priorities here should be defending America. That is what we are supposed to be doing. Each of these provisions enables us to better defend America and allows us to take up this bill and actually pass it for the President to sign.

So I urge you to vote to allow this bill to move to final passage so that we can send this legislation to the President's desk, where he said he would sign it immediately, and he will. By doing so, it will send a clear message to our troops and adversaries that this body is serious about America's national security.

VOTE ON MOTION TO WAIVE

Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of the act and applicable budget resolutions for the purpose of the conference report to accompany S. 1790, and I ask for the yeas and the nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All postcloture time has expired.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mr. CRUZ). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 82, nays 12, as follows:

[Rollcall Vote No. 399 Leg.]

YEAS—82

Alexander	Fischer	Reed
Baldwin	Gardner	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Rosen
Blackburn	Hassan	Rounds
Blumenthal	Hawley	Rubio
Blunt	Heinrich	Sasse
Boozman	Hirono	Schatz
Brown	Hoeven	Schumer
Burr	Hyde-Smith	Scott (FL)
Cantwell	Inhofe	Scott (SC)
Capito	Jones	Shaheen
Cardin	Kaine	Shelby
Carper	King	Sinema
Casey	Lankford	Smith
Collins	Leahy	Stabenow
Coons	Manchin	Sullivan
Cornyn	McConnell	Tester
Cortez Masto	McSally	Thune
Cotton	Menendez	Tillis
Cramer	Merkley	Udall
Crapo	Moran	Van Hollen
Cruz	Murkowski	Warner
Daines	Murphy	Whitehouse
Duckworth	Murray	Wicker
Durbin	Perdue	Young
Ernst	Peters	
Feinstein	Portman	

NAYS—12

Braun	Johnson	Paul
Cassidy	Kennedy	Romney
Enzi	Lee	Toomey
Gillibrand	Markey	Wyden

NOT VOTING—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 12.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

VOTE ON CONFERENCE REPORT

The PRESIDING OFFICER. The question is on adoption of the conference report.

Mr. DAINES. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 8, as follows:

[Rollcall Vote No. 400 Leg.]

YEAS—86

Alexander	Fischer	Reed
Baldwin	Gardner	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Romney
Blackburn	Hassan	Rosen
Blumenthal	Hawley	Rounds
Blunt	Heinrich	Rubio
Boozman	Hirono	Sasse
Brown	Hoeven	Schatz
Burr	Hyde-Smith	Schumer
Cantwell	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cardin	Jones	Shaheen
Carper	Kaine	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Lankford	Stabenow
Coons	Leahy	Sullivan
Cornyn	Manchin	Tester
Cortez Masto	McConnell	Thune
Cotton	McSally	Tillis
Cramer	Menendez	Toomey
Crapo	Moran	Udall
Cruz	Murkowski	Van Hollen
Daines	Murphy	Warner
Duckworth	Murray	Whitehouse
Durbin	Perdue	Wicker
Ernst	Peters	Young
Feinstein	Portman	

NAYS—8

Braun	Lee	Paul
Enzi	Markey	Wyden
Gillibrand	Merkley	

NOT VOTING—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The conference report was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent to speak for as much time as I need.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. INHOFE. Mr. President, as I have reminded you all many times, this is the 59th straight year we will be passing the NDAA, the National Defense Authorization Bill. It has passed for all these years in a row because we all know just how important it is. It is the most important thing we do around here. We are building on nearly six decades of bipartisan support for our troops and national security.

This year, I am glad to say, it is no different. We all came together to produce a conference report that is good for all of America. The House passed it overwhelmingly; the Senate passed it overwhelmingly. We voted for it overwhelmingly yesterday. And the President says he will sign it immediately. I am grateful to the President for understanding the importance of this bill.

This bill means everything for our national security. Every American benefits from a strong national defense. Their lives, their livelihoods, their freedoms are all because we fight to protect them.

When I go around my State of Oklahoma, people think we have the best of everything militarily. We have the best people. We have the best soldiers, sailors, marines, and airmen. There is no doubt about it. But we can do better when it comes to giving them the best equipment and the best training. That is what this bill does. It does that. The backbone of a strong national defense is the force—the men and women who lay their lives on the line each and every day.

When I travel around, I like to take some time to meet with the enlisted guys in the mess halls. You can learn more from them than you can learn from some of the brass. They are the ones who really know what it is that we can do to effectively build a strong national defense. We get to hear what they are worried about. We get to hear how we can support them.

They need the training and equipment that makes them the most fearsome fighting force in the world. This bill does that. They need a safe roof over their heads and over the heads of their families, and this bill does that. They need to know that they have the full support of the U.S. Government throughout their service. This bill does that. At the end of the day, we have the best military in the world because of our people. We take care of them, and that is what this bill is all about.

We are here today because of the brave men and women who wear and have worn the uniform. We are safe and prosperous and free because of them. That is what this bill is all about.

The Senate just passed the Defense authorization bill for the 59th year in a row. There isn't much left around here that has that kind of longevity. It is a testament to the importance of the bill.

It is also a testament to the hard work of the staff. They worked tirelessly to bring this conference report to the floor. I want to take just a moment to recognize and thank everyone who made this bill possible, starting with the Armed Services Committee staff, especially the staff directors, John Bonsell for the majority and Liz King for the minority. They are the ones who provided the leadership behind the scenes. They did most of the work.

Then there is my partner, Senator JACK REED. We are a real team. We know how to do things and have learned over the years how to do things right. I couldn't praise him more. In fact, we had a lot of obstacles this year that we didn't have before. If it hadn't been for Senator REED and the staff working on it, we wouldn't have pulled this thing off.

A few minutes ago, Senator REED read the names of all of the members of the Armed Services Committee. I want to go ahead and get those in my statement here also.

Mr. President, I ask unanimous consent that the names of the Armed Services Committee staff that were listed by Senator REED be placed in the RECORD in my statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

My staff from the Senate Armed Services Committee:

John Wason, Tom Goffus, Stephanie Barna, Greg Lilly, Rick Berger, Marta Hernandez, Jennie Wright, Adam Barker, Augusta Binns-Berkey, Al Edwards, Jackie Kerber.

Sean O'Keefe, Tony Pankuch, Brad Patout, Jason Potter, J.R. Riordan, Katie Sutton, Eric Trager, Dustin Walker, Otis Winkler, Gwyneth Woolwine, Katie Magnus.

Arthur Tellis, Leah Brewer, Debbie Chiarello, Gary Howard, Tyler Wilkinson, John Bryant, Patty-Jane Geller, Baher Iskander, Keri-Lyn Michalke, Jackie Modesett, Soleil Sykes.

From the minority side:

Jody Bennett, Carolyn Chuhta, Jon Clark, Jonathan Epstein, Jorie Feldman, Creighton Greene, Ozge Guzelsu, Gary Leeling, Kirk McConnell, Maggie McNamara, Bill Monahan, Mike Noblet, John Quirk, Arun Seraphin, Fiona Tomlin.

Mr. INHOFE. Again, I want to thank my personal staff, office staff, and floor staff.

We need to pivot to our next task at hand: funding the Department of Defense. This puts financial resources behind all of the policies we just approved today.

Our military leaders have told the Armed Services Committee over and over again—and I have repeated this several times—that stable, predictable, on-time funding is the most important way Congress can support our national defense. It is now 2½ months into the new year, and we got it done.

To all of my fellow Members here, I thank you again for your support of the national defense authorization bill.

Merry Christmas.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:04 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

MORNING BUSINESS—Continued

The PRESIDING OFFICER. The Senator from North Dakota.

SENATOR CRAMER'S MAIDEN SPEECH

Mr. HOEVEN. Madam President, I rise today because it is my honor to introduce my colleague, who actually needs no introduction, but for this speech today I have the pleasure to introduce KEVIN CRAMER, who will be delivering his official maiden address to the U.S. Senate.

I have known KEVIN for many years and he has always been an incredibly

diligent worker for the people of North Dakota. He has served our State in many different capacities. He served as tourism director and did a tremendous job promoting our State, promoting tourism, and, really, promoting the beauty and the history of our State in a way that brought a lot of national attention and really made a difference in terms of tourism for our State.

He also served our State as economic development director, something that is certainly near and dear to my heart. I have always believed that job creation is job one, and so, to me, that is the engine that drives the car. KEVIN served as the economic development director under Governor Schafer, my predecessor, and, again, did a fantastic job. He knows the importance of supporting our farmers and our small businesses, the energy industry, and all the things that really make our State go, and he has been a huge part of helping to create an environment in our State that, from a tax and a regulatory environment, has been very supportive of the growth and development of our economy and all aspects of our economy—as I say, from ag to energy, to technology, to manufacturing and throughout the small business world—and, like me, he is a true champion for small business. We are big believers that small business is what makes this economy go. Whether it is North Dakota or the United States of America, it is small business that makes our economy go.

As Governor, I had the opportunity to appoint KEVIN to our State's public service commission in 2003, and he followed that and ran and was elected to the PSC by the people of North Dakota and served as the public service commissioner for the State until 2012. Certainly, in that role he was a big part of the growth and development of our State.

Back in 2000, when I started as Governor, we produced less than 100,000 barrels of oil a day. Today, we now produce more than 1.5 million barrels of oil a day. The only State that produces more oil than North Dakota is Texas, and KEVIN was a big part of building that climate where the industry just developed amazing technologies and this whole shale play came to be. Of course, now the United States is the largest producer of oil and gas in the world.

So he truly understands that you have to help to promote that kind of economic development, but, at the same time, there is a reasonable role for regulation and things have to be done right and well and with good environmental stewardship.

Prior to joining me in the Senate, KEVIN served for three terms in the House of Representatives, where we worked together on many of our State's priorities. We share the same beliefs in not only our great State but in this great country, and we certainly had a tremendous working relationship in the House and now, of course, I am pleased to have him as a colleague in the Senate.

We both served as members of the farm bill conference committee a year ago and were able to put in place a strong farm bill for our farmers and ranchers.

We both work to rein in regulation, as I said, to grow our economy, and to support our military. He is a member of the Armed Services Committee and also the Veterans' Affairs Committee and has already passed a resolution supporting our veterans with his Battle of the Bulge resolution, which has been passed by this body.

These are just a few of the things that he has already done as a Member of the U.S. Senate.

He has been a dedicated public servant for the people of North Dakota. He is also a very devoted family man. He and his wife Kris have three sons—Isaac, Ian, and Abel—and two daughters—Rachel and Annie. They are the proud grandparents of five. Now, I have him by one. I have six, but this is a competition. So we will see where it ends up.

He has a great family and has been a great partner in the Senate, and, of course, I look forward to continuing to work with him.

Again, I am very pleased today to introduce Senator KEVIN CRAMER for this speech.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

MAIDEN SPEECH

Mr. CRAMER. Madam President, a very special thanks to my senior Senator, my great friend, and our former Governor, Senator JOHN HOEVEN.

In fact, as he went through much of my speech for me, I thought to myself: Why, this is kind of like when I played high school basketball in Kindred, and we would be ahead by 20 points and the coach would get me off the bench and say: Go in and try not to screw this thing up. That is a little bit how I feel right now, but I thank him for the very kind introduction. Most of it was true.

The idea of a maiden speech a year into your first term may seem a little odd, but I actually kind of like the idea. It gives me a year's worth of opportunity to reflect, which creates greater clarity about the future and vision.

The first thing I want to say to all of my colleagues here is thank you for being so welcoming—and I mean all of them. What they say about the Senate and the collegiality of it is very true. It is not just true. It is really important, and it is something worth preserving.

I can honestly say that out of the 99 that I have met, I love every one, individually and collectively, and appreciate all they have meant to me.

Kris and I have been married for 33 years. We have five children together, and I am going to talk about one in particular in a little bit.

Our children range in ages from 12 to 38, and that is too long of a story to explain, but we love and are proud of all of them.

Our five grandchildren are a little closer in range. They range from 1 to 7, and we love every single one of them—Lyla, Beau, Nico, Chet, and Willa—with all the love any grandparent could come with and with all the love that God has for us.

I think it is important for people to know I am a child of God and a follower of Jesus, and it informs everything that I do, both at home and here and throughout life.

I think it is important to know a little bit about where you come from. I was raised by loving parents. My dad was a rural electric lineman who never once complained about going out in a storm to get the lights back on for the farmers of our area. My mother was an elder care giver when she wasn't pumping gas at the local Farmers Union station. They did whatever they needed to do to help us kids and to provide for our family. We never felt like we needed anything because we didn't. We were loved, and we were well cared for and had great examples of culture and work ethic and values that are North Dakotan.

I think it is important to understand where a person comes from, but I want to fast forward a little bit to this last year. I said I was going to talk a little bit about one of our sons. It was a tough campaign. A lot of people think that North Dakota is this bright red State and that everyone who runs there who is Republican wins. While that certainly has been the trend, I think it is sort of important for people to know that I am the first Republican in my lifetime to hold the seat that I hold right now for the people of North Dakota. In fact, the names of the previous Senators in this lineage are in this desk that I stand at.

So it was a tough campaign. I got into the race late. I really didn't aspire to be a Senator. I liked the House of Representatives and still do, but the call came and I answered it.

But what made the year so tough—and, fortunately, it was shorter than most campaign years in the U.S. Senate—is that I got in late. So it was a short year, but in the middle of the campaign, in the early part of the campaign, our 35-year-old son Isaac became very ill. He suffered from alcohol-induced liver disease, and we spent a good month and a half in the middle of an already short campaign at his bedside in intensive care both in Bismarck and in Rochester at the Mayo Clinic. I say that because it was perhaps one of the hardest 6 or 7 weeks of my life, the deepest valley of my life, but it was also one of the most instructive and informing. It was as informing as all those years in North Dakota in the State office helping Senator HOEVEN—then-Governor HOEVEN—build this dynamic economy.

Those several weeks with my son probably prepared me as well for this

job as any. I got to see our healthcare industry up close. I got to know more about addiction and mental illness and how tragic it is and how devastating it can be and how consequential not dealing with it actually is. It robs people of life. It is not just an inconvenience. So it was instructive in those senses, but more than that, I got to learn about our community.

I heard from thousands of Americans who watched this very public tragedy play out in the public arena because of the very public job I was seeking, and my faith in mankind was enhanced. My faith in God was strengthened—learning that the sufficiency of His grace is more than adequate not just for salvation but for life, and it makes everything shall we say clearer for me today.

Senator HOEVEN raised the subject of some of my committee assignments, and I wanted to speak to that for a minute because he is a very important part, as you can tell, of my public life and career. While I stand on the shoulders of former Governor and former Agriculture Secretary Ed Schafer—JOHN and I both served with him in economic development when JOHN was president of the bank in North Dakota—it was JOHN HOEVEN who gave me my first entree into elected office at the Public Service Commission in North Dakota and worked with me. Then, of course, I had the opportunity to serve with him as he sat on the farm bill conference committee when I served in the House of Representatives.

When I had that very first important meeting with Leader MCCONNELL to talk about what committees I wanted to be on in the Senate, realizing that I was coming from the House, where I only served on only one—I served on the Energy and Commerce Committee. It is an important committee, a big committee, but it was only one committee. Here, I would serve on three or four or, as it turns out, five. The first thing I did was look at Senator HOEVEN's committee assignments, and I wanted to assess how I could complement where he serves. He served on the Agriculture Committee and the Energy and Natural Resources Committee. It made sense to me, with my environmental and regulatory background, to serve on the Environment and Public Works Committee, where both agriculture and energy development are greatly impacted. Whether it is environmental policy or land policy, regulations that I think serve as a bit of a taking of farmers' land are every bit as important as the revenue they receive through safety net programs. So I sought and received that.

With respect to the Banking Committee, JOHN talked a little bit about that and my role as an economic director in the State of North Dakota. I have always liked macroeconomics, and it has intrigued me how financial and economic policy go together. But as interesting as the Federal Reserve is to me, and it is, and as important as the Export-Import Bank is to me, and it is, it is really the community bank—like the bank Senator HOEVEN comes from and whose family started and was building in North Dakota, the local credit unions, the farm lenders—that is what drives me more than anything in the Banking Committee.

The Veterans' Affairs Committee is a great committee, and it is something that I could never have imagined aspiring to or being involved with. But I do know that JOHN and I love veterans. North Dakota is home to only 750,000 people, but 52,000 of them are veterans. In North Dakota, patriots sign up at a rate four times the national average. So public service in the form of wearing the military uniform is really big and really important in our part of the country.

I had an opportunity for a number of years to chair the Rough Riders Honor Flight in North Dakota, where we raised the money and organized the trips for about 500 World War II veterans to come see the memorial built in their honor. What a moving experience that was.

Before servicemembers return from duty, of course, they serve, and that is why we should be working to give them the best resources we can, which is why today is an appropriate day for this maiden speech, because it is also a day we passed a very important National Defense Authorization Act to provide the tools and the things our military men and women need to be the dominating force for good in the world. It is an honor to serve them.

I am the very first member of the Senate Armed Services Committee from North Dakota. I didn't know that when I sought that committee assignment to complement my Veterans' Affairs assignment, but I am honored to do it. The reason I sought that one is because again, going back, Senator HOEVEN is a defense appropriator. I thought, how can I best look out for North Dakota's assets? And the Armed Services Committee seemed like the right place to be.

I also believe that North Dakota's assets are perfectly positioned for the future of warfighting. So I am very grateful today for the passage of the National Defense Authorization Act and for the opportunity to serve on the Armed Services Committee.

We have Air Force bases in both Minot and Grand Forks. Their histories are similar, but their new missions are very different. In Minot, we have two-thirds of the nuclear triad and the B–52 bombers that carry those impressive bombs and, of course, the intercontinental ballistic missiles, which are being replaced now by the ground-based strategic deterrent. The modernization of our nuclear triad in this NDAA is very important to our State, and I am honored to have been a part of seeing it through to completion.

We also have a very important space radar station in Cavalier—something very few people know about. Very few people in North Dakota are aware of that space station in Cavalier. Yet it is a very important asset. Now, as we launch this sixth service, the Space Force, again, we will see very important opportunities for North Dakota.

We also have an excellent National Guard—both Army and Air Force National Guard—that does important work not just locally—and they do great work locally—but around the globe. Every Member here can attest to the power of their National Guard. Our ISR systems over in Fargo, flying the UABs—it is just remarkable, what they do and what they contribute to the national defense, our Air National Guard in Fargo, the 119th Wing, the Happy Hooligans.

The Grand Forks Air Force Base—as I said, a base that was similar in its founding to Minot—is now a UAB base, a global hot base where they do important ISR work. Again, in the future of warfighting, the importance of good intelligence is so critical, and the airmen in Grand Forks are second to none in carrying out that mission.

Again, the strategic pick of my assignments was designed to complement Senator HOEVEN's and serve the good people of North Dakota.

I will spend a little bit of time talking about my service in the House of Representatives because it is the People's House. I love the People's House. Senator THUNE from South Dakota served in the House of Representatives, and he knows what it is like to be the only Member from an entire State. It has its opportunities and its challenges.

I used to say to students who came to visit: If you want to know what America looks like, go to the House of Representatives, sit upstairs, look down, and you will see 435 people who are just like 700,000 others—just like each one of them.

The diversity of our country is perfectly demonstrated in the House. I absolutely loved that, but I also knew how hard it was, because if I could get my colleagues from South Dakota, Wyoming, Montana, and Alaska to go along with me, I would have five votes. That is almost 10 percent of California. That is a lot of relationship building to get things done. Yet I love it. There are still things about the House that I watch and love. There are things lately I watch and I wonder, but there are a lot of things I love about the House. The Founders knew exactly what they were doing when they created it.

To come here and be one of two, to be a Member of the U.S. Senate, which is the equalizer for our legislative Chambers—our Founders really knew what they were doing. To have an opportunity to work with you all to provide a level playing field for the people of a smaller State has been truly, truly marvelous.

I will not elaborate on my years as tourism director and economic development director or even on the Public Service Commission because Senator

HOEVEN has done a good job on that. I would just say this: The thing that I learned more than anything on the Public Service Commission, even though—I carried the pipeline portfolio; sited the original Keystone Pipeline; sited thousands of miles of transmission lines, electric, gas, oil; carried the coal portfolio in reclamation; and worked with the Department of the Interior on those issues that are very important to our State. What I learned more from all of that than even big-time economics or engineering or energy security—as important as those lessons were over the 10 years I served, the thing I learned the most was how important the people are. In the wisdom of the Midwest, the laws required that whether you were raising somebody's utility rates, siting a pipeline or transmission lines, siting a refinery or a coal-fired powerplant or a wind farm, you had to hold a hearing in the community where the investment was taking place. In other words, you couldn't hide behind the pillars of the State capitol; you had to go to them and make it easy for them to come to you.

I learned from the people of the prairies of North Dakota about not just life in general but how to site a pipeline. It was a farmer in Walsh County who said about the Keystone Pipeline at an open meeting: I don't know much about laying pipelines, but personally, I would try to avoid that quarry you are going through.

So some very high-paid engineers moved the pipeline away from the rocks and into better soil.

It was the mayor of Park River who came to a committee meeting and said to me: I don't know much about pipelines, but you are going right through the aquifer that serves the municipal water supply of my community. I think it would be better to move it.

So I paid engineers to move it away from the aquifer.

Through the collective wisdom of the people of North Dakota and the individual wisdom of many of the individuals of North Dakota, I learned that was something not to be taken for granted or wasted, which is why, in my service in the House and here in the Senate, I spend so much time holding townhalls of all types—so I wouldn't rob myself of the value and the benefit of the collective wisdom of the people I serve.

I am so grateful to Senator HOEVEN. He is a skilled and accomplished leader. He works tirelessly—you all know that—on behalf of the people of North Dakota. He is relentless in his pursuit of things for North Dakota. He has been a great friend and mentor. I am thankful for his partnership and his willingness to work with me in the future, as he did when I was on the Public Service Commission.

As we go forward, I do have a couple of thoughts about some challenges. As I talked about this accessibility issue, this opportunity we have particularly in small States to know the people we work for really well and for them to have the opportunity to know us really well and to collect their wisdom, I fear a little bit that the lessons learned from being so close to the people are lost in this town—not so much by Members of Congress, but I am a fervent advocate of the administration and their officials getting out to our small towns and into the towns of North Dakota and other towns throughout our country.

It is an area where I think the Trump administration has excelled beyond anybody. In fact, I believe this President to be the most accessible President probably since Abraham Lincoln, who used to hold office hours right in the White House, where people could come in off the street and have an audience with him. And I am not just talking about rallies. I am talking about a President who visits the State to speak with leaders at roundtables and a Vice President who comes to our military installations to meet with the airmen.

We have an Agriculture Secretary who has been to North Dakota—what, three or four times, JOHN?—not just to talk to the very important leaders of the Farm Bureau and the farmers union and the commodity groups, but I am talking about the farmers who get their fingers dirty. We have a Commerce Secretary who, in the middle of negotiating with China, came to North Dakota to talk to those farmers about the impact of tariffs on their markets; a Veterans Affairs Secretary who studies the alternative treatments being advanced and made available in Fargo; an EPA Administrator who lets North Dakotans continue to lead the way on promoting good waters of the United States policy; an Air Force Secretary who understands air capabilities because she has seen them firsthand; an Interior Secretary who came to listen to the concerns of farmers and actually changed the direction of certain regulations as a result of farmers pointing out how their personal property rights were being stolen by the Federal Government; and a NASA Administrator who observed the first ever university space program at the University of North Dakota.

The list goes on and on, and I will spare you from it, but I think it is an important lesson and testament to how good this country can be and how much better it can be if we listen to the people in the heartland. All of this is why, in addition to bringing people of influence to my State so hopefully they can be influenced by it, I am concerned about the sheer magnitude of our bureaucracy.

This week, we are going to hopefully pass a $1.5 trillion discretionary budget or appropriations, but I worry about the people who are going to manage that $1.5 trillion being so out of touch with real, everyday Americans.

You can call it whatever you want. Some people call it the deep-state, out-of-control bureaucracy, misguided but well-intentioned public servants, power-hungry civil employees, whatever you call it. I call it unelected bureaucracy that has codified corruption in many cases. They turned their own interpretation of guidelines into infallible laws, placing the creation and implementation of their policies and processes above the needs of the American people whom we serve and the elected leaders that send them there.

I had experienced it many times in the 6 years I had been in the House, but I experienced it multiple more times in the Senate. Whether this comes from a place of self-preservation or self-importance, I believe it has to come to an end.

A defining part of my tenure since the day I arrived until the day I leave will be to take on a bureaucracy that I believe has run rampant. There are several Cabinet officials and agencies that can attest to that statement already.

I am not unreasonable about it, I don't think. I don't intend to be, but, Madam President, I am passionate about it. As I have made clear, I do not believe in the abolition of government. But I do think government needs to be more responsive to the people that pay for it. We ought to be giving the people a government that is worth their investment.

I aim as my highest goal at the highest level to return the focus of the Federal Government back to the people. I have listened to so many well-intentioned bureaucrats explain their process, explain their system, explain their traditions and rarely do they talk about a human being on the other end of all of that, so I am committed to doing what is best for the people of this country with a very keen focus on the 750,000 North Dakotans whom I committed my life to serving. Their individual and collective wisdom, along with their values, as old-fashioned as they may seem to some, is our contribution to a great nation. They would want me to say to all of you, Merry Christmas and Happy Holidays.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I would just like to say how much I appreciate Senator CRAMER, the working relationship that we have, not just here but a working relationship that goes back many, many years. As you can tell, he speaks very well, but what comes through is not only his commitment to his family and his faith, but his commitment to the people of North Dakota and his commitment to the people of this country.

It doesn't matter what issue he is working on. He takes the time to listen to everybody, and he is always willing to explain where he is coming from and why he comes to the conclusion he does. But there is no question, he loves his faith; he loves his family; he loves his State; and he loves this country.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

REMEMBERING BRIGADIER GENERAL JAMES KEMP McLAUGHLIN

Mr. MANCHIN. Madam President, I rise today to honor the legacy of a member of our greatest generation, the founder and first commander of the West Virginia Air National Guard, a World War II veteran, an American hero, and a friend of both of ours, retired Brig. Gen. James Kemp McLaughlin.

He was born on December 7, 1918, in Braxton County, to James and Almira McLaughlin. Kemp was a staunch leader with unparalleled patriotism, and his devotion to God, State, and country was unmatched. Gayle and I were honored to call him a friend, and I know I join so many when I say that West Virginia has lost a shining star. He is dearly missed.

Ever since the historic beginning of our State, we have never failed to answer our country's call. No demand has been too great, no danger too daunting, and no trial too threatening. Kemp took part in some of the most important battles of World War II. Following his education at West Virginia University, Kemp joined the U.S. Air Corps at age 23, shortly before the attacks on Pearl Harbor, the day of his birthday.

He flew nearly 40 B–17 Flying Fortress bomber missions during the war, including support for the troops on the beaches of Normandy in 1944. In 1934, Kemp led a 350-plane attack on a factory in Germany, a raid that became known as Black Thursday. On too many occasions, Kent's planes would be so damaged that it was a miracle he made it back safe.

His actions were instrumental in not only destroying Nazi efforts, but as one of the ''Mighty'' 8th Air Force in Europe, he was also instrumental in developing what is known as air superiority, a vital factor in deciding the outcome of a modern conventional war. He paved the way for all citizen airmen who strive to follow in his footsteps.

Kemp completed 39 combat missions during World War II and was awarded the Distinguished Flying Cross four times. His vast experience aided him years later when he was asked to lead the Air National Guard's 167th Fighter Squadron in Charleston, WV. When that squadron moved to Martinsburg, Charleston's Guard unit became the 130th Airlift Wing.

Throughout the rest of his extraordinary life, Kemp continued to pay homage to his fallen comrades and serve his community. He served as Kanawha County commissioner and as a member of the West Virginia House of Delegates. He is a legend here in West Virginia and was one of the most selfless people that I have ever had the pleasure of calling a dear friend.

As Governor, my most honored titled was that of commander-in-chief of the Guard. I have seen firsthand how the Air National Guard protects the citizens of West Virginia when we are in our most desperate hour of need and how they protect our country when called upon to serve at the command of the President of the United States. The integrity of our Guard is due in large part to Kemp's legacy of excellence and his commitment to seeing our Guard and our home State flourish.

When visitors come to West Virginia, I jump at the chance to tell them we are home to the most hard-working and patriotic people in the Nation. We have fought in more wars, shed more blood, and lost more lives for the cause of freedom than most any other State. We have always done the heavy lifting and never complained.

We have mined the coal and forged the steel that built the guns, ships, and factories that have protected and continue to protect our country to this day. I am so deeply proud of what West Virginians like Kemp have accomplished and what they will continue to accomplish to protect the freedoms we hold dear. We have every reason to be proud and to stand tall knowing that West Virginia is the reason Americans sleep peacefully at night.

Kemp is survived by his children, Laura, Mary, and Kemp, Jr., and their grandchildren and great-grandchildren. I know he and Constance, his lovely wife of nearly 50 years, are looking down on each of you and all of us with a smile.

West Virginia is great because our people are great—Mountaineers who will always be free. We are tough, independent, inventive, and honest, our character shaped by the wilderness of our State—its rushing streams, its boundless blue skies, its divine forests, and its majestic mountains. We are West Virginians. Like the brave, loyal patriots who made our State the 35th star on Old Glory, our love of God and country and family and State is unshakeable.

I know that 20, 50, or another 156 years from now, that will always remain the same. That legacy laid the groundwork for heroes like Kemp McLaughlin, and now, he serves as an inspiration to all who wish to follow in his footsteps and live a life filled with patriotism, service, faith, and family.

There are so few of our American heroes left from Kemp's generation. It is our responsibility and privilege to ensure that their service and sacrifice is never forgotten. The sun will never set on Kemp's legacy of service, his generosity, his love for his family, and his devotion to God, our home State, and our beautiful country.

I know with the condolences of myself and you, Madam President, that we will always remember and keep Kemp in our prayers.

Thank you, and God bless.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

HONORING MASTER TROOPER WILLIAM MODEN, CORPORAL DANIEL GROVES, SERGEANT JOSHUA VOTH, KEN JONES, TRAVIS DAVIS, AND TROY JACKSON

Mr. GARDNER. Madam President, I rise to give thanks to the brave men and women of law enforcement in Colorado and across the country. Every holiday season, I am reminded of the sacrifice that these brave officers make in order to make sure that everybody's holiday season is enjoyed safely and that every day is enjoyed safely and securely.

Across the United States this year, 115 law enforcement officers have paid the ultimate sacrifice in the line of duty. In Colorado, we honor those who lost their lives this year. Master Trooper William Moden was killed earlier this year when he was struck by a vehicle as he was investigating a crash. He served the Colorado State Patrol for 12 years. Corporal Daniel Groves was also killed by a passing vehicle while assisting another driver during the blizzard last winter. Corporal Groves also served the Colorado State Patrol for 12 years.

Unfortunately, I also come to the floor to honor three other brave men and women—you can see them here—who have given their lives just this past month. Sergeant Joshua Voth served the Colorado Department of Corrections and was stationed at the Canyon City Correction Facility. He was killed this month when an issue with the boiler caused an explosion. Sergeant Voth was 28 years old and leaves behind his wife and three children. He served at the Canyon City facility for 3 years and helped teach inmates valuable skills to help smooth the plan to rehabilitation.

We also lost other beloved members of our first responder community. They need to be remembered and honored as well. Ken Jones, a member of the Summit Fire and EMS, was killed on December 7 while responding to a fire at Copper Mountain. Ken served in that department for 20 years and was known by his colleagues as ''a firefighter's firefighter.'' Travis Davis, the deputy chief of operations for Summit Fire and EMS, remembers him as an ''Oak'' and said everyone in the organization learned something in Ken's steady and calm demeanor. We thank Ken and his family for two decades of service and send our sincerest thoughts to all those who knew him.

I also would like to recognize Troy Jackson, a former assistant chief of operations for the South Metro Fire Rescue, who passed away just yesterday morning after a battle of what is believed to be job-related cancer. Chief Jackson was first hired in 1990 and served nearly three decades before stepping away in 2016 due to his health. He was open about his battle with cancer, in hopes that he could teach other firefighters how to avoid these risks.

We thank Chief Jackson for his service and send our thoughts and prayers

along to his wife and two children. Each one of these officers and firefighters we lost this year was a neighbor or loved one, a member of the community, and an extraordinary Coloradan who gave their life to protect their communities. While we remember those whom we lost this year, we must also continue to celebrate those who continue to serve today.

TRIBUTE TO OFFICER MICHAEL LOHMAN

Mr. GARDNER. Madam President, in August, I was fortunate to award Officer Michael Lohman of the Greeley Police Department with the Congressional Badge of Bravery for his heroic actions apprehending the driver of a stolen vehicle in 2017.

While at the driver-side window of the vehicle, the driver pulled a gun on Officer Lohman, who immediately engaged with the driver to take the weapon. The driver pulled Officer Lohman into the vehicle and began accelerating, dragging him along the street. Officer Lohman kept his cool and was able to pull the suspect from the vehicle while it was still moving and apprehended him with the help of other officers.

These actions saved the lives of anyone in the path of that vehicle, as well as the life of his partner who was at the passenger side of the vehicle when the gun was pulled. These actions give our communities peace of mind, knowing that heroes like Officer Lohman continue to keep all of us safe. But we know every brave action doesn't get the recognition that it deserves.

Every day, there are law enforcement and first responders who act with complete selflessness. They do this not to seek recognition or praise, but simply because it is what they were called to do.

Jamie and I would like to send our thanks to the families of our law enforcement and first responders. Every day these men and women say goodbye to their loved ones, unsure of what that day will hold for them. I am sure these goodbyes are much more difficult during the holiday season, but without the love and support of those at home, the jobs of law enforcement and our first responders would be that much more difficult. We thank them for their continued sacrifice.

RECOGNIZING THE U.S. CAPITOL POLICE

Mr. GARDNER. Madam President, I would also like to take a moment to say thanks to the men and women of the U.S. Capitol Police. They work long hours to ensure that Members of the staff and Members themselves are able to carry out their duties safely. On top of that important duty, they also protect the public who comes to visit to express their opinion, to express their right to assemble and free speech in the Capitol and beyond, not only to tour this beautiful Capitol Building, but to make sure their thoughts are heard on our Nation's policy issues.

I know every one of my colleagues will join us in expressing our gratitude to law enforcement and first responders not only in Colorado, but across this Nation this holiday season. They will give up time with their own families to make sure that others are safe.

To all those who defend that thin blue line, thank you, and God bless. You have my enduring support. May you all have a happy and blessed holiday season.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

TRIBUTE TO JOHNNY ISAKSON

Mrs. HYDE-SMITH. Madam President, today I rise for the opportunity to commend Senator JOHNNY ISAKSON on his retirement from the U.S. Senate.

I am a relatively new Member to the Senate, but I think we all remember the first time we ever walked onto the Senate floor. I know I certainly do because that is the day I met Senator JOHNNY ISAKSON.

With both of us being from the South, I knew we would probably have a lot in common, a similar view on life, and a heart for the South, but it didn't take me long to learn that JOHNNY has a universal heart.

I am guilty of the expression, ''Nothing is special until you make it special.'' JOHNNY has such a generous gift of making things special. He has the gift of making everyone around him feel special. His heart and his attitude sees the best in people and yet goes further to let them know how much they mean to him.

He exemplifies being a leader, an encourager, and an investor of people. He is never too busy to ask how you are doing or to ask about your family. Common courtesy sometimes isn't always that common anymore, but I assure you it is with JOHNNY ISAKSON.

His brilliance is unquestionable. His ability to articulate what is important to him is just simply amazing. He can deliver a message that not only expresses his concern but also has answers and solutions based on his experience and his tremendous wisdom.

He is the gentle calm in a tremendous storm. He has the words of wisdom when so many are bewildered. He is the guiding light in the darkest times. He provides the needed laugh in times of tension and the voice of reason in times of uncertainty. His love is deep, and his compassion is true.

He knows how to be a friend. He was a born leader and has the ability to capture opportunities and turn them into successes. My world has been enhanced and enriched by this wonderful and precious human being.

JOHNNY learned a long time ago that the joy of living comes in giving. You know when a person has in his heart that joy, that wasn't put there by the world.

When I think about the true statesmen I have met in my brief time in the Senate, I will certainly have ''Georgia on My Mind.''

Thank you.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Florida.

VENEZUELA

Mr. SCOTT of Florida. Madam President, I rise to speak again today about the crisis in Venezuela—a defining human rights issue of our time.

Nicolas Maduro is starving his own people, and innocent children are dying. It is a genocide right here in our hemisphere. Every day that passes, the situation in Venezuela grows more dire.

The United States and all freedom-loving countries around the world must do more. As Governor, I strictly prohibited the State of Florida, including all State agencies, from investing in any company that did business with Maduro's repressive regime.

I am grateful for the bipartisan support this bill has received, and I specifically thank Senator ROSEN for her leadership and for joining me in this effort.

We must never give up on the fight for freedom, and I look forward to all of my colleagues joining me in support of the people of Venezuela.

Madam President, I ask unanimous consent to address the Senate in Spanish.

The PRESIDING OFFICER. Without objection, it is so ordered.

(English translation of the statement made in Spanish is as follows:)

Mr. SCOTT of Florida. I stand with the people of Venezuela and will always fight for freedom and democracy in Latin America.

I understand my colleague has an objection. I am disappointed, but I look forward to working with him to address his concerns.

Thank you.

The PRESIDING OFFICER. The Senator from West Virginia.

APPROPRIATIONS

Mrs. CAPITO. Madam President, I rise to highlight several key parts of the appropriations package the Senate will be considering later on this week. First, I want to point out some statistics. Ninety-two thousand of our coal miners are counting on us to protect their pensions. Thirteen thousand coal miners are counting on us to protect their healthcare benefits. This week, we will have a chance to do just that.

I am very proud to have worked with our leader, Senator MCCONNELL, Senator MANCHIN, Senator PORTMAN, and others to introduce and champion the Bipartisan American Miners Act. I appreciate that my counterpart on the House side, Congressman DAVID MCKINLEY, has worked consistently and tirelessly on this bill in the House, along with our other Representatives from West Virginia, ALEX MOONEY and CAROL MILLER. Most of all, I appreciate the West Virginian miners and their families who have traveled to Washington to advocate for their promised benefits and for their communities. I

stood outside the Capitol with thousands of coal miners and their families several years ago in seriously suffocating heat, as DC can heat up during the summer, to rally in support of those benefits. Miners have come to Washington in the snow and in the rain. Their camouflage shirts have stood out around the Capitol as they worked tirelessly to educate us about the critical need for action. You have probably seen them in the halls. No one should be surprised by their dedication and commitment because our West Virginian miners have answered the call throughout their careers. Their hard work provided the electricity and the steel that has powered our American economy.

The time has come to protect those retirement benefits these miners have earned. The Bipartisan American Miners Act will secure both pension and healthcare benefits for those hard-working men and women.

I want to thank the United Mine Workers of America and their president, Cecil Roberts, for his work and their work in advocating for our miners. More than 25,000 miners from all of West Virginia's 55 counties will have received payments from their pension benefits last year.

More than 5,600 West Virginians miners are at risk of losing their healthcare benefits if we fail to act. Almost $200 million in pension benefits were paid from this fund to West Virginians last year. The loss of those funds would certainly have harmed the retirees themselves, no doubt, but also the local businesses they patronize across the State and their communities.

As one West Virginian wrote to me just last night, ''My father is a retired miner from Marion County who will be turning 80 in January. This will give him and my mother some long overdue and well deserved peace of mind. They have been worrying unduly throughout the last several months.''

Thousands of miners in West Virginia and elsewhere in coal country will have a merrier Christmas when this bill becomes law later this week. I ask my colleagues to join me in supporting this critical legislation.

There are a number of other reasons to support the appropriations bills we will be considering in the next several days. I wanted to highlight one that can have a significant impact on my State of West Virginia.

I was proud to ensure that in the transportation and infrastructure title of the appropriations bill, we fund the Appalachian Development Highway System at $100 million. That will help us as we work to continue the last remaining enormous project in our State, Corridor H.

I have also advocated for action to address our structurally deficient bridges. In my State, we have a lot of hills and a lot of valleys, and we have a lot of bridges. Almost 20 percent of our West Virginia bridges are classified as structurally deficient. I think it is a universal statistic in the country. This bill takes the absolutely necessary step to provide funding for over $1.15 billion to fund highway bridge projects of which West Virginia is eligible for $50 million.

Roads and bridges have a huge economic impact on our communities and our quality of life, everything we do every day. I am proud we have included these important investments.

As chairman of the Homeland Security Appropriations Subcommittee, I want to address items included in our subcommittee's funding bill as well. A little over a year ago, I stood here to talk about the increasing crisis at our southern border. When I spoke to you then, apprehensions at our southern border were 30 percent higher than they were the year before, and they were much higher than they are today, as I speak. The crisis was not limited to the realm of illegal immigrants because fentanyl seizures were up 115 percent, along with other illicit narcotics: heroin, methamphetamine, cocaine, marijuana. Thanks to the leadership of the President and also this Congress the situation has improved.

We should also recognize the improved coordination with Mexico and partnerships with other countries that have helped curb the flow of those entering our country illegally. Though the situation has improved, it is far from being solved. Frankly, we are one ruling away from an activist judge who could create the flows of those trending upward again.

As such, I am proud to say that the homeland security title in the package we are considering this week provides funds and resources to continue the good work we have been pursuing to stem the tide of illegal immigration. Twice I have seen firsthand on the border—the southwest border—the challenges we face—and, yes, the progress we have made.

This bill supports the work of the men and women of the Department at CBP, ICE, HSI, the Coast Guard, and many others who are daily standing watch on our borders, on our coasts, and on our computer networks.

This bill invests in personnel, particularly by creating a new position: Border Patrol processing coordinators. This was a particular interest of mine after talking to numerous people at the Department and while visiting the border, describing the frustration they felt as agents and officers. This funding provided for these processing coordinators will return 240 of our border agents to the frontlines to enforce our immigration laws, which is what they are trained to do.

In regard to physical barriers, we provide the enacted level of $1.37 billion. The only thing similar to last year is the amount of money provided because the flexibility we provide the Department is a significant change and a significant improvement.

The bipartisan fiscal year 2017 appropriations bill required our Customs and Border Protection to provide us with a comprehensive Border Security Improvement Plan. I was going to bring it with me today, but, to be honest with you, I left it in my office. The funds we provide this week will enable the Department to follow that plan.

While passage of our Senate bill would have been ideal, a continuing resolution would have had a devastating effect on homeland security. The bill we are going to pass will help us take another step forward in securing our border.

I am so very proud of the men and women who work at the Department of Homeland Security, and I was able to meet quite a few. The crisis they faced when I spoke here last year was a real one. Through their dedication and efforts, so much progress has been made, and I look forward to speaking to you a year from now about what we have been able to accomplish with the resources and tools we can provide them with this bill.

There are many other vital provisions across our appropriations bill, including a 3.1-percent pay increase for our troops and significant increases in funding for our veterans for the MISSION Act, increasing funding for combating the opioid epidemic, expanding our rural broadband, and researching cures for diseases.

One of those diseases hit many of us and has hit me quite personally; that is, Alzheimer's. Research for Alzheimer's is, I think, absolutely essential, and we are increasing that.

I commend all my colleagues who worked to put together the bipartisan appropriations bills. I congratulate Senator SHELBY, in particular, and Senator LEAHY for working together, and I look forward to voting for these bills later in the week.

With that, I yield back.

The PRESIDING OFFICER. The majority whip.

TAX CUTS AND JOBS ACT

Mr. THUNE. Madam President, December 22 will mark an anniversary, the second anniversary of the signing of the Tax Cuts and Jobs Act. Tax reform was a big priority for Republicans. We wanted to help American families by reducing their tax burden and spurring the kind of economic growth that would result in better jobs and better wages.

At the end of 2017, we passed the Tax Cuts and Jobs Act. We cut tax rates for American families, doubled the child tax credit, and nearly doubled the standard deduction. We lowered tax rates across the board for owners of small and medium-sized businesses, farms and ranches. We expanded business owners' ability to recover the cost of investments made in their businesses, which frees up cash they can reinvest into operations and their workers, and we lowered our Nation's massive corporate tax rate, which up until January 1 of 2018 was the highest corporate tax rate in the developed world,

and we brought the U.S. international tax system into the 21st century so American businesses are not operating at a competitive disadvantage next to their foreign counterparts.

Over the last 2 years, tax reform has done exactly what we intended. It has allowed American families to keep more of their hard-earned money, and it has helped spur wage growth and increase the availability of good jobs for American workers.

For 2018, the average family of four with an income of $75,000 saw a tax cut of more than $2,000. On top of that, company after company responded to the Tax Cuts and Jobs Act by issuing bonuses, improving benefits, or increasing wages. At least 100 utility companies around the country announced plans to cut utility rates for consumers.

Then, of course, there is the economic growth that the law has spurred. A whopping 266,000 jobs were created in November, smashing expectations and bringing the average monthly job creation for 2019 to a strong 180,000 jobs per month. Job creation since President Trump was elected has exceeded the Congressional Budget Office's 2016 preelection prediction by more than 5 million jobs. The unemployment rate is at a 50-year low and has been at or below 4 percent for an incredible 21 straight months. The year 2019 has also seen record-low unemployment rates for African Americans, Asian Americans, Hispanic Americans, Americans with a disability, Americans without a high school diploma, and veterans. For 20 straight months, there have been more jobs available than Americans looking for work.

Meanwhile, wages for American workers are growing steadily. Wage growth has been at or above 3 percent for 16 straight months. Before the start of this streak, the last time wage growth had reached 3 percent was more than a decade ago. Income inequality has declined. The poverty rate has fallen to a 17-year low. The list goes on.

Those are a lot of numbers and percentages, but they all boil down to one thing, and that is that American families are doing better. Thanks to Republican economic policies, fewer Americans are having to choose between a car repair and a doctor's bill. More Americans are able to put away money each month for their retirement or their children's education. There are more good jobs available for Americans looking for work.

Of course, there is still more work to be done. Our farm economy, for example, is not doing as well as the economy as a whole. Passing policies that will bring relief to our farmers and ranchers and expand markets for their products is a priority of mine.

But 2 years on from the Tax Cuts and Jobs Act, we can celebrate the fact that millions of American families are bringing home more money in their paychecks and have access to better jobs and better opportunities. Preserving and building on those accomplishments is a Republican priority.

Unfortunately, our Democratic colleagues are more likely to suggest tax hikes than preserving the tax cuts that have brought so much economic progress over the past couple of years. Democrats opposed the Tax Cuts and Jobs Act, despite the fact that many of the ideas included were the product of both Republican and Democratic proposals. They objected to it, and they fought it because they were determined not to work with this President.

Two years on, Democrats would still like to pretend the Tax Cuts and Jobs Act didn't help American families, despite the reams of statistics on the economic progress we have made and the fact that an estimated 90 percent of middle-class families received a tax cut. After all, if Democrats acknowledged that tax cuts have made life better for families, it would be even harder for them to defend the massive middle-class hikes that would be needed to fund their socialist proposals like Medicare for All and the Green New Deal. It is unfortunate the Democrats are so opposed to policies that have made life better for millions of Americans.

I am proud of all we have achieved for American families with the Tax Cuts and Jobs Act. I will continue to work with my colleagues to keep our economy growing and to expand opportunities for Americans even further.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. THUNE. Madam President, I ask unanimous consent that the senior Senator from South Dakota and junior Senator from Tennessee be authorized to sign duly enrolled bills or joint resolutions during today's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOVERNMENT FUNDING

Mr. BLUNT. Madam President, I am glad to finally be here today, talking about the final conclusions we have reached on the appropriations bill generally but, specifically, the Labor and Health and Human Services and Education appropriations bill.

We are now a bipartisan Congress, with Democrats in control on one side, Republicans on another. On this side, of course, we always have to have 60 people to go forward on these bills. We generally have had to have a bill here that would appeal to enough Democrats or enough Republicans to make this happen, but we have come to the conclusion of what is normally the hardest bill to negotiate. It is about 30 percent of all the spending after you take defense off the table. Defense is half of the discretionary spending; then you have 11 other bills that have the other half of that spending.

This bill has 30 percent of that half. It has lots of things that you could argue about and, frankly, lots of things that you would just say ''If we can't all be happy about this, we won't move forward,'' which would mean you wouldn't move forward.

This is a bill where Senator MURRAY and I and Congressman COLE and Chairman DELAURO on the other side had to decide if we were going to have a bill or not, and we decided we were going to have a bill. We decided at the end of the process, with some help from others, that we wouldn't have things in the bill that hadn't traditionally been there.

This is the place where much of the language that we debate in the appropriations bills occurs—what can happen and what can't happen. Things like the Hyde amendment have been in the appropriations bill for a long time, and it is in this one.

Other things that have not been there in the past are not there, and that was one of the things that allowed us to move forward.

Again, we had one body controlled by a different party, and we had to come to a bipartisan consensus, and I think we have.

There were lots and lots of competing programs, some of which we are all for, but maybe our priorities are different. In fact, it could be that we just have more priorities on one side than on the other. But these programs range from workforce training to early childhood education to infectious disease control. That is a pretty big span of things to try to come to a conclusion on.

Then, from our colleagues, we had 7,800 different requests—not necessarily requests that would be considered ''I want you to spend this money in my State'' but 7,800 requests that said ''We think this program should be increased'' or ''This program should be decreased.''

So with all of those requests and that broad span, we came together with a bill that I am going to vote for tomorrow and look forward to voting for tomorrow. It is not exactly the bill I would have done if I had been doing it by myself, but by the very definition of both democracy and the Congress, you don't get to do these by yourself.

The bill, which will reflect the priorities of both sides of the aisle and both

sides of the Capitol, invests in those priorities. We expand medical research—something that has been one of the things at the top of my list as the chairman of this committee. This is a moment when medical research is so critical, when we know so much more than we did about the human genome, so much more than we knew about immunotherapy just 5 or 6 years ago. This is a topic that wasn't on the radar screen of treatments. Now, for many cancers, it is one of the first things you think about: Does it work if we get this person's body focused in a way that it fights back this cancer that is trying to overcome it? Often, that produces a great result now that wouldn't have been happening 5 or 6 years ago.

The opioid epidemic is one that we deal with in this bill.

Investing in high-quality early childhood care and early childhood education and education generally are in this bill—trying to make college more affordable with things like Pell grants that not only work for people who don't have the income to do this without some help, our government has decided, but also now work year round for about the third year, when, once you get started, you can keep on going if you have a pattern that is working.

We spent a lot of time in the last year talking about what to do in this growing economy, where more jobs are available than people looking for work. What do we do to better match the people looking for work with the jobs available? More importantly, how can we anticipate that that will happen in the future?

For the fifth straight year, after 12 years of no increase, the National Institutes of Health in this bill will get a significant increase, an additional $2.6 billion, which increases them in the last 5 years over 40 percent—again, at a time when this investment can mean so much to so many people.

We specifically targeted the investment toward Alzheimer's disease. Alzheimer's and dementia are the things that taxpayers pay the most on in order to help, and taxpayers don't pay nearly all of the costs that families have with Alzheimer's and dementia.

The President's Childhood Cancer Data Initiative is here. Precision medicine, combating foreign threats to research, addressing the facilities backlog on the campuses, all of those are here.

Our investments in NIH are making a difference for families and making a difference, we hope, for the future. That NIH-based research has helped raise life expectancy. It has vastly improved the quality of life for many Americans. It has lowered healthcare costs. It has very dramatically decided, in some healthcare situations, either how invasive you need to be or how much pain has to be involved in getting you headed in another direction but also, by the way, on the opioid front, understanding that the complete elimination of pain is not necessarily a good thing unless you are sure you are going to be able to deal with that pain medicine and that moment later.

The bill fully funds the President's request to do everything we can in the next 10 years to eliminate the HIV epidemic. It would have been hard to imagine 5 years ago or 10 years ago saying that we would be in sight of a vaccine and eliminating HIV as an epidemic problem in our country.

We spend money on that, but we have fully funded what the President and others believe would be necessary to achieve that goal. We spend $20 billion a year right now on direct health expenditures on HIV prevention and care. Our goal in the next 10 years will be to reduce the number of new infections of HIV by at least 90 percent every year.

Third, this bill, the fiscal year 2020 bill, continues our commitment to the opioid epidemic, providing money to do that, providing money for prevention, for education, for research, and for treatment, as well as recovery programs.

In this bill we put new flexibility in for the opioid epidemic to where those things you may go to after you have become addicted to opioids, like meth, can also qualify for the kinds of help that people need if they are trying to escape their addiction to pain medications or other things that they have become critically linked to.

This bill includes new and substantially expanded investments in Head Start, in high-quality early childhood care; programs that provide more flexibility to school districts to use the limited resources they have, whether that is title I, if you are a school person and know what that means, or title II, supporting effective instruction State grants; IDEA, the ability to help people with disability education issues; Impact Aid in communities that have significant Federal investments in military bases or a national forest or things like that. These are all things we deal with in this bill. We also target STEM education, including the focus on computer science.

We are also trying to bring focus for young people to make them more quickly understand what the options are out there. Clearly, the college path that has been so pervasive in the last two decades isn't the right path for everybody. And even if it is the right path for everybody, if it doesn't hurt to go to college—I am the first person in my family to graduate from college. If it doesn't hurt to go to college, it might not necessarily get you a job unless you know what job it is you are thinking about as you put your college life together. Even that might not give you the job that you really would like to do. So part of what we are trying to do here is to connect people earlier with the opportunity to do that. If they do go to college, we are increasing Pell grants for the third year in a row by about 2.5 percent. We are increasing programs—the so-called TRIO Programs—for people who haven't had members of their family go to college before, to help them get ready for college, get them thinking about what they need to do to be the first person in their family to go to college, to help them figure out how to stay in college, because nobody in their family can give them the exact advice they might need on how to stay in college, and how they can get prepared to get a job out of college and avoid the kinds of loans they cannot afford to pay back.

There is something I call lost equity. I have talked to so many people in the last 2 years who are about 28 years old, and over and over again, the story was so similar. They went to college for a year or a semester and then held a series of jobs that were not too hard to get but didn't lead anywhere. They were landscapers or Uber drivers or bartenders or whatever else, with no sense that that was a career and not the underpinnings they would like to have. Then finally, in their midtwenties, somebody tells them or they figure out on your own that they have to have something that can support them the way they would like to be supported and help them with a family, might have retirement and certainly has benefits. We are trying to do what we can to be sure that focus comes earlier as they begin to think about what they like to do and what they find fulfilling.

Let's talk about the jobs that are out there, whether it is STEM education or health services. Let's talk about the difference between a nurse practitioner and being a doctor. Let's talk about the difference between being a doctor and a specialist. Let's talk about where the job opportunities are in physical therapy, occupational therapy, or health tech. All of those things are a way to a great career if you know what you are doing.

If you missed that launching point, if you missed those 10 years, that lost decade, it is pretty hard to ever catch up to your schoolmates who understood what they wanted to do and maybe had no more resources or capacity than you, but they had an extra 10 years on you in preparing for the career they would like to have and the work they would like to do and where that might lead them.

The President really has been focusing on apprenticeship programs. An apprenticeship is a good way to learn firsthand and see firsthand what you want to do, whether it is an apprenticeship program or community college or traditional college or skills you learn in the military that you should be able to immediately transfer into a private sector, nonmilitary opportunity. We need to spend some time and some money on that, and this bill does.

The bill continues to try to do what we can to be looking carefully at reducing fraud, reducing waste, and seeing that tax dollars are being spent properly, and a lot of them are spent right here in this bill. We prioritize

programs that really will provide benefit to, we hope, large groups in our country.

The bill reflects compromises on both sides. The people of this country send 100 different people to the Senate and 435 different people to the House to vote and to make decisions that reach conclusions. This bill does that. All 12 of these bills we will vote on sometime in the next 3 days do that. They allow us to defend the country and to meet the obligations that people have asked the government to look at for them and hopefully do that in a way that produces real results.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BATTLE OF THE BULGE

Mr. BARRASSO. Madam President, I come to the floor today to mark the 75th anniversary of the epic Battle of the Bulge. It was an incredible battle in World War II. To quote British Prime Minister Winston Churchill, this was ''the greatest American battle of the war.''

It was an incredible privilege to join veterans this past weekend at the 75th anniversary ceremonies in Luxembourg and Belgium. Remember, it was 75 years ago. The youngest among these veterans, if they went into the service at the age of 18, would, as of today, be 93 years old.

The World War II Memorial in Washington pays special tribute to the 16 million Americans who served and especially to the 400,000 who gave their lives for our freedom. There are two flagpoles at that memorial, and at the base of these flagpoles are the words ''Americans came to liberate, not to conquer, to restore freedom and to end tyranny.'' In winning World War II, this generation gave their all to ensure that we continue to live in freedom. These heroes didn't return home until the war was over.

This weekend, we recognized a number of veterans who are still with us who helped win the pivotal Battle of the Bulge. For these soldiers, the brutality of the battle came in the bitter cold of winter. They battled the elements—wet snow, intense cold, and freezing fog. Every one of them suffered from hyperthermia, trench foot, frostbite, and illness. They shivered in their foxholes. They shivered from frigid conditions and maybe some from fright. I speak with deep appreciation and admiration and awe for their efforts, their excellence, and their remarkable endurance.

The battle began on December 16, 1944. That is when Germany launched a surprise attack on the Allied forces in Europe. The Allied troops were generally outnumbered by more than three to one. In addition to the harsh weather, they faced treacherous terrain. Still, GEN Dwight David Eisenhower spoke with confidence. He said: ''United in this determination and with unshakable faith in the cause for which we fight, we will with God's help go forward to our greatest victory.'' The Germans sought to divide and destroy the Allies, but it was the Allies who ultimately crushed the German Army.

The Bulge was one of the most punishing battles in the history of the U.S. military. Most of the 650,000 Allied troops were Americans. From December 16, 1944, to January 29, 1945, the Americans suffered 75,482 casualties; 8,407 were killed. The brave soldiers who fought in this brutal battle saved the free world.

Every soldier was a hero, and every soldier has a story to tell. My father, CPL John Barrasso, was one of those heroes. He reported to duty to the Pennsylvania Army National Guard in 1941, 4 days after the Japanese attacked Pearl Harbor. He didn't return home for 4 years.

He was a gun crewman in the 108th Field Artillery Battalion of the 28th Infantry Division. He wore on his arm the red keystone patch. The Germans called the patch the Bloody Bucket, referring to the ferocity of its fighters.

He was one who landed at Omaha Beach, but he was always clear to point out that he wasn't there on that very first day. That is how humble these men are. He landed in Normandy in July of 1944. They beat back the German Army through France and then into the fiercest battle of them all. In combat for nearly 200 days, they fought against 45 of the 90 German Army divisions. He was awarded five Bronze Stars.

I have with me my dad's dog tags from World War II, along with his military prayer book. On the front it says ''My Military Missal.'' On the back cover is a rosary, and there is a cross, as well as the beads, and you could work your way through the beads in your hand in your pocket in a foxhole, praying the rosary, as many of them did. I would point out that these beads are very well worn. My father was a man who always put his family, his faith, and his country first.

On this, the 75th anniversary of the Battle of the Bulge, we honor the heroic and selfless efforts of our Allied forces. Their triumph over evil speaks to the core strengths of courage, character, and commitment.

We will forever give thanks for all of our World War II veterans and their families. We will never forget those who made the ultimate sacrifice. And we will always remember the valiant Allied forces who saved the free world.

In closing, I want to wish everyone—especially our dedicated men and women in uniform—a very Merry Christmas, a Happy Holidays, and a Happy New Year.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Utah.

TRIBUTE TO NEWELL HARWARD

Mr. ROMNEY. Madam President, I rise today to honor the extraordinary service of one of Utah's most dedicated county commissioners, Mr. Newell Harward. He has served Wayne County for the past 7 years, but he has taken on responsibility well beyond that, advocating for rural Utah with honor and distinction as chairman of the Six County Association of Governments. Newell has had an esteemed career and life of service to family, country, and God.

Growing up on the family farm in Loa, UT, Newell gained an early appreciation for the value of community, family, and hard work. He also developed a spirit of adventure, later serving a mission abroad in Scotland and joining the Wayne County Flying Club.

As the founder of Harward and Rees Construction, Newell is also an entrepreneur whose craftsmanship is literally built into Utah's infrastructure. His company has undertaken everything from city water projects, designs at Lake Powell, to a new bridge over Hell's Backbone in Southern Utah.

Newell is perhaps most widely known as a public servant who was elected to serve as Wayne County commissioner. After 4 years, Newell considered stepping down due to illness, but he was undeterred. With a writing campaign, Newell Harward was reelected in a landslide. In October of this year, the President welcomed Newell to the White House to recognize him for his lifelong advocacy on behalf of rural Americans.

A true appreciation for Newell's life of service would be incomplete without recognizing his unwavering faith and service to the Church of Jesus Christ of Latter-day Saints. Newell has served in three bishoprics, as bishop of a large ward, and in the stake presidency. As a loving father to Kelly, Lynette, Sarah, Shonna, Carol, and Travis, a grandfather to 18, and a great-grandfather to 3, Newell has left an indelible mark on Wayne County, the great State of Utah, and indeed our Nation.

All of us should strive to live our lives as Newell does, with an overwhelming love of family and community, an enduring faith, and a boundless spirit of adventure.

Newell, Gloria, and their family continue to be in our prayers as they fight health challenges with great courage. May God bless the Harward family.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCOTT of Florida). Without objection, it is so ordered.

BIPARTISAN CONGRESSIONAL REFORM ACT

Mr. ENZI. Mr. President, I rise to discuss the Bipartisan Congressional Reform Act I introduced with Senator WHITEHOUSE and many of my colleagues.

Last month, the Senate Budget Committee approved our legislation—that is the Senate Budget Committee—by a vote of 15 to 6, marking the first major legislation reported by the committee on a bipartisan basis in nearly 30 years. I am pleased that 21 Senators have now joined Senator WHITEHOUSE and me as cosponsors of this bill.

Since I became chairman of the Budget Committee, we have had more than a dozen hearings on budget process reform. We have met with budgeting experts, including some outstanding State officials, and we have listened to insights and concerns shared by colleagues on both sides of the aisle. Along the way, we collected a lot of good ideas that we tried to incorporate into our bill, and I thank all those who contributed.

Now, this legislation will not solve all of our fiscal challenges. It does, however, represent a good-faith, bipartisan effort to reform our budget process in a way that encourages long-term planning, realistic and responsible budget assumptions, and the end to the brinksmanship surrounding our Nation's statutory debt limit.

This bill will also make evident what needs to be done next. I think we struck a pretty good balance. The Committee for a Responsible Federal Budget says the bill ''would improve transparency and accountability in the budget process'' and would ''make the budget resolution into a more effective governing tool.''

According to the Concord Coalition, which was founded by some Democrats, ''This legislation would move the budget process in a very positive direction.''

Mr. President, I ask unanimous consent that the letters from the Committee for a Responsible Federal Budget and the Concord Coalition be printed in the RECORD at the conclusion of my remarks.

The reason I am giving the speech is to clarify some misunderstandings of other groups that were commenting on most of the original version of the bill before amendments from both parties were adopted in committee.

I will not detail all the reforms in this bill now, but I would like to highlight a handful of key elements of the bill and hopefully clear up some misunderstanding about it.

First of all, our bill tries to ensure that we have better information on which to base budgets. Imagine this for a moment. It would require better information on which to base budgets and more active engagement from the tax-writing and each of the spending committees to ensure that every corner of the Federal budget is scrutinized and that budgets are realistic.

It would also require the Congressional Budget Office and the Government Accountability Office conduct portfolio reviews of Federal spending and tax expenditures to improve the efficiency and effectiveness of Federal programs.

Here is what that means: It means grouping projects regardless of which Cabinet Department has jurisdiction so we can see all that we are doing.

Use housing, for instance. We have 160 programs under 20 agencies. I can only see 5 reasons—not 160—and they should all be under one jurisdiction, not several Cabinet jurisdictions. So, currently, nobody is in charge of setting goals or seeing if they are effective. We are paying multiple administrators to argue over jurisdiction rather than results—160 of them.

Secondly, our bill would reorient the budget process from a yearly to a biannual cycle. Right now, under the Congressional Budget Act of 1974, Congress is supposed to approve a budget resolution each year that sets discretionary spending levels and provides fiscal parameters for a legislation brought to the Senate floor.

The budget resolution can also provide special instructions through a process called reconciliation. What that means is that instructions are given to authorizing and tax-writing committees to develop legislation to achieve hopeful and specific budgetary targets. For a variety of reasons, this process has not worked very well in recent years. Instead, Congress resorts to passing a series of 2-year deals that set discretionary spending limits rather than approving the budget.

I need to explain that word ''discretionary.'' Out of all the Federal dollars spent, Congress only votes on about 30 percent of the money spent each year. Seventy percent of the spending is on autopilot. That is mandated to be spent. Discretionary spending is the little amount that Congress actually votes on.

Under our bill, Congress would approve a budget resolution in the first year of a biennium that would, among other things, provide appropriators 2 years of discretionary spending totals, similar to a practice in recent years. Leadership, not the Budget Committee, has been negotiating these 2-year spending deals.

Thirdly, the bill would make significant reforms to the content of the budget resolution. Discretionary spending totals would be included in the resolution text, where individual Members could amend them. Mandatory spending totals would be broken up by budget function so we could see trends in portfolios of Federal spending.

Here is something really new. The budget resolution would also be required to include a target ratio of debt-to-gross domestic product, or GDP, which is generally viewed as the best measure of the country's ability to repay its debt. The hope is that by focusing on our debt-to-GDP target, we could put our country on a glide slope toward a more sustainable fiscal future. Under the reform bill, that glide slope can be cutting spending, raising revenue, or both.

Fourth, the bill would provide a mechanism to conform our country's statutory debt limit to the levels in the resolution. This will help incorporate the debt limit into our fiscal planning and provide a powerful incentive to ensure that the targets set in the resolution are attainable.

Neither side relishes voting to increase the debt limit, as it is easy fodder for political opponents. Yet there is nearly universal agreement that default would be unacceptable. Our bill tackles this issue in a way that it maintains the debt limit as a tool to ensure fiscal responsibility, while removing the brinksmanship surrounding the potential default.

Fifth, our bill would provide a means to initiate reconciliation in the second year of the biennium if Congress isn't living by its fiscal plan. There has been a lot of confusion about this process, so let me take a moment to explain it.

As I just mentioned, under our bill, each budget resolution would include 2 years' worth of discretionary spending levels and a debt-to-GDP target for the final year of the budget. That means each new Congress would set its own spending levels and debt targets in its budget agreement, and it would not be bound by the targets established by its predecessors.

If, in the second year of the biennium, the Congressional Budget Office finds that Congress is not on track to meet its debt-to-GDP target, then a special reconciliation process is made available. This is akin to what can already be done under current law if you pass a budget resolution in the second year of Congress, but because we are giving appropriators 2 years of discretionary spending levels upfront, we created a new process in the second year if Congress misses its fiscal goals. Contrary to a misconception that has been circulated, however, there is nothing automatic about this process.

Before reconciliation can proceed, the Senate Budget Committee, which will be renamed the Committee on Fiscal Control and the Budget, would need to approve a resolution providing deficit-reducing reconciliation instructions to one or more committees.

That resolution, which would be amendable, would then be considered by the full Senate. We have added protections to ensure that Senators have the ability to offer amendments and have built in flexibility for unforeseen realities, including economic downturns. We also applied the existing burden rule to this process, which means it cannot be used to make changes to Social Security.

Senators could offer amendments to reduce the amount of the deficit reduction called for or they can decide they don't want to proceed with this process at all. If they do decide to move forward with this special reconciliation, each committee that received an instruction would then report legislation within its jurisdiction to reduce the deficit. The instructions themselves could not dictate what particular programs are to be included in the reconciliation legislation. That is left up to the authorizing and the tax-writing committees that have specific policy expertise. One thing the instructions could not do is increase the deficit.

After each committee approves its instructions, all the recommendations would then be sent to the Committee on Fiscal Control and Budget, where, again, they would need to be approved and reported to the full Senate. After that step, the legislation would come to the floor, where it could be subject to unlimited amendments, giving every Senator another opportunity to support, amend, or oppose the legislation.

Each of these steps affords the Members the opportunity to have their ideas incorporated into the special reconciliation or to try to stop it altogether.

In addition, a similar process would have to play out in the House of Representatives, and the final bill would have to be signed by the President before any policy changes could be enacted.

In general, our legislation does not attempt to prescribe House procedures. That is in deference to the House and the constitutional prerogative of each Chamber of Congress to develop its own rules.

I have heard some concerns that this sets up a one-sided bet that could dictate spending cuts over revenue increases because only the House of Representatives can initiate revenue measures. That was never my intention, and during the Budget Committee markup to our legislation, a substitute amendment that Senator WHITEHOUSE and I drafted was adopted that would allow the Senate to deem a revenue measure approved by the House as a special reconciliation vehicle. I look forward to working with the House on addressing the procedural issues.

The intent of our special reconciliation process is to force a conversation about our growing debt and deficits, not to dictate what the outcome of that conversation will be.

As the Committee for a Responsible Federal Budget said, the criticisms that this bill is somehow a threat to low-income programs ''is largely misplaced.'' As the group said, ''The tool would not automate any changes to spending or revenue, but would instead establish a process to consider deficit reduction measures. These measures would have to pass the Senate and the House and be signed by the President (a veto override system is also possible). Unlike current reconciliation rules, which have been used to pass deficit-finance tax cuts, this process is limited to deficit reduction and could help policymakers agree to new revenue and to reforms to improve healthcare programs. And long-term deficit reduction can easily co-exist with near-term measures to counter a recession.''

Finally, our bill would prioritize budget transparency. It would give the Senate new budget enforcement tools, and it would remove one of the disincentives to bringing the budget to the floor by fixing the process known as vote-arama.

In developing our legislation, I specifically set out to establish a process that would allow us to be thoughtful and deliberate in our fiscal decision making, while avoiding the automatic spending cuts over the last decade, known as sequestration.

Under this bill, sequestration is gone. Our bill would not tilt the scales toward one party, ideology, or policy. Rather, it aims to create a neutral process to guide Congress in making reasoned budget decisions. Each Congress will decide what fiscal policy changes may be necessary, whether that means less spending, more revenue, or a combination of the two.

We cannot be content to bury our heads in the sand as our more than $23 trillion debt grows unchecked, swallowing the opportunities of future generations. If you, like me, want to see Congress get back to actual budgeting and tackling the difficult fiscal issues that we all need to be addressed, then, please join me in supporting the bill. If you have suggestions on how to make it better, I want to hear them. We are always open to new ideas, and I think we have demonstrated it.

With that, I recognize my colleague, who helped to work on this bill. In addition to working on this bill, he was on the special committee for the Budget. It was a joint effort between the House and the Senate, and many of the ideas he brought to this bill from that committee.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE FOR A RESPONSIBLE FEDERAL BUDGET

ENZI-WHITEHOUSE BUDGET PROCESS BILL INCLUDES IMPORTANT REFORMS

Nov. 21 2019—Budget Process

The Senate Budget Committee recently marked up and reported bipartisan legislation to reform the budget process. The Bipartisan Congressional Budget Reform Act, introduced by Chairman Mike Enzi (R–WY) and Senator Sheldon Whitehouse (D–RI), would improve transparency and accountability in the budget process. It would make the budget resolution into a more effective governing tool by making it easier for policymakers to choose fiscal targets and stick with them. That, we hope, would mean putting the debt on a more sustainable path. The Senate Budget Committee approved the legislation by a vote of 15 to 6, and it currently has 19 bipartisan cosponsors in the Senate.

While there may be room to make improvements and adjustments to the bill and some amendments were adopted in committee, the legislation is a thoughtful, realistic, and helpful approach to improve the budget process on a bipartisan basis. Congress should build on and enact some version of this proposal.

What's in the Bipartisan Congressional Budget Reform Act?

The Bipartisan Congressional Budget Reform Act is the result of years of effort, building on several past proposals including those from Chairman Enzi, Senator Whitehouse, the recent Joint Select Committee on Budget and Appropriations Process Reform (JSC), and even our own Better Budget Process Initiative recommendations.

The proposal would incorporate debt-to-Gross-Domestic-Product (GDP) targets into the budget resolution and the budget process, adopt biennial budgeting while keeping annual appropriations, link debt limit increases and discretionary spending caps to passage of a budget resolution, and add transparency requirements such as including interest costs in Congressional Budget Office (CBO) scores.

A brief summary of the bill is available from the Senate Budget Committee.

How Might the Fiscal Targets in the Bipartisan Congressional Budget Reform Act Improve Fiscal Outcomes?

A key aspect is expanding the fiscal goals included in the budget process. Specifically, budget resolutions would set targets for the ratio of debt held by the public to Gross Domestic Product (GDP). Congress would set these targets in a joint budget resolution every odd-numbered year, and the Congressional Budget Office (CBO) would evaluate adherence to the target in even-numbered years. Adopting a budget resolution would automatically spin off debt-limit-increase legislation to be signed by the President as well as a special reconciliation process in some cases. Setting fiscal goals is an incredibly important first step toward achieving long-term sustainability, and integrating them into the budget resolution could give current members more ownership of those objectives and hopefully strengthen their ongoing commitment to meeting fiscal targets.

The proposal goes further than simply setting goals. It would establish a new, deficit-reduction-only reconciliation process if needed to achieve the debt-to-GDP levels agreed to in the earlier budget resolution. Under this process, the Senate Budget Committee, renamed the Committee on Fiscal Control and the Budget, would report a simple resolution with reconciliation instructions to the full Senate, where it would be open for amendments. If approved by the Senate, it would instruct applicable committees to produce deficit-reducing legislation to achieve compliance with debt targets. Senate procedures for regular reconciliation legislation would apply to the new reconciliation process, including the Byrd Rule that, among other provisions, prohibits changes to Social Security. When marking up the legislation, however, many members expressed a desire to understand this process more completely before floor consideration.

While some have criticized this new tool as a threat to low-income programs, we believe this concern is largely misplaced. The tool would not automate any changes to spending or revenue, but would instead establish a process to consider deficit reduction measures. These measures would have to pass the Senate and the House and be signed by the President (a veto override is also possible). Unlike current reconciliation rules, which have been used to pass deficit-financed tax cuts, this process is limited to deficit reduction and could help policymakers agree to new revenue and to reforms to improve

health care programs. And long-term deficit reduction can easily co-exist with near-term measures to counter a recession.

What other provisions might improve fiscal outcomes?

In addition to improving outcomes through this special reconciliation, the bill would establish a new pathway for a bipartisan budget resolution, previously championed by Sen. Whitehouse during the JSC last year and introduced separately as S. 63, the Bipartisan Budget and Appropriations Reform Act of 2019. A majority of both parties in the Senate Budget Committee and at least 15 members of the minority party on the Senate floor would be needed for a budget resolution to qualify for this new pathway. Under it, subsequent appropriations legislation would be easier to consider on the Senate floor, and the budget resolution would automatically spin off legislation with enforceable caps on discretionary spending in addition to increasing the debt limit. This process could help the parties to work together toward reasonable deficit reduction measures. Folding the debt limit and spending caps into the bipartisan pathway for the budget resolution would also reduce opportunities for isolated brinkmanship.

Other aspects of the bill—like asking CBO to estimate interest costs associated with legislation and restricting phony spending cuts known as changes in mandatory spending programs (CHIMPs)—could also improve budget outcomes. Adopting portfolio budgeting is another positive step, as it would provide a more holistic review of major program areas regardless of the committees of jurisdiction and thus help lawmakers coordinate related authorities.

To be sure, the Bipartisan Congressional Budget Reform Act would not fix the debt directly, nor does it include actual deficit reduction. Through improvements in the overall budget process, it would give lawmakers more opportunities to think seriously about the consequences of high and rising debt as well as more ability to budget comprehensively and mindfully.

What amendments have been proposed?

The Bipartisan Congressional Budget Reform Act was introduced on Oct. 31 and was ordered reported by the Senate Budget Committee on November 6. During the markup, the committee made the following changes:

A manager's amendment by Chairman Enzi to enhance the consensus-oriented aspects for special reconciliation.

An amendment by Senator Pat Toomey (R–PA) to create a new point of order intended to deter the use of the Crime Victims Fund to increase unrelated spending through CHIMPs.

An amendment by Senator Tim Kaine (D–VA) to add tax expenditures to the scope of portfolio budgeting.

An amendment by Senator Chris Van Hollen (D–MD) to restrict the ability of the President to use rescission authority near the end of fiscal years and to increase related reporting requirements.

In addition, the following amendments were considered but not adopted:

An amendment by Senator David Perdue (R–GA) to align the fiscal year with the calendar year. An amendment by Senator Ron Wyden (D-OR) to remove the new reconciliation process to enforce debt-to-GDP targets.

An amendment by Senator Jeff Merkley (D–OR) to require CBO to provide information on the distributional impacts of legislation. Nonetheless, Chairman Enzi pledged to work with Senator Merkley and other members to obtain the information they seek.

Lawmakers must continue to improve the budget process, which has contributed to many years of inaction on a budget resolution and even more missed deadlines. Process reforms alone cannot create the political will to have a functioning budget, but they may allow latent political will to accomplish more. This bill offers thoughtful ideas to make the process more effective and to improve the framework for lawmakers to consider budget matters more comprehensively.

[From the Concord Coalition, Nov. 6, 2019]

THE CONCORD COALITION PRAISES BIPARTISAN SENATE BUDGET REFORM PLAN

WASHINGTON.—The Concord Coalition said today that a new budget process reform bill co-sponsored by Senate Budget Committee Chair Mike Enzi (R–WY) and Budget Committee member Senator Sheldon Whitehouse (D–RI) proposes reforms that would address some of the most vexing problems plaguing the current budget process.

The Bipartisan Congressional Budget Reform Act is also co-sponsored by Senators Grassley (R–IA), Kaine (D–VA), Crapo (R–ID), King (I–ME), Graham (R–SC), Coons (D–DE), Barrasso (R–WY), Blunt (R–MO), Johnson (R–WI), Perdue (R–GA), Kennedy (R–LA), Cramer (R–ND), and Braun (R–IN).

''This legislation comes at a time when the budget process is clearly broken and partisan tensions run high. Senators Enzi, Whitehouse and their fellow co-sponsors are bucking both of these trends and demonstrating a timely and exemplary standard of leadership,'' said Robert L. Bixby, executive director of The Concord Coalition.

Among the proposed reforms are moving the budget to a two-year cycle, setting debt-to-GDP targets in the budget resolution and establishing a special enforcement process for these targets, creating a mechanism for conforming the debt limit to the budget resolution levels, and enhancing reporting requirements to promote transparency. It would also establish a new procedural option to encourage budget resolutions with substantial bipartisan support.

''The co-sponsors understand that budget process reform is not a panacea for the monumental fiscal challenges we face as a nation, nor is it a substitute for making real choices on taxes and spending,'' Bixby cautioned. ''But creating a process that minimizes short-term brinkmanship and refocuses attention on long-term planning would help facilitate a discussion about how best to address these challenges. This legislation would move the budget process in a very positive direction.''

Mr. ENZI. I yield the floor.

Mr. WHITEHOUSE. Mr. President, I thank Chairman ENZI. I am delighted to join Senator ENZI on the floor today to talk about our bill. An enormous amount of work has gone into preparing for it, including, I want to say, more than a dozen hearings that Chairman ENZI led in the Budget Committee to build the factual predicate for the work we were doing.

I will, as the Chairman has mentioned, also drop a word of appreciation to Chairman WOMACK and Chairman LOWEY, who ran the Select Committee on Budget and Appropriations Process Reform, which gave us a chance to work through some more of these issues.

The fundamental problem we are trying to address is that, in the Senate, no committee actually looks at the deficit, the debt, and the borrowing in any kind of a comprehensive way. In theory, the Budget Committee is supposed to, but in practice, the Budget Committee has become two things: one, a vehicle for the majority to drive a political budget limited to appropriated spending through, with no bipartisan compromise. We have seen over and over how that has ended up. It has never been of any use. Even if you get it done, you break through the budget by getting to 60 votes, and we do most things around here by getting to 60 votes. It is a fence that is basically a line painted on the ground. It is a fence with no fence to it.

Moreover, we do reconciliation. That is usually a way to bust around the budget. Both parties have used it. The Republicans have used it for the so-called tax reform. We used it for one segment of the Affordable Care Act. That is what the Budget Committee is boiled down to—a partisan proposal on appropriations that means nothing and a vehicle for getting around the 60-vote filibuster on a regular basis through reconciliation. That is it. There is no serious look that is taken at the debt or at the deficit.

What does this bill do? It does some things for which there is very broad agreement. First of all, it was pretty much unanimous that the way you look at debt is in terms of a debt-to-GDP ratio, and this takes us down that path. Second, you have to do the arithmetic correct. You don't get to a proper debt-to-GDP ratio unless you look at the things that add up to the deficit, which are appropriated spending, healthcare spending, revenues, and tax spending.

For one quick word on tax spending, for 2018 the latest report I saw was that we spent $1.4 trillion going out the back door of the Tax Code. That is more than we spend on Social Security. That is more than we spend on Medicare and Medicaid combined. That is more than defense and nondefense discretionary spending combined. You can't not look at tax spending and still have your math right. We address those.

We provide a reasonable timeframe to get to a debt-to-GDP target and some warnings about whether or not you are on that glide slope. There was pretty much unanimous consent agreement among all of our witnesses in the committee and in the select committee that that was the logical way to address debt and deficit.

There are also some sidebar things that are important that we get rid of here, such as, we move to biennial budgeting, which I think has broad bipartisan support. We deal with what I call ''the bear trap in the bedroom''—the debt ceiling—which is a very dangerous thing if you should ever step on it and trigger it. To disarm that bear trap is very valuable to our efforts, and we do that.

Vote-arama is one of the most undistinguished, useless, humiliating, and embarrassing spectacles that the Senate presents. We solved, I believe, vote-arama.

So that is a pretty good package of good, useful reforms to get going in the right direction.

There is a very significant concern, mostly on my side of the aisle, about the special reconciliation process. In this bill you alternate between regular reconciliation and a special reconciliation process, and then, in the next biennial cycle, back to regular reconciliation and then special reconciliation. There is concern that the special reconciliation process might be used to jam things we don't like through—things like cuts to Medicare, things like very one-sided spending cuts that don't address the problem of tax spending.

We need to work to solve that. I pledge to Chairman ENZI that I will put my best efforts to try to come up with a way where we can get through that problem and move on to passing this bill, which I think will be very significant and very valuable once we iron out what I think is probably, actually, the last real gasp that we have in terms of objection to it.

I will also add that the bipartisan pathway that we have been working on for when the two parties can come together and agree to those things is in there. If we really want to do this in a bipartisan pathway, that is in this bill. I appreciate very much that Chairman ENZI included that in the bill. That provision passed the bicameral select committee unanimously—Republicans, Democrats, House Members, Senators, unanimously. That is a pretty good base to work off of.

I will close by quoting a phrase that I have heard usually from business folks from time to time. That is that in business, ''debt doesn't matter, until it does.'' But then it is the only thing that matters. At the moment, with interest rates where they are and with the world situation the way it is, one can make the case that debt doesn't matter. But when the day comes that it does matter, when interest rates pop up and the cost of servicing our debt begins to squeeze out other priorities, it gets very hard to go back and try to solve that problem then.

This is the kind of problem you have to head off in advance. So to the extent we can solve in a sensible way dealing with our debt and deficit during the calm period when debt doesn't matter, we will position ourselves to avoid the calamity that can come when it is the only thing that matters.

I pledge to use my best efforts to try to bring my side into agreement on this bill and to try to find a measure that solves our concern about what I think is really the only point of significant disagreement in this bill, which is what is behind the special reconciliation process, what mischief that might be got up to. I think if we can defang this, we can move forward.

Again, much appreciation to Chairman ENZI for his extraordinary leadership in the budget committee on this subject. I am determined to try to get this done in this Congress while he is with us to see it through.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

DEBBIE SMITH REAUTHORIZATION ACT OF 2019

Ms. ERNST. Mr. President, I stand proudly before this body today in support of the passage of the Debbie Smith Act of 2019. Since its enactment in 2004, the Debbie Smith Act has been renewed twice with overwhelming bipartisan support. With the tireless work of Senator CORNYN and Senator FEINSTEIN, we will renew this vital piece of legislation for a third time today.

I want to thank Senator CORNYN very much for being such a diligent leader on behalf of this act.

The Debbie Smith Act removes one of the most substantial and burdensome roadblocks to survivors of sexual violence achieving the justice they deserve. I have told many people about the time I volunteered when I was a young woman in Iowa State University. I volunteered for a crisis hotline and a woman's shelter. The type of work I was able to volunteer for at that time was responding with a beeper to crisis calls at the hospital for women who had been through a rape. That, in itself, is very difficult, but the follow-on work that has to be done can often be just as difficult if evidence is not processed timely.

The Debbie Smith Act does this by providing funding for crime labs that process DNA evidence and by strengthening the national DNA database used to help solve these horrific crimes. In addition, this bipartisan bill supports audits of evidence awaiting analysis at law enforcement agencies and charges the Justice Department with the task of developing national testing guidelines.

We all know the criminal justice system isn't designed to be fair to survivors of sexual violence, and it is not easy on them. It certainly is not a comfortable process.

Coming forward as a survivor is not the end. It is just the beginning. That is why it is so important that this Congress, with Senator CORNYN's leadership, and our criminal justice system support survivors of sexual violence by funding the availability of DNA evidence to help bring these predators to justice.

Again, I thank the Senator for his diligent work on this. The bipartisan Debbie Smith Act helps to bring us to the end that our survivors need and they deserve. Thank you for your leadership.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, let me thank the Senator from Iowa for her leadership on so many issues, including this one. Obviously, through her work on the Judiciary Committee, where we both serve and from where this important piece of legislation emanated, this has been a long journey. Unfortunately, the politics of the day seem to have slowed almost everything up that we are trying to do.

In particular, I also want to recognize the good work of the Senator from Iowa on the reauthorization of the Violence Against Women Act. I am a proud cosponsor of the legislation she is leading on. My hope is that after the fever breaks, sometime after the first of the year—I keep hoping for that moment—we will get back to the nonpartisan reauthorization of the Violence Against Women Act. In the meantime, I am happy to join the Senator on the floor and to talk about the importance of the Debbie Smith Act and to celebrate its imminent passage.

Since 2004, the Debbie Smith Act has been the guiding force behind our Nation's effort to eliminate the rape kit backlog. Just so everybody understands, at one point there was a report that there were as many as 400,000 of these forensic kits, which are used to collect DNA evidence following sexual assault, sitting in evidence lockers and police stations or in labs and which remained untested.

Once we are reminded of the importance of this evidence and how powerful it is to enable law enforcement officials to identify an attacker with almost complete precision and accuracy, the importance of making sure these kits were tested becomes all that more obvious.

Since 2011, the Debbie Smith Act has helped Texas—my State alone—reduce its backlog of unsubmitted rape kits by approximately 90 percent.

The benefits don't stop there, though. The primary goal of this program is to reduce the rape kit backlog and identify attackers—people who commit sexual assaults.

Processing this evidence can also assist investigations in other unrelated crimes because perpetrators do leave their DNA in other places other than just in the crime of sexual assault.

Once this evidence is tested, it is uploaded into the FBI's DNA database called CODIS. This is similar to a criminal fingerprint database and can help identify and convict people who commit other crimes as well.

For the civil libertarians among us—and I would like to consider myself one of them—this evidence is also very powerful in discounting or disqualifying potential perpetrators from suspicion because if, in fact, DNA of some other person is identified, it obviously is by exclusion of the other person who may be suspected but who will thereby be exonerated.

According to the National Institute of Justice, 72 percent of the hits in the FBI database system are the direct result of Debbie Smith Act funding. The benefits of this law cannot be overstated, and it is time once again—past time, really—to reauthorize this critical program. The Debbie Smith Act of

2019 will reauthorize important funding that supports testing this DNA evidence so we can continue to reduce and eliminate the rape kit backlog and ensure that it will not grow again in the future.

This legislation also supports important training for law enforcement, correctional personnel, forensic nurses, who are the ones who actually collect the DNA evidence using these forensic kits, as well as other professionals who assist victims of sexual assault.

The process of getting this legislation through both Chambers of the Congress has not been easy. I have to say I appreciate all of the advocates who fought tirelessly with us every step of the way to bring us to this moment on the precipice of passing this reauthorization. I want to particularly recognize the folks at RAINN who are consistently remaining above the political fray and always putting survivors first.

This legislation would not have been possible without its namesake, Debbie Smith, and the countless other survivors—people like Lavinia Masters, Carol Bart, and others—who continue to lend their voices to this fight. It is not easy for a woman to come forward and say: I was a victim of sexual assault, and I don't know who my attacker was, but I will go through this intrusive examination in order to assist law enforcement in making an identification and prosecuting the case. The fact is, if we don't catch these predators, they will commit further acts of sexual violence over and over again until they are finally caught and kept behind bars.

If you have not had the chance to meet survivors and hear their stories, you must because the survivors I have met and worked with over the years in Texas are truly inspiring. I am glad we can finally get this bill passed on their behalf.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 777, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 777) to reauthorize programs authorized under the Debbie Smith Act of 2004.

There being no objection, the Senate proceeded to consider the bill.

Mr. CORNYN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 777) was ordered to a third reading, was read the third time, and passed.

Mr. CORNYN. Mr. President, I have further remarks, but I understand the leader is on his way here to file some important documents and help us progress with our work this week.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL INTELLIGENCE SURVEILLANCE ACT

Mr. CORNYN. Mr. President, I understand the majority leader will be here soon, and when he does come, I will be glad to yield to him. In the meantime, I want to talk about last week's report from the inspector general of the Department of Justice on the FBI's counterintelligence investigation into the Trump campaign and its contacts with Russia in 2016.

This is a very long report. It is more than 400 pages long, and it outlines a series of errors—17, all counted—made by the FBI under the leadership of Director James Comey.

It is important for people to realize that all these mistakes were made in a previous administration and not under the leadership of FBI Director Chris Wray, and they don't reflect, in my view, the actions of the rank-and-file FBI agents. But it is a serious matter, and we need to get to the bottom of it, and we need to take corrective action.

The report details a pattern of concerning behavior by those who were charged with protecting and defending the United States, and it raises a lot of red flags.

Last week, the inspector general testified before the Judiciary Committee. I told him at that time—and I think it bears repeating—that as an ardent supporter of law enforcement and our intelligence community, I worry that the mistakes and the intentionally misleading conduct undertaken by some leaders in the FBI under the previous administration will undermine the public's confidence in what is a very sensitive but important area, like foreign intelligence surveillance.

We rely on the men and women of the FBI to identify and counter threats to our national security, all the while protecting incredibly sensitive information and the privacy of American citizens. It requires a tremendous amount of trust from the American people, and I am afraid that some of the information that surfaced in this report puts that trust in jeopardy.

The inspector general detailed a number of truly disturbing and alarming facts about how this investigation was conducted, especially when it comes to the Foreign Intelligence Surveillance Act, otherwise known as FISA.

FISA is a means whereby FBI agents can go to the Foreign Intelligence Surveillance Court and show probable cause that an American citizen is an agent of a foreign power. Obviously, these are very, very sensitive investigations, and the sort of authority that is given to the FBI under these circumstances is very intrusive. In my view, it is entirely justified and necessary when, in fact, you are protecting the United States from very real counterintelligence matters. But the inspector general identified 7 mistakes in the initial Carter Page foreign intelligence surveillance application and 10 additional ones in 3 renewals. These were not typos or misspelled words; these were misrepresentations meant to deceive the court so they would issue a foreign intelligence surveillance warrant.

To make matters worse, even as new exculpatory information came to light on Carter Page, this information was not shared with the Foreign Intelligence Surveillance Court—information that they would have found relevant in considering whether the FBI and the U.S. Government had met their required showing.

I asked the inspector general whether he believed that if the court knew what we know now, would the court have ever issued the FISA warrant in the first place? He perhaps wisely said he was not in a position to predict what the judges may or may not do, but he said he knew they wouldn't sign a warrant if they were told that all of the information was not included and certainly not if they were lied to, as occurred here in the Carter Page foreign intelligence surveillance warrant. As a former judge myself, I think that is absolutely accurate.

But that begs the question, What is the FISA Court going to do about this? We know what we need to do because already the FBI Director has indicated that there are a number of areas where he believes this whole process needs to be reformed in order to restore public trust in the integrity of this process.

I was interested to see a report in the New York Times that is dated today at 4:55 p.m. entitled ''Court Orders FBI to Fix National Security Wiretaps After Damning Report.''

Mr. President, I ask unanimous consent that following my remarks, this article be printed in the RECORD.

Take a step back from this scenario and think more broadly about how this type of behavior may play out in a criminal proceeding. For example, imagine you are a judge and you find out that you were lied to by the prosecution, that you were presented with information that was not only incorrect but intentionally fabricated to help build their case. What would you do? Well, depending on the scenario, the court may hold that individual in contempt of court. The judge may decide to throw out some of the evidence or the entire case and possibly—probably—refer that lawyer to disciplinary proceedings, where that lawyer would be in jeopardy of losing his or her law license. These are remedies that exist if these sorts of actions happen during ordinary court proceedings, and I believe they are probably available to the

Foreign Intelligence Surveillance Court should the court decide to take that kind of action.

I note that in this article I have attached and I referred to earlier, the court has now given the FBI a January 10 deadline to come up with a response to what the court is asking about.

Of course, the court, I am sure, had to be troubled by what it saw as not only the sloppy work but the intentional misrepresentation and outright lies used by the FBI in this instance to get this foreign intelligence surveillance warrant against Carter Page—as well they should be concerned.

But the Foreign Intelligence Surveillance Court is different from ordinary courts. It handles cases that are critical to our national security, full of highly sensitive, largely classified information, and these same sorts of remedies that you might use in an ordinary court may or may not apply.

The way I see it, if we don't take corrective action—if the FBI doesn't take corrective action, if Congress doesn't undertake a review of this whole FISA process—we will be in danger of losing this ability to investigate or to collect intelligence to keep our country safe. The only way that happens currently is if the public trusts Congress and the FISA Court to enforce the laws and rules to make sure that privacy interests of American citizens are adequately protected, and only based upon an extraordinary showing—an evidentiary showing by the Government that a FISA warrant is warranted should that be ordered by the court.

All of that is at risk unless, I believe, reform is undertaken and the court takes corrective action in whatever means it thinks appropriate to punish those who misled it in issuing these four FISA warrants for Carter Page.

This whole episode, I believe, sets a very dangerous precedent. If these agents and lawyers are able to break every rule to investigate a political campaign of an American President and are facing no consequences, what is to stop others from doing that in the future? If they can use the awesome power of the Federal Government to investigate a Presidential campaign and someone who later became President, what chance do ordinary Americans have of making sure that the rules will be applied to them and that their privacy will be respected?

We have to have accountability for these errors and these intentionally deceptive representations. We can't have people like that working at the FBI who are charged with supporting our national security. We can't allow that to continue or to happen again.

We need to see that adequate disciplinary measures are undertaken by the FBI, perhaps by the court itself, while Congress looks at what we can do to reform this whole FISA procedure to make sure things like this do not happen in the future.

I was glad to see, in his report, the inspector general said that his office has initiated a full audit to look into the FBI's compliance with FISA procedures across the board.

He also noted that the FBI's National Security Division Assistant Attorney General had sent a letter to the FISA Court in July of 2018, outlining some of the errors made in the Carter Page FISA applications and saying that DOJ lawyers will be supplementing that information based on the inspector general report that the inspector general testified on last week.

As we look for ways to prevent this type of abuse from happening in the future, we need to hear from the FISA Court what it believes is appropriate discipline and appropriate measures it needs to take to protect the integrity of their proceedings and to stop things like this from happening in the future. All of this would be critical not only to find what went wrong but also what Congress does or does not need to do to protect the integrity of this process.

FISA—the Foreign Intelligence Surveillance Act—is absolutely critical to our national security, and we must not only protect the integrity of the process but restore the American people's trust in it.

I know this isn't something that can be solved overnight, but I am committed to working with all of our colleagues here in Congress, as well as the Justice Department and the Foreign Intelligence Surveillance Court, to try to do what we need to do to prevent these failures from ever happening again.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, Dec. 17, 2019]

COURT ORDERS F.B.I. TO FIX NATIONAL SECURITY WIRETAPS AFTER DAMNING REPORT

(By Charlie Savage)

In a rare public order, the secretive Foreign Intelligence Surveillance Court responded to problems with the eavesdropping on a former Trump campaign aide uncovered by an inspector general.

A secretive federal court accused the F.B.I. on Tuesday of misleading it about the factual basis for wiretapping a former Trump campaign adviser and ordered the bureau to propose changes in how investigators seek permission for some national security surveillance.

In an extraordinary public order, the presiding judge on the Foreign Intelligence Surveillance Court, Rosemary M. Collyer, gave the F.B.I. a Jan. 10 deadline to come up with a proposal. It was the first public response from the court to the scathing findings released last week by the Justice Department's independent inspector general about the wiretapping of the former Trump adviser, Carter Page, as part of the Russia investigation.

''The frequency with which representations made by F.B.I. personnel turned out to be unsupported or contradicted by information in their possession, and with which they withheld information detrimental to their case, calls into question whether information contained in other F.B.I. applications is reliable,'' Judge Collyer wrote.

The court ''expects the government to provide complete and accurate information in every filing,'' she added.

While the inspector general, Michael E. Horowitz, debunked the claims by President Trump and his allies that senior F.B.I. officials were part of a political conspiracy, his investigation also exposed a litany of errors and inaccuracies by which case agents cherry-picked the evidence about Mr. Page as they sought permission to eavesdrop on his calls and emails.

The order specifies no particular reforms for the bureau's policies for seeking permission to wiretap people under the Foreign Intelligence Surveillance Act, or FISA. But it indicated that the court will weigh in on whether the F.B.I.'s proposals are sufficient.

At a Senate Judiciary Committee hearing last week about the report's findings, the chairman of the panel, Senator Lindsey Graham, Republican of South Carolina, addressed the FISA court directly, telling the judges that they needed to take steps to preserve political support for the national security surveillance system.

''The FISA system, to survive, has to be reformed;'' Mr. Graham said. ''To the FISA court: We're looking to you to take corrective action. If you take corrective action, that will give us some confidence that you should stick around. If you don't, it's going to be hurtful to the future of the court, and I think all of us are now thinking differently about checks and balances in that regard.''

Mr. Horowitz is scheduled to testify about the report again on Wednesday at a hearing before the Senate Homeland Security and Governmental Affairs Committee.

Mr. Horowitz suggested several changes. He recommended that the F.B.I. overhaul the forms used to ask the Justice Department to submit a FISA request or renewal to ensure they identify any information that cuts against suspicions about a target; surface any reasons to be skeptical about an informant whose information is included; and require agents and supervisors to reverify factual assertions repeated from prior applications when they seek renewals.

In a statement issued when the report was released, the F.B.I. director, Christopher A. Wray, said he accepted Mr. Horowitz's findings and embraced the need to make changes. He said he was ordering ''concrete changes'' to ensure that that FISA process was ''more stringent and less susceptible to mistake or inaccuracy.''

Among the other ideas floated by reform proponents, including the American Civil Liberties Union: appointing a third party to critique the government's cases for wiretapping people, at least in sensitive investigations, or allowing defense lawyers with security clearances to see the government's evidence presented to the FISA court on those rare occasions when it is used to prosecute a suspect.

Mr. Horowitz has already begun an audit of other, unrelated FISA applications to see whether there is a broader pattern of problems in how the F.B.I. is portraying the evidence about suspects. Another possibility for reform is that going forward, the bureau's general counsel could oversee recurring audits of a random sampling of FISA applications, so that case agents will always have to take into account that someone may later second-guess their work.

In his report, Mr. Horowitz scrutinized the four applications that the Justice Department submitted between October 2016 and June 2017 to wiretap Mr. Page, whom F.B.I. agents suspected might be a conduit between the Trump campaign and Russia during its covert operation to manipulate the 2016 presidential election.

The review uncovered a deeply dysfunctional and flawed process riddled with inaccuracies and material omissions. Investigators highlighted facts that made Mr. Page look suspicious while failing to mention potentially exculpatory ones, and when they

sought to renew the wiretap, they failed to correct earlier statements whose credibility had since come under serious question, the report found.

Justice Department lawyers who deal directly with the FISA court passed that misleading portrait onto the judges. While Mr. Horowitz's findings placed most of the direct blame on a handful of case agents and their supervisors who worked directly with the raw evidence, his report also blamed senior officials for permitting a culture in which such actions could happen.

The report said Mr. Horowitz's investigators had found no evidence that political bias against Mr. Trump was behind the problems—as opposed to apolitical confirmation bias, gross incompetence or negligence. But the inspector general said the explanation the F.B.I. offered—that the agents had been busy with other aspects of the Russia investigation, and the Page FISA was a minor part of those responsibilities—was unsatisfactory.

Congress enacted FISA in 1978 to regulate the government's use of domestic surveillance for national-security investigations—those aimed at monitoring suspected spies and terrorists—as opposed to ordinary criminal cases. The law sets up a special court, made up of 11 sitting district court judges who are selected to serve staggered terms by the chief justice of the Supreme Court, and decide whether the evidence shows a target is probably a foreign agent.

In 2018, government records show, the court only fully denied one of 1,080 final applications submitted under FISA to conduct electronic surveillance. However, the court also demanded unspecified modifications to 119 of those applications before approving them. There were 1,833 targets of FISA orders, including 232 Americans, that year.

National-security wiretaps are more secretive than ordinary criminal ones. When criminal wiretap orders end, their targets are usually notified that their privacy has been invaded. But the targets of FISA orders are usually not told that their phone calls and emails have been monitored, or that their homes or businesses have been searched.

And when people are prosecuted for crimes based on evidence derived from ordinary criminal wiretaps, the defendants and their lawyers are usually allowed to see what the government told judges about them to win approval for that surveillance, giving them the opportunity to argue that investigators made mistakes and the evidence should be suppressed.

But defense lawyers, even those with security clearances, are not shown FISA applications for their clients. As a result, there is no prospect of second-guessing in an adversarial court setting to keep F.B.I. agents scrupulous about how they portray the evidence when seeking to persuade FISA judges to sign off on putting a target under surveillance.

In the absence of that disciplining factor, the Justice Department and F.B.I. have developed internal procedures that are supposed to make sure that the evidence presented in FISA applications is accurate and includes any facts that might undercut the government's case. But that system failed in the Page wiretaps, Mr. Horowitz's report showed.

At the Senate hearing, one of the rare areas of agreement between Republicans and Democrats was the need for change to the FISA system. Senator Richard Blumenthal, Democrat of Connecticut, who has unsuccessfully proposed legislation to tighten restrictions on national-security surveillance in the past, said he welcomed the moment.

''I hope my Republican colleagues who have been so vocal and vehement about the dangers of potential FISA abuses will join me in looking forward and reform of that court,'' Mr. Blumenthal said, adding: ''I hope that we can come together on a bipartisan basis to reform the FISA process.''

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Mr. President, I know this year is rapidly coming to a close, and we are all anxious to join our families for the holidays.

The impeachment frenzy, though, has almost completely engulfed the Capitol, particularly on the House side, for the past few months and has made it very difficult, if not impossible, for Congress to get much of its work done; hence, the last-minute rush to get things done that we should have done weeks and perhaps months earlier.

One of the victims of this impeachment mania has been the National Defense Authorization Act, and I am glad we finally were able to pass that today.

For the last 58 years, the NDAA—the national defense act—has passed with broad bipartisan support. But this year, things took a little different turn. While we maintained historical norms here in the Senate and passed the bill by a vote of 86 to 8, our House Democratic colleagues took a completely different route. They managed to come up with a bill that was so partisan that not a single Republican voted for it in the House.

A party-line vote in the House may not be newsworthy, but a party-line vote on the national defense authorization bill is.

Fortunately, after months of negotiations, Senator INHOFE, chairman of the Armed Services Committee, and Senator REED, the ranking member, were able to work with their House counterparts to reach a compromise on the bill, as I said, that passed earlier today.

This legislation is vitally important because it will give our commanders the predictability they need, as well as the troops the resources they have earned.

It also authorizes $400 million for military construction projects in places like Texas and 90 new F–35 Joint Strike Fighters that are made in Fort Worth.

Overall, the NDAA will strengthen our national security, and it will benefit all of our servicemembers and their families and our military bases, including those in Texas.

So I just want to say that I appreciate the hard work of Chairman INHOFE and Senator REED, the ranking member, and all of our colleagues on the Armed Services Committee on both sides of the Capitol and look forward to it being signed by the President, hopefully, without further delay.

This was a critical step to strengthen our Nation's military, but it is only part of our duty to provide our troops with the resources and training and the equipment they need to succeed. Now we need to take care of the defense appropriations bill, which has now been passed by the House and which will be coming over here to the Senate soon and which I expect we will act on by Thursday.

Sadly, though, this has also fallen to the wayside while our Democratic colleagues in the House have worked tirelessly to try to remove the President from office. We are in the posture of having to do that this week only because the agreement that was made last August on spending caps was walked away from by our Democratic colleagues in the Senate, and it has taken us all this time to get back to where we thought we were in the August timeframe.

Despite the deal reached over the summer to keep the appropriations process free from poison pill riders, our friends across the aisle have tried to force liberal wish list items into the bill.

Thanks to Senator INHOFE, that has largely been avoided. I must also thank MAC THORNBERRY, the ranking member on the House side.

We have also managed to avoid a government shutdown, but the process has certainly not been pretty. We have been forced to pass two short-term funding bills, which have kept the trains running but failed to provide the predictability we thought we were going to get into the future once the 2-year budget deal was agreed upon last August.

So I am happy in one sense that the deal was finally reached to avoid a government shutdown, and I am in the process of reviewing these huge funding packages that total about $1.4 trillion.

Let me just say that I also appreciate the hard work of our friend from Alabama, Chairman SHELBY, and our colleagues on the appropriations committees for their work to keep the doors open and to keep our commitments to our men and women in uniform.

I am hopeful we will be able to act before this funding expires this Friday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Ms. MCSALLY. Mr. President, I rise today to talk about the importance of a vote we took earlier on the National Defense Authorization Act for Fiscal Year 2020.

This bill delivers on the needs of the warfighter today and invests in capabilities we must have for the future.

I also fought for and secured huge wins for the Grand Canyon State. As home to 10 military installations, Arizona plays a key role in many missions critical to our Nation's defense. Our bipartisan legislation highlights the incredible contributions that Arizona bases, citizens, and industry make to support our military each and every day.

Since I have been in Congress, I led the fight to stop the A–10 from being mothballed, and this bill continues to secure resources needed to modernize

the A–10, based at Davis-Monthan Air Force Base.

We also succeeded in funding a new hangar and barracks at Marine Corps Air Station Yuma and additional F–35s at Luke Air Force Base and Yuma for training and deploying the next generation of F–35 pilots.

I also secured funding to upgrade the Barry Goldwater training ranges and many other Arizona initiatives.

The annual defense bill is about protecting the people who protect us. This year's bill reiterates to the men and women of our military that we have their backs. It provides the highest pay raise in a decade and protects military families from greedy contractors who provide their tenants dangerous and unlivable base housing. These contractors, who act more like slumlords than landlords, will now be required to implement a tenant bill of rights.

We also give military families more power in filing disputes and fund additional housing office personnel to ensure families have advocates on base.

I am particularly pleased to see 17 of my 18 reforms to combat sexual assault in the military are also included in this bill. Earlier this year, I disclosed that I, too, am a survivor of military sexual assault. After I did, I charged the top leaders at the Pentagon to immediately identify ways to improve the investigation process and support to victims.

My provisions increased the number of personnel investigating sexual assault cases and ensure a victim has access to a special victims' counsel within 72 hours of reporting an assault. These and my other improvements share the goal of getting justice for victims sooner.

The greatest disappointment in an otherwise bipartisan bill is the lack of backfill funding for military construction projects.

After unprecedented obstruction by Democrats on border security funding, some resources were diverted to border security projects under authorities legally granted to the President by Congress.

I hear from my constituents all the time in our pro-military and southern border State: We can and must secure our border and fund our military. Life is full of difficult choices. This shouldn't be one of them for any Member on either side of the aisle.

The Senate voted in a landslide, bipartisan way, 86 to 8, to fund effective military construction projects in this bill—in the Senate version of this bill. Then, during conference negotiations, Democrats refused to fully fund these projects due to political games surrounding border security.

Think about that for a minute. They didn't like the President diverting the resources to secure our border, so they decided to take it out on our military by refusing to backfill funding.

Our military deserves better. The American people deserve better.

Nevertheless, one of Arizona's fiscal year 2019 projects at Fort Huachuca was stalled for unforeseen environmental issues at the construction site, so it wasn't ready to spend the fiscal year 2019 funds that we approved for it. This funding would have been diverted to some other purpose in any other year. It could have been funded in fiscal year 2020, but the Democrats refused to support that. The earliest the project will be ready to start is next summer.

The Secretary of the Army has assured me that this project will be in the budget for fiscal year 2021, which starts 9½ months from now, following the completion of this environmental cleanup. I will continue to fight for the funding for Fort Huachuca and resolve to work hand-in-hand with the Army until this project is complete.

Finally, I have to note that this is the first NDAA that this body has passed in decades without Senator John McCain. I think I speak for Members of the Armed Services Committee and this entire Senate when I say that we have felt his absence deeply this past year. While he may not have been physically with us, it still has the fingerprints of his leadership, grit, and ultimate dedication to servicemembers and military families.

His memory has propelled us to secure lasting, meaningful reforms for the men and women who serve, whether in uniform, as a family member, or in a supporting civilian role.

This is the 59th consecutive annual defense bill that has been passed. It remains a shining example, for the most part, of what we can accomplish when we work together to protect Americans and support our troops.

It was my privilege to bring home these massive wins, working with my colleagues on the Armed Services Committee, for our troops and for the great State of Arizona.

I yield the floor.

The PRESIDING OFFICER (Ms. MCSALLY). The majority leader is recognized.

NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN ACT

Mr. MCCONNELL. Madam President, I understand the Senate has received a message from the House to accompany H.R. 1865.

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. I ask that the Chair lay before the Senate the message accompanying H.R. 1865.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the House of Representatives (H.R. 1865) entitled ''An Act to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.'', with the following amendment to the Senate amendment.

MOTION TO CONCUR

Mr. MCCONNELL. Madam President, I move to concur in the House amendment to the Senate amendment to H.R. 1865.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur to the House amendment to the Senate amendment.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1865, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

Mitch McConnell, Susan M. Collins, Richard Burr, David Perdue, Pat Roberts, John Cornyn, Shelley Moore Capito, John Thune, John Boozman, Rob Portman, Richard C. Shelby, Roy Blunt, Jerry Moran, John Hoeven, Roger F. Wicker, Thom Tillis, Lisa Murkowski.

MOTION TO CONCUR WITH AMENDMENT NO. 1258

Mr. MCCONNELL. I move to concur in the House amendment to the Senate amendment to H.R. 1865 with a further amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur to the House amendment to the Senate amendment with a further amendment numbered 1258.

The amendment (No. 1258) is as follows:

At the end add the following.

''This act shall be effective 1 day after enactment.''

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with an amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1259 TO AMENDMENT NO. 1258

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1259 to amendment No. 1258.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispense with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1259) is as follows:

Strike ''1 day'' and insert ''2 days''

MOTION TO REFER WITH AMENDMENT NO. 1260

Mr. McCONNELL. Madam President, I move to refer the House message on H.R. 1865 to the Committee on Appropriations with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] moves to refer the message to accompany H.R. 1865 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 1260.

The amendment (No. 1260) is as follows:

At the end add the following.

''This Act shall take effect 3 days after the date of enactment.''

Mr. McCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1261

Mr. McCONNELL. Madam President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 1261 with instructions of the motion to refer.

Mr. McCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1261) is as follows:

Strike ''3 days'' and insert ''4 days''

Mr. McCONNELL. Madam President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1262 TO AMENDMENT NO. 1261

Mr. McCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 1262 to amendment No. 1261.

Mr. McCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1262) is as follows:

Strike ''4'' and insert ''5''

DHS CYBER HUNT AND INCIDENT RESPONSE TEAMS ACT OF 2019

Mr. McCONNELL. Madam President, I understand that the Senate has received a message from the House to accompany H.R. 1158.

The PRESIDING OFFICER. The Senator is correct.

Mr. McCONNELL. I ask that the Chair lay before the Senate the message to accompany H.R. 1158.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the House of Representatives (H.R. 1158) entitled ''An Act to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes'', do pass with the amendment to the Senate amendment.

MOTION TO CONCUR

Mr. McCONNELL. I move to concur in the House amendment to the Senate amendment to H.R. 1158.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] moves to concur in the House amendment to the Senate amendment.

CLOTURE MOTION

Mr. McCONNELL. I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1158, a bill to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes.

Mitch McConnell, Susan M. Collins, Richard Burr, David Perdue, Pat Roberts, John Cornyn, Shelley Moore Capito, John Thune, John Boozman, Rob Portman, Richard C. Shelby, Roy Blunt, Jerry Moran, John Hoeven, Roger F. Wicker, Thom Tillis, Lisa Murkowski.

MOTION TO CONCUR WITH AMENDMENT NO. 1263

Mr. McCONNELL. I move to concur on the House amendment to the Senate amendment to H.R. 1158 with further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] moves to concur on the House amendment to the Senate amendment with a further amendment numbered 1263.

The amendment is as follows:

At the end add the following:

''This act shall be effective 1 day after enactment.''

Mr. McCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. I ask for the yeas and nays on the motion to concur with my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1264 TO AMENDMENT NO. 1263

Mr. McCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 1264 to amendment No. 1263.

Mr. McCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike ''1 day'' and insert ''2 days''

MOTION TO REFER WITH AMENDMENT NO. 1265

Mr. McCONNELL. I move to refer the House message to H.R. 1158 to the Committee on Appropriation with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] McConnell moves to refer the House message to accompany H.R. 1158 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 1265.

The amendment is as follows:

At the end add the following.

''This Act shall take effect 3 days after the date of enactment.''

Mr. McCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1266

Mr. McCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 1266 to the instructions to the motion to concur.

Mr. McCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike ''3 days'' and insert ''4 days''

Mr. McCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1267 TO AMENDMENT NO. 1266

Mr. McCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1267 to amendment No. 1266.

Mr. MCCONNELL. I ask unanimous consent that the reading of the Amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike ''4'' and insert ''5''

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 550.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The clerk will report the nomination.

The legislative clerk read nomination of Stephen E. Biegun, of Michigan, to be Deputy Secretary of State.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Stephen E. Biegun, of Michigan, to be Deputy Secretary of State.

Mitch McConnell, Steve Daines, Mike Rounds, David Perdue, Pat Roberts, Shelley Moore Capito, John Thune, John Boozman, Roger F. Wicker, Richard Burr, Mike Crapo, John Cornyn, Rob Portman, Richard C. Shelby, Roy Blunt, Jerry Moran, John Hoeven.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. LEAHY. Madam President, I support the fiscal year 2020 National Defense Authorization Act. The final, conferenced version of this bill reflects a compromise. As with any compromise, there are things I support and things I wish the final bill had included.

Of great significance is the inclusion in this bill of a provision providing 12 weeks of paid parental leave for all Federal employees. There are Federal employees in every corner of this country, including in Vermont. We lead by example when we say that the Federal Government will support new parents, who will now be able to be home with their new child in those important first days. I hope that this example is one that can be replicated throughout our workforce.

The fiscal year 2020 NDAA includes important wins for servicemembers, their families, and our national security as well. I am pleased that at long last we have successfully introduced a phase-out of the so-called Widows' Tax. This bill mandates gender integration for Marine Corps training, makes much needed progress in addressing the use and after effects of open-air burn pits, and demands new standards for microelectronics supply chains, so we know our technology is working for us.

Closer to home, the bill authorizes $30 million to construct a new Army Mountain Warfare School in Jericho. This is important to Vermont and to the Nation. This major construction project will allow the Vermont Army National Guard, one of the Nations' few mountain battalions, to better fulfill their mission of training soldiers from the Guard, Reserves, and Active Duty to accomplish their mission in cold, rugged terrain. Vermont is an ideal training ground because its mountains and climate are challenging, but still allow training throughout the year for all levels of expertise. That training is important to the Army because mountain skills require the ability to move from one place to another when major obstacles are in the way, something valuable anywhere the Army operates.

The bill includes an important measure based on an amendment I filed as well to improve condolence payment authorities for civilians who are killed as a result of U.S. military operations. We have included funds for this purpose for years through the appropriations process, but very few payments have been made and record keeping has often been poor. The new provisions in this bill aim to improve the process and increase its use, so that when civilians are harmed in war, their families are not left economically destitute as well.

I am disappointed that this bill does not include measures that were adopted by the House of Representatives to repeal authorizations for the use of force that were adopted nearly two decades ago. We simply must have a debate in Congress about our ongoing engagement around the world that relies on these AUMFs.

I wish the final agreement had included a hazardous substance designation for the dangerous chemicals known by their abbreviations PFAS and PFOA, nor was a sufficient authorization included that would support the cleanup of these chemicals. The NDAA also includes authorization of the President's Space Force, which I believe increases bureaucracy at the expense of our real priorities.

Nonetheless, I believe this is a good bill that supports our troops, and for that reason, I support its passage.

VOTE EXPLANATION

Mr. MERKLEY. Madam President, I wish to state for the record that although an important engagement in Oregon kept me from being present in the Capitol to participate in the cloture vote on this year's National Defense Authorization Act, NDAA, I would have voted nay had I been present.

I am pleased that the NDAA would phase out the reduction of survivor benefit plan annuities to ensure that the families of our fallen servicemembers receive the Federal support they need and deserve; would guarantee 12 weeks of paid family leave for Federal employees; fence funds for the introduction of new Intermediate-Range Nuclear Forces, INF; limit nuclear cooperation agreements under section 123 of the U.S. Atomic Energy Act with countries that lack safeguards; and support the legally-binding and verifiable limits of the New START Treaty as being in the national security interest of the United States. However, other aspects of the bill are cause for serious concern, outweighing these strong points, and must not be overlooked.

I am deeply concerned by this legislation's failure to prohibit funds for unauthorized war with Iran. There is no doubt that war with Iran would be a reckless, disastrous mistake. Yet the President has made a number of impulsive, provocative public statements that risk escalating tensions. Congress must protect its authority to declare war, and that means no blank checks to the administration for an unauthorized war with Iran.

It is also unthinkable that the final NDAA does not prohibit funds for intelligence support to the Saudi-led coalition in a war that has caused a catastrophic humanitarian crisis in Yemen. Communities have crumbled as a result of this conflict, and an acute cholera outbreak and famine have killed more than 85,000 children under the age of 5. The United States has no place supporting, prolonging, or being complicit in this war's widespread civilian casualties.

In addition, I am concerned that the NDAA does not prohibit funds for the deployment of a low-yield warhead on a submarine-launched ballistic missile. The use of this powerful and aggressive tool could drastically increase the risk of instigating a destabilizing nuclear arms race.

Here at home, the final NDAA conference report removed provisions to address PFAS water contamination. More than 16 million Americans currently drink water contaminated with PFAS chemicals, which can affect every major organ in the human body and put humans at higher risk of a wide variety of health conditions and complications including liver and kidney damage and thyroid disease. The decision to reject remedies to this urgent public health issue in the NDAA is deeply disturbing and completely unacceptable.

Finally, this NDAA does not include adequate safeguards to ensure accountability for wasteful defense spending. At a time when America far outspends every other nation in the world militarily, while working families are grappling with stagnant wages and rising costs of living, it could not be more important that the Pentagon and its contractors are accountable to American taxpayers. We should be doing far more to scrutinize defense spending and to evaluate whether we could maintain a strong military while redirecting badly needed funding to the American people's priorities on health care, housing, education, and infrastructure.

Mr. President, I wish to state once again that I would have voted nay had I been present. I look forward to working with all of my colleagues to resolve these critical issues in future bills and to advance the health, safety, and well-being of all Americans.

VOTE EXPLANATION

Ms. DUCKWORTH. Madam President, I was necessarily absent for vote No. 395 on confirmation of Executive Calendar No. 452, Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service. On vote No. 395, had I been present, I would have voted nay on confirmation.

I was also necessarily absent for vote No. 396 on confirmation of Executive Calendar No. 530, John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation. On vote No. 396, had I been present, I would have voted nay on confirmation.

I was also necessarily absent for vote No. 397 on confirmation of Executive Calendar No. 543, Stephen Hahn, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services. On vote No. 397, had I been present, I would have voted nay on confirmation.

TRIBUTE TO JOHNNY ISAKSON

Ms. DUCKWORTH. Madam President, I rise today to recognize my colleague and friend, Senator JOHNNY ISAKSON, for a lifetime of service to our Nation that started with his time as a loadmaster in the Georgia Air National Guard, to his tenure in the Georgia General Assembly, to his years of public service in the U.S. House of Representatives and the U.S. Senate.

With JOHNNY's retirement, the Senate is losing a truly great leader; a man of courage, whose dedication to this country has inspired me more times than I can count; a man of honor, who has worked tirelessly for the veteran community; and a man of compassion, who I am so grateful to be able to call a dear friend.

We will never be able to fully thank JOHNNY for all he has done for the rest of us, but today, I want to try. JOHNNY, thank you for being there for me at Walter Reed when I was a Wounded Warrior, just home from combat. Thank you for being by my side last spring, a decade and a half later, on my first trip back to Iraq.

Thank you for always being there when it matters the most, for being such an incredible advocate for our veterans, for giving the absolute best birthday and holiday presents, and for showing what it means to lead a life guided by integrity, a life defined by service.

You have made our Nation stronger and our Union more perfect. You will be missed every time this Chamber is gaveled into session.

JOINT EXPLANATORY STATEMENT

Mr. BURR. Madam President, this explanation reflects the status of negotiations and disposition of issues reached between the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence for the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020. This bill is named after two dedicated staffers—Matthew Young Pollard of the Senate Select Committee on Intelligence and Damon Paul Nelson of the House Permanent Select Committee on Intelligence—whose contributions to America will have an enduring, positive impact on our national security.

The explanation shall have the same effect with respect to the implementation of this act as if it were a joint explanatory statement of a conference committee. The explanation comprises three parts: an overview of the application of the annex to accompany this statement, unclassified congressional direction, and a section-by-section analysis of the legislative text.

I ask unanimous consent that the Joint Explanatory Statement for the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 be printed into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DAMON PAUL NELSON AND MATTHEW YOUNG POLLARD INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2018, 2019, AND 2020

The following is the explanation of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (hereinafter, ''the Act'').

This explanation reflects the result of negotiations and disposition of issues reached between the House Permanent Select Committee on Intelligence (HPSCI) and the Senate Select Committee on Intelligence (SSCI) (hereinafter, ''the Agreement''). The explanation shall have the same effect with respect to the implementation of the Act as if it were a joint explanatory statement of a conference committee.

The explanation comprises three parts: an overview of the application of the annex to accompany this statement; unclassified congressional direction; and a section-by-section analysis of the legislative text.

PART I: APPLICATION OF THE CLASSIFIED ANNEX

The classified nature of U.S. intelligence activities prevents the HPSCI and SSCI (collectively, the ''congressional intelligence committees'') from publicly disclosing many details concerning the conclusions and recommendations of the Agreement. Therefore, a classified Schedule of Authorizations and a classified annex have been prepared to describe in detail the scope and intent of the congressional intelligence committees' actions. The Agreement authorizes the Intelligence Community (IC) to obligate and expend funds not altered or modified by the classified Schedule of Authorizations as requested in the President's budget, subject to modification under applicable reprogramming procedures.

The classified annex is the result of negotiations between the congressional intelligence committees. They reconcile the differences between the congressional intelligence committees' respective versions of the bill for the National Intelligence Program (NIP) for Fiscal Years 2018, 2019, and 2020. The Agreement also makes recommendations for the Military Intelligence Program (MIP) and the Information Systems Security Program (ISSP), consistent with the National Defense Authorization Act for Fiscal Year 2020, and provides certain direction for these two programs. The Agreement applies to IC activities for Fiscal Year 2020.

The classified Schedule of Authorizations is incorporated into the bill pursuant to Section 5102 of Subdivision 1. It has the status of law. The classified annex supplements and adds detail to clarify the authorization levels found in the bill and the classified Schedule of Authorizations. The congressional intelligence committees view direction and recommendations, whether contained in this explanation or in the classified annex, as requiring compliance by the Executive Branch.

PART II: SELECT UNCLASSIFIED CONGRESSIONAL DIRECTION

Unclassified Direction related to Subdivision 1 of the Act relates to Fiscal Year 2020. Unclassified Direction related to Subdivision 2 originated in Fiscal Years 2018 and 2019. The term ''Committees'' refers to both SSCI and HPSCI.

UNCLASSIFIED DIRECTION RELATED TO SUBDIVISION 1

Plans for Operations During Government Shutdowns by All Elements of the Intelligence Community.

The Committees have an active interest in the impact of government shutdowns on the intelligence mission. Office of Management and Budget (OMB) Circular A–11, Section 124, outlines how agencies are supposed to plan for operations during government shutdowns, and Section 124.2 provides that agencies must share those plans with OMB. Additionally, Section 323 of the *Intelligence Authorization Act for Fiscal Year 2014* requires the Office of the Director of National Intelligence (ODNI), the Central Intelligence

Agency (CIA), and IC elements within the Department of Defense (DoD) to share those same plans with specified congressional committees, including the congressional intelligence committees.

These requirements, however, omit IC elements that are not separate ''agencies'' for the purposes of OMB Circular A–11, Section 124, and are not ODNI, CIA, or elements within the DoD for the purposes of the IAA for Fiscal Year 2014. As a result, no such reporting requirement currently exists for IC elements within the Departments of Justice, Treasury, Energy, State, and Homeland Security. For that reason, when portions of the federal government were shut down between December 2018 and February 2019, the Committees had little to no insight into the effects of the shutdown on these and other important segments of the IC.

Therefore, the Committees direct IC elements within the Departments of Justice, Treasury, Energy, State, and Homeland Security to submit to the congressional intelligence committees—on the same day as the host department's issuance of any plan for a government shutdown—the number of personnel in their respective elements that will be furloughed.

Program Manager-Information Sharing Environment Review.

Section 1016 of the Intelligence Reform and Terrorism Protection Act of 2004 (IRTPA) created a Program Manager-Information Sharing Environment (PM-ISE), administered from within the ODNI, to better facilitate the interagency sharing of terrorism-related information. Section 1016 also designated the PM-ISE as a presidentially-appointed position. Section 6402 of Subdivision 2 of the Act amends the IRTPA, so that the PM-ISE is subject to appointment by the Director of National Intelligence (DNI), not the President. Since the establishment of the PM-ISE, the Federal government has created entities, procedures, and processes to address directly the mandate for improved terrorism information sharing. Accordingly, the Committees find it appropriate to reconsider the future of the PM-ISE's mission.

Therefore, the Committees direct the ODNI, in consultation with appropriate Federal departments, agencies, and components, within 180 days of enactment of this Act, to conduct a review of the PM-ISE's terrorism information sharing mission, associated functions, and organizational role within the ODNI and provide findings and recommendations on the future of the PM-ISE to Congress.

Leveraging Academic Institutions in the Intelligence Community.

The Committees encourage the DNI and the Director of the DIA to ensure that IC elements continue to forge tighter partnerships with leading universities and their affiliated research centers in order to enhance mutual awareness of domestic and international challenges, leverage subject matter experts from higher education in a manner that uses cutting edge technologies and methods, and bolsters the recruitment of top-notch, diverse, and technically proficient talent into the IC's workforce.

The Committees further believe that IC-sponsored academic programs such as the Intelligence Community Centers for Academic Excellence (IC-CAE) should work closely with educational institutions that offer interdisciplinary courses of study and learning opportunities in national and international security; geopolitical affairs, international relations and national security; interdisciplinary courses of study in the culture, history, languages, politics, and religions of major world regions; foreign language instruction; computer and data science; or cybersecurity.

The DNI shall ensure that such programs are facilitated via the streamlining of the security clearance process for graduating students from such universities who receive offers of employment from IC elements, provide for the temporary exchange of faculty and IC professionals, including as visiting fellows, and technical training opportunities for faculty, students, and IC personnel.

Therefore, the Committees direct all IC agencies to support the IC-CAE effort by tracking recruits and new hires who have graduated from IC-CAE-designated institutions, promptly reporting these numbers to the office in charge of IC-CAE implementation, and increasing all IC agencies' efforts to recruit from such institutions.

Access to Sensitive Compartmented Information Facilities.

The Committees remain concerned about impediments for companies with appropriately cleared personnel being able to perform work for government entities and the effects of these impediments on IC access to innovative products and services. For example, businesses without access to a Sensitive Compartmented Information Facility (SCIF), which includes many small businesses and non-traditional contractors, find it difficult to perform classified work for the IC. Construction and accreditation of SCIF spaces may be cost-prohibitive for small business and non-traditional government contractors.

Additionally, SCIF construction timelines often exceed the period of performance of a contract. A modern trend for innovative and non-traditional government contractors is the use of co-working space environments. Additionally, public and private entities are partnering to create emerging regional innovation hubs to help identify technology solutions and products in the private sector that can be utilized by the DoD and IC. These innovation hubs currently produce an agile, neutral, but largely unclassified, development environment.

Therefore, the Committees direct the ODNI to submit a report to the congressional intelligence committees on:

1. Processes and procedures necessary to build, certify, and maintain certifications for multi-use sensitive compartmented facilities not tied to a single contract and where multiple companies can securely work on multiple projects at different security levels;

2. Analysis of the advantages and disadvantages of issuing DoD Contract Security Specification (DD Form 254s) to Facilities'' as opposed to Contracts'';

3. Options for classified co-use and shared workspace environments such as innovation, incubation, catalyst, and accelerator environments;

4. Pros and cons for public, private, government, or combination owned facilities that can operate at different classification levels; and

5. Any other opportunities to support companies with appropriately cleared personnel but without effective access to a neutral SCIF.

Inclusion of Security Risks in Program Management Plans Required for Acquisition of Major Systems in the National Intelligence Program.

Section 5305 of Subdivision 1 of the Act adds security risk as a factor for the DNI to include in the annual Program Management Plans for major system acquisitions submitted to the congressional intelligence committees pursuant to Section 102A(q)(1)(A) of the National Security Act of 1947 (50 U.S.C. 3024(q)(1)(A)). The Committees are increasingly concerned with the security risks to IC acquisitions. The Joint Explanatory Statement accompanying the *Intelligence Authorization Act for Fiscal Year 2017* directed updates to Intelligence Community Directive 731, Supply Chain Risk Management, and Committee leadership has engaged senior industry representatives about the threats to the national security industrial base posed by adversaries and competitors, including China. Over the past few years, the Department of Defense has been elevating security as a ''fourth pillar'' (to complement cost, schedule, and performance) in reviewing defense acquisitions, embodied in the Under Secretary of Defense for Intelligence's ''Deliver Uncompromised'' initiative.

Section 5305 of the Act extends that focus to the IC, requiring the annual Program Management Plans to include security risks in major system acquisitions, in addition to cost, schedule, and performance. The Committees recognize that security can be applied across a number of areas (facilities, personnel, information, and supply chain) and may vary by program, to appropriately ensure system integrity and mission assurance.

Therefore, for the purposes of implementing section 5305 of the Act, the Committees direct the Director of National Intelligence, with the Director of the National Counterintelligence and Security Center, to develop parameters for including security risks (and risk management measures) in the annual Program Management Plans to assist congressional oversight.

Intelligence Community Public-Private Talent Exchange.

The Committees fully support section 5306 of Subdivision 1's implementation in accordance with applicable federal ethics laws, regulations, and policies.

Expansion of Scope of Protections for Identities of Covert Agents.

Section 5303 of Subdivision 1 of the Act removes temporal and geographic limitations on the definition of ''covert agent'', as that term was defined by Section 606 of the Intelligence Identities Protection Act of 1982, P.L. 97–200 (Jun. 23, 1982) (IIPA).

Such limitations originally carved out of the IIPA unauthorized disclosures of certain kinds of classified identity information—those generally involving persons who have not served or acted abroad in the last five years—on grounds that such disclosures are generally less harmful to national security, and therefore undeserving of IIPA protections. But experience since then has proven otherwise. With the benefit of experience, the Committees have concluded that any disclosure of currently classified identity information, without regard to the location or recency of the activities of the person whose information is disclosed, can risk serious harm to national security. That being the case, such disclosures should potentially present a basis, under appropriate circumstances, for prosecution under the IIPA.

The Committees wish to stress, however, that the change does not imply any enhanced risk of IIPA liability for journalists.

In the thirty-seven years since enactment, the statute has never been used to prosecute members of the media. In fact, prosecutors have charged violations of the IIPA in only two cases, both of which involved unauthorized disclosures by former federal government employees of classified information obtained during their employment. The Committees view this spare record, so far as traditional newsgathering and publication is concerned, as reflecting the heavy, constraining influence of the First Amendment's Press Clause. Journalists continue to this day to report aggressively on intelligence matters.

The IIPA's enforcement history also reflects the narrowness of Section 601(c), a provision which some have interpreted to expose

traditional journalists to the risk of liability under the statute. But in the Committees' view, that provision does not cover responsibly investigating and reporting news in the public interest. There is a high burden for conviction under Section 601(c). It requires a prosecutor to prove beyond a reasonable doubt, among other things, that a defendant engaged in a ''pattern of activities'': a series of acts with the common purpose or objective of identifying and publicly exposing covert agents. Such conduct entails ''engag[ing] in a purposeful enterprise of revealing covert identities'' or being in the ''business of naming names,'' as the Conference Report to the IIPA put it in 1982. H.R. Rep. No. 97–580, at 9 (1982).

Traditional news gathering and publication—including on abuses of power, violations of law and civil liberties, and other controversial activity—does not require, or even typically involve, such conduct. Indeed, as the Conferees illustrated the point:

The reporters who have investigated the activities of Wilson and Terpil, former CIA employees who allegedly supplied explosives and terrorist training to Libya, would not be covered even if they revealed the identity of covert agents if their pattern of activities was intended to investigate illegal or controversial activities, and not to identify covert agents. Similarly, David Garrow would not be within the scope of the statute even though he purported to give the identity of covert agents in his book, ''The FBI and Martin Luther King, Jr.: from 'Solo' to Memphis.'' His intent presumably was to explain what drove the FBI to wiretap Martin Luther King and not to identify and expose covert agents.

H.R. Rep. No. 97–580, at 10. The same holds true for traditional, responsible journalists today. Even after amendments made by the Act, their work does not risk liability under the revised IIPA.

Furthermore, section 5303 has no effect on what information may be withheld under the Freedom of Information Act, 5 U.S.C. §552 (FOIA). Section 5303 expands the universe of ''covert agents'' whose classified relationship with the United States Government is protected by the criminal law. All of the people protected by the expanded ''covert agent'' definition have a relationship with the United States government that is already classified. If an individual's relationship with the government is classified, it may be withheld under FOIA. Consequently, even before passage of section 5303, identifying information for all of the individuals covered by the IIPA expansion could already have been withheld under FOIA's (b)(1) exemption for national security information. In general, when justifying withholding under FOIA information that tends to identify covert agents, agencies should use (b)(1) classification exemptions, not (b)(3) exemptions regarding the IIPA and other statutes. 5 U.S.C. §§552(b)(1), (3).

Section 5303 is not intended to—and does not—affect Congress' authority to oversee the IC. Section 5303 is not intended to—and does not—affect the protections afforded to whistleblowers to disclose violations of law and waste, fraud, and abuse to Inspectors General or to Congress.

Intelligence Community Cooperation with the Government Accountability Office.

The Committees believe the Government Accountability Office (GAO) adds significant value to the Committees' oversight efforts. For example, the GAO's designation in 2018 of the government-wide Personnel Security Clearance process to its high-risk list of federal areas needing reform to prevent waste, fraud, abuse, and mismanagement, was important to the Committees' efforts to legislate on security clearance reform, including in this Act. The Committees expect that all IC elements will fully and promptly comply with requests from the GAO made to support studies requested by, or of interest to, the Committees.

Clarification of Death Benefits for Survivors of Central Intelligence Agency Personnel.

The Committees concur with the Executive Branch that section 5341 of Subdivision 1 of the Act shall apply retroactively from the date of enactment of this Act.

Intelligence Community Leave Policies.

The Committees find it imperative that the federal government, to include the IC, recruit, hire, and retain a highly qualified workforce. That depends in part on offering federal personnel a competitive benefits package—including with respect to parental leave and related benefits. Toward that end, the Committees strongly believe the federal government must align such benefits to the fullest extent possible with those of leading U.S. private sector companies and other industrialized countries.

In furtherance of that objective, the Committees in their respective bills supported a provision to provide twelve weeks of paid parental leave to all IC employees. The Committees further support the succeeding provision in the National Defense Authorization Act (NDAA) for Fiscal Year 2020 that provides government employees, to include those in the IC, with twelve weeks of paid administrative leave in the event of birth of a child, or the placement of a child for purposes of adoptive or foster care. This is consistent with, and supersedes, provisions that were contained in the House-passed and Senate-passed Intelligence Authorization Acts for Fiscal Years 2018, 2019, and 2020. Importantly, that NDAA provision does not modify or otherwise affect the eligibility of an IC employee for benefits relating to leave under any other provision of law, to include the provisions of the Family and Medical Leave Act (FMLA), 29 U.S.C. §2601, et seq.

Moreover, so far as concerns the provision's implementation, the Committees direct the DNI, within 180 days after enactment of this Act, to provide a briefing for the Committees on how each element of the IC will implement 5 U.S.C. section 6382(d)(2), as provided by this Act.

Transfer of National Intelligence University.

The Committees have been closely watching the evolution of how the IC provides for advanced intelligence education. The Defense Intelligence Agency (DIA) has hosted an intelligence college since 1962, which has been academically accredited since 1983. When the ODNI was created in the Intelligence Reform and Terrorism Prevention Act of 2004, ODNI created a separate National Intelligence University (NIU) under its auspices as a complement to DIA's intelligence effort. In response to a report from the President's Intelligence Advisory Board that accused the ODNI of being inadequately focused, the ODNI in 2011 transferred the NIU to DIA's intelligence college and rebranded the new combined institution as NIU.

Pursuant to the Joint Explanatory Statement to the Intelligence Authorization Act for Fiscal Year 2017, an independent panel offered alternative governance models to enhance NIU, to include a more prominent role for ODNI. In parallel, analyses of DIA by the Secretary of Defense and the HPSCI during the 115th Congress concluded that DIA would benefit from moving NIU elsewhere in the IC.

The Committees believe transferring NIU to ODNI is now appropriate if certain conditions, contained in section 5324 of Subdivision 1 of the Act, are met. The Committees believe that clear commitment from the DNI and Principal Deputy DNI is critical to NIU's success at ODNI. The Committees look forward to working with ODNI and DoD on the successful transfer of NIU.

Associate Degree Program Eligibility.

The Committees are concerned that students enrolled in, or who have graduated from, Associate Degree programs have insufficient opportunities to gain employment in the IC. Therefore, the Committees direct the ODNI to submit a report to the congressional intelligence committees on how to expand the number of opportunities for students pursuing or having earned an Associate Degree eligible for IC academic programs. The Committees also direct the ODNI to make information about these academic programs publicly available.

Exposing Predatory and Anticompetitive Foreign Economic Influence.

The Committees are concerned about the significant threat posed by foreign governments that engage in predatory and anticompetitive behaviors aimed to undercut critical sectors of the United States economy. Therefore, the Committees direct the DNI, in consultation with the Assistant Secretary of the Treasury for Intelligence and Analysis, to submit to the congressional intelligence committees a report identifying top countries that pose a substantial threat to the United States economy regarding technology transfer issues, predatory investment practices, economic espionage, and other anticompetitive behaviors. The report shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.

Furthermore, the DNI, in consultation with the Department of the Treasury and other agencies that the Director deems appropriate, shall submit a report to the congressional intelligence committees assessing the costs and benefits of requiring a foreign person or entity that invests in the United States (and is subject to the jurisdiction of a country that poses a substantial threat to the United States economy) to submit annual disclosures to the Federal Government. Such disclosures would include all investments that the foreign person or entity made in the United States during the preceding year; the ownership structure of the entity; and any affiliation of the entity with a foreign government. The report should detail how such information could be used by the IC and other elements of the Federal government working to identify and combat foreign threats to the United States economy, and the appropriate scope and thresholds for such disclosures. The report shall be submitted in unclassified form, but may include a classified annex.

Increasing Data Security.

The Committees are aware the IC faces challenges while trying to balance mission and enterprise needs with IT modernization, including the migration of data and applications to the cloud. With this in mind, the Committees encourage the IC to identify and utilize technologies that increase the security posture of data and workloads and reduce cyber risks.

The Committees further recommend that:

1. IC elements identify, develop, and implement tools for bi-directional data migration and division interoperability between data center and cloud environments;

2. These tools include, but are not limited to, encryption of data while both at rest and in motion, and micro-segmentation of networks and workloads; and

3. IC elements prioritize shifting resources towards automation as a way to respond more quickly to cyber threats.

Anonymous Annual Survey Regarding Workplace Climate.

IC elements obtain mission-critical information from the results of anonymous, annual surveys of their employees, on issues related to workplace climate and retention. As necessary as they are to the elements' own activities, survey results are also vital to the Committees' continuing oversight of elements' efforts to address workplace climate and retention issues, and to propose legislative and other remedies where appropriate.

The need for reliable information is especially acute with respect to sexual harassment and discrimination, given that—established policy and legal protections notwithstanding—an employee may fear that directly raising concerns about such matters risks exposing the employee to retaliatory personnel, security clearance, or other actions. The anonymous survey affords the element, and the Committees, a mechanism for inquiring further about the extent of this well-documented chilling effect against reporting; and about the effectiveness (or not) of ongoing programs to uncover and root out sexual harassment, discrimination, and other illegal and/or inappropriate activities at the workplace.

Therefore, the Committees direct that no later than 180 days after enactment of this Act, the DNI must certify in writing to the congressional intelligence committees that:

1. At least once a year, each element of the IC submits a survey to its employees regarding workplace climate and retention matters, and affords employees completing such surveys the option to remain anonymous;

2. Such survey includes questions regarding employees' experiences with sexual assault, discrimination, harassment, including sexual harassment, and related retaliation, including, at a minimum, the questions covering the following topics:

a. Have you witnessed sexual harassment or sexual assault?

i. Did you report it?

ii. If not, why not?

b. Have you experienced sexual harassment or sexual assault?

i. Did you report it?

ii. If not, why not?

c. Have you experienced retaliation for reporting harassment, discrimination, or sexual assault?

i. Have you faced retribution for taking leave for family, medical, or other personal reasons?

ii. Did you fear retribution for taking leave?

3. Each element includes in its survey questions regarding the job series, position, age, gender, race or ethnicity, field, and job location at the time of the survey's completion;

4. Each element tracks employees' responses according to job series, position, age, gender, race or ethnicity, field, and location at the time of the survey's completion; and

5. Each element reports the results of its survey annually to the congressional intelligence committees.

Report to Congress on the Representation of Women and Minorities in the Workforce.

The Committees continue to strongly support IC efforts to identify, recruit, and retain a highly diverse and highly qualified workforce—including, in particular, its efforts to increase the representation within elements of the IC of women and minorities.

This is a data driven exercise. Bolstering and adjusting IC workforce diversity programs depends in part on the Committees' regularly obtaining current, detailed, and reliable information, and about specific matters relevant to the broader subject of workforce diversity—such as rates and areas of promotion of women and minority employees. However, some elements may produce such information only from time to time; others may make regular submissions to the Committees but include only general information.

Therefore, the Committees direct that every six months, the head of each element of the IC shall submit to the Committees a written report that shall include, at a minimum:

1. The total number of women and minorities hired by that element during the reporting period and a calculation of that figure as a percentage of the agency's total hiring for that period;

2. The distribution of women and minorities at that element by grade level and by job series in the element's total workforce during the reporting period, together with comparisons from the immediately preceding two years;

3. The number of women and minorities who applied for promotion at the element and the final number selected for promotion during the reporting period;

4. The proportion of the total workforce of the element occupied by each group or class protected by law, as of the last day of the reporting period;

5. The numbers of minorities and women serving in positions at the element requiring advanced, specialized training or certification, as well as the proportion of the workforce those groups occupy; and

6. To the extent that such element deploys civilian employees to hazardous duty locations, the number of women and minority employees who departed government service subsequent to a deployment undertaken by an employee in the previous two years.

Report on Geospatial Commercial Activities for Basic and Applied Research and Development.

The Committees direct the Director of the National Geospatial-Intelligence Agency (NGA), in coordination with the DNI, the Director of the Central Intelligence Agency (CIA), and the Director of the National Reconnaissance Office (NRO), within 90 days of enactment of this Act, to submit to the congressional intelligence and defense committees a report on the feasibility, risks, costs, and benefits of providing the private sector and academia, on a need-driven and limited basis—consistent with the protection of sources and methods, as well as privacy and civil liberties—access to data in the possession of the NGA for the purpose of assisting the efforts of the private sector and academia in basic research, applied research, data transfers, and the development of automation, artificial intelligence, and associated algorithms. Such report shall include:

1. Identification of any additional authorities that the Director of NGA would require to provide the private sector and academia with access to relevant data on a need-driven and limited basis, consistent with applicable laws and procedures relating to the protection of sources, methods, privacy and civil liberties; and

2. Market research to assess the commercial and academic interest in such data and determine likely private-sector entities and institutions of higher education interested in public-private partnerships relating to such data.

NRO Contracting Restrictions.

The Committees continue to be very concerned that NRO imposes unnecessary contractual restrictions that prohibits or discourages a contractor from contacting or meeting with a congressional intelligence committee or intelligence committee Member offices. Therefore, the Committees direct NRO to remove all restrictions that impacts contractors from contacting or meeting with the congressional intelligence committees or member offices in all current and future contracts to include pre-coordination with executive branch agencies.

Enhancing Automation at the National Geospatial-Intelligence Agency.

The Committees strongly support efforts to leverage commercial advances in automation of imagery such as electro-optical, infrared, Wide Area Motion Imagery (WAMI), Full Motion Video (FMV), and Synthetic Aperture Radar (SAR) products to reduce manual processing and improve information flow to users. However, the Committees are concerned that NGA does not dedicate adequate resources to integrate new automation techniques, which have resulted in years of research into the issue, but limited operation gains during day-to-day imagery processing.

Therefore, the Committees direct NGA, within 90 days of enactment of this Act, to brief the congressional intelligence and defense committees on an updated plan to reduce manual processing of imagery such as electro-optical, infrared, WAMI, FMV, and SAR to improve information flow to users. The briefing shall also address:

1. NGA's strategy to leverage commercial advances;

2. The various GEOINT automated exploitation development programs across the National System for Geospatial-Intelligence, and the associated funding and specific purpose of said programs;

3. Any similar efforts by government entities outside the National System for Geospatial-Intelligence of which NGA is aware; and

4. Which of these efforts may be duplicative.

Redundant Organic Software Development.

The Committees are concerned that NGA is developing software solutions that are otherwise available for purchase on the commercial market. This practice often increases the time it takes to deliver new capabilities to the warfighter; increases the overall cost of the solution through expensive operational and maintenance costs; and undermines the U.S. software industrial base.

Therefore, the Committees direct NGA, within 60 days of enactment of this Act, to brief the Committees, to identify all NGA developed software programs and explain why they are being developed organically instead of leveraging commercially available products.

Critical Skills Recruiting for Automation.

Although cutting edge sensors have provided the IC and Department of Defense with exquisite imagery, full motion video (FMV), and wide area motion imagery (WAMI), intelligence analysts are unable to keep pace with the volume of data being generated. This demands a transformation in the way the intelligence enterprise processes, organizes, and presents data. For that reason, the Committees fully support the NGA's efforts to attract, recruit, and retain a highly competent workforce that can acquire and integrate new data automation tools.

Therefore, the Committees direct NGA, within 60 days of enactment of this Act, to brief the congressional intelligence and defense committees on NGA's efforts to recruit critical skills such as mathematicians, data scientists, and software engineers that possess critical skills needed to support NGA's objectives in automation.

Common Sensitive Compartmented Information Facility.

The Committees have become aware of several major impediments to companies performing work for agencies and organizations

like the NRO. For example, businesses without ownership of a SCIF find it very difficult to perform classified work. Additionally, these small businesses are challenged with basic obstacles such as becoming aware of classified work opportunities because it is difficult to obtain access to the IC's and DoD's classified marketplaces such as the Acquisition Resource Center (ARC). Construction and accreditation of SCIF spaces is cost-prohibitive for small business and non-traditional government contractors. Additionally, construction timeline often exceeds the period of performance of a contract.

A modern trend for innovative and non-traditional government contractors is the increased use of co-working space environments. Additionally, public and private entities are partnering to create emerging regional innovation hubs to help identify technology solutions and products in the private sector that can be utilized by the IC and DoD. These innovation hubs currently produce an agile, neutral, but largely unclassified development environment.

Therefore, the Committees direct the DNI, within 90 days of enactment of this Act, to brief the congressional intelligence committees on the following:

1. Steps necessary to establish new 'Common SCIFs' in areas of high demand;
2. What approaches allow for SCIF spaces to be certified and accredited outside of a traditional contractual arrangement;
3. Analysis of the advantages and disadvantages of issuing Department of Defense Contract Security Specification (DD Form 254s) to ''Facilities,'' as opposed to ''Contracts'';
4. Options for classified co-use and shared workspace environments such as: innovation, incubation, catalyst, and accelerator environments;
5. Pros and cons for public, private, government, or combination owned classified neutral facilities; and
6. Any other opportunities to support those without ownership of a SCIF effective access to a neutral SCIF.

Improving Use of the Unclassified Marketplaces.

Another area where the Committees have become aware of major impediments for companies to perform work for agencies and organizations like the NRO are unclassified marketplaces such as the Acquisition Resource Center (ARC). Instead of posting data to unclassified marketplaces, unclassified NRO postings often refer to the classified side for critical yet unclassified information. If the NRO is serious about embracing commercial innovation, unclassified marketplace postings should remain on the unclassified side.

Therefore, the Committees direct NRO, within 90 days of enactment of this Act, to brief the Committees on options for improving the unclassified marketplace process.

Satellite Servicing.

No later than one year after the date of the enactment of this Act, the DNI, in consultation with the Secretary of Defense, shall jointly provide the to the congressional intelligence and defense committees a briefing detailing the costs, risks, and operational benefits of leveraging commercial satellite servicing capabilities for national security satellite systems. The briefing shall include the following:

1. A prioritized list, with a rationale, of operational and planned assets of the Intelligence Community that could be enhanced by satellite servicing missions;
2. The costs, risks, and benefits of integrating satellite servicing capabilities as part of operational resilience; and
3. Potential strategies that could allow future national security space systems to leverage commercial in-orbit servicing capabilities where appropriate and feasible.

Commercial RF Mapping and SAR.

U.S. commercial companies are now offering space-based geolocation and geospatial intelligence (GEOINT) analysis of radio frequency (RF) emitters as well as synthetic aperture radar (SAR) products. These companies can identify, locate, and analyze previously undetected activity, providing new insights for U.S. national security and defense. The IC currently has contracts that leverage commercial electro-optical satellites, however it does not have a program in place to take full advantage of these emerging commercial space-based RF GEOINT and SAR capabilities.

Therefore, the Committees direct the NRO and NGA to brief the Committees on how it will leverage these commercial companies in Fiscal Year 2020 and beyond, to include funding for, as well as testing and evaluation efforts.

Commercial Remote Sensing.

The Committees support efforts to establish a light-touch regulatory structure that enables the rapidly evolving commercial space-based imagery, RF sensing, and radar industry markets to promote U.S. leadership in these areas. However, the Committees also support the needs of the U.S. Government to protect both IC and DoD personnel and assets. The Committees believe there can be a balance that supports both national security interests and the promotion of U.S. innovation and leadership.

Therefore, the Committees direct the DNI, in consultation with the Secretary of Defense, to brief the Committees within 60 days of the date of enactment of the Act, on efforts that help address this balance and which streamline the IC and DoD involvement in the rapidly evolving U.S. commercial space-based imagery, RF sensing, and radar industries.

Deception Detection Techniques.

The U.S. Government does not have sufficient security screening capabilities available to determine deception in individuals that intend to harm the United States. The polygraph has been an effective investigative tool to detect deception, but the cost and time required to administer a polygraph examination is a major cause for security clearance backlogs, and often limits the frequency of periodic examinations to every 5–7 years. Entities within DoD and the IC including DIA, Special Operations Command, NGA, Defense Counterintelligence and Security Agency, U.S. Air Force and others have expressed a desire to begin piloting new systems such as ocular deception detection systems. However, progress is being hindered by DoD Directive 5210.91 and ODNI Security Agent Directive 2, which direct some oversight of new deception detection technologies to the DoD National Center of Credibility Assessment (NCCA), which does not have sufficient budget or other resources to expeditiously evaluate non-polygraph technologies.

Therefore, the Committees direct the DNI in coordination with the DoD to provide the congressional intelligence and defense committees with a briefing on what steps they are taking to ensure pilot programs are established to evaluate these new technologies to help reduce our backlog, improve efficiency, and reduce overall cost. Pilot programs shall evaluate current and emerging technologies to efficiently and rapidly verify the accuracy and truthfulness of statements of candidates for employment within the DoD/IC, including for interim security clearances, for periodic screening of cleared DoD/IC personnel, to screen foreign national collaborators and contractors overseas to prevent ''Green-on-Blue'' attacks, for immigration screening and for other purposes.

List of Foreign Entities That Pose a Threat to Critical Technologies.

The Committees direct the DNI, in consultation with the Secretary of Defense, to identify, compose, and maintain a list of foreign entities, including governments, corporations, nonprofit and for-profit organizations, and any subsidiary or affiliate of such an entity, that the Director determines pose a threat of espionage with respect to critical technologies or research projects, including research conducted at institutions of higher education.

Maintenance of this list will be critical to ensuring the security of the most sensitive projects relating to U.S. national security, such as defense and intelligence-related research projects. The initial list shall be available to the head of each qualified agency funding applicable projects and will include the following entities already identified as threatening: Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company, and Kaspersky Lab. The DNI and the Secretary of Defense, or a delegate from each agency, shall brief the findings to the congressional intelligence and defense committees no later than 180 days after the enactment of the Act.

Protection of National Security Research.

The Committees believe that institutes of higher learning, laboratories, and other entities and organizations play critical roles in advancing national security within the U.S. science and technology ecosystem that is charged with delivering the best capabilities to the warfighter in the near, mid, and long-term. The Committees understand that near-peer competitors such as China and Russia attempt to exploit and benefit from the open and collaborative global research environment created by the Reagan Administration's National Security Decision Directive 189 on the National Policy on the transfer of Scientific, Technical and Engineering Information. This directive established that the products of ''fundamental research''—defined as ''basic and applied research in science and engineering, the results of which ordinarily are published and shared''—should remain unrestricted.

The Committees are also aware that academia is not always kept apprised by the interagency of a complete picture of potential activities and threats in the research community, such as improper technology transfer, intellectual property theft, and cyber-attacks directly attributed to nation-state governments. Elsewhere in this bill and report, the Committees include measures to promote increased information sharing across the interagency and with academia.

Therefore, the Committees direct the Secretary of Defense to provide the congressional intelligence and defense committees, within 90 days of enactment of the Act, a report listing Chinese and Russian academic institutions that have a history of improper technology transfer, intellectual property theft, cyber espionage, or operate under the direction of their respective armed forces or intelligence agencies. The report should be in unclassified form, but may contain a classified annex.

Investments in Scientific and Technological Intelligence.

The Committees remain interested in the continued efforts of the DoD to improve scientific and technological intelligence (S&TI) capabilities and tradecraft across the Defense Intelligence Enterprise (DIE). The Committees recognize S&TI is critical to strategic competition with near-peer competitors by ensuring comprehensive understanding of adversary capabilities and ability to inform development of joint force

fifth-generation advanced weapons systems and other emerging technologies.

Therefore, the Committees direct the USD(I) in collaboration with the Director of the DIA, to provide a briefing to the Committees and the congressional defense committees within 75 days of enactment of the Act, on the alignment of current and planned DIE S&TI investments and activities to DoD operational and strategic requirements.

The briefing shall also include information on how the DoD will continue the maturation of S&TI capabilities and tradecraft across the DIE.

Intelligence Support to Defense Operations in the Information Environment.

The Committees support DoD efforts to improve capabilities and tradecraft to operate in the information environment. The Committees are concerned about the Defense Intelligence Enterprise's (DIE) ability to provide the information operations community with all-source intelligence support, consistent with the support provided to operations in other domains.

Therefore, the Committees direct the USD(I), in coordination with the Joint Staff's Director for Intelligence and the DNI, to provide a briefing to the congressional intelligence and defense committees within 30 days of enactment of the Act, on intelligence support to information operations. The briefing should include standardized defense intelligence lexicon for intelligence preparation of the battlefield for information operations, efforts to develop a process to ensure the full scope of emerging defense information operations threat requirements are structured to be addressed through the entirety of DIE capabilities, and how the DIE perceives the future of defense operations in the information environment.

The briefing shall also include a description of how the IC, through the National Intelligence Priorities Framework, will account for a more dynamic use of defense intelligence capabilities to augment and enhance support to DoD operations in the information environment.

ROTC IC Recruitment Trial Program.

The Senior Reserve Officers' Training Corps (ROTC) program, with units or affiliates at approximately 1,600 U.S. colleges and universities, is DoD's largest commissioning source, providing approximately 6,500 new active duty officers to the military each year.

Officer candidates enrolled in ROTC programs must meet all graduation requirements of their academic institutions, enroll in military, naval, or aerospace education courses, and attend summer military training, making them ideal candidates for IC placement. Currently, ROTC cadets only have the option to utilize their training by joining one of the military services. The Committees believe the government can find cost savings and provide a wider range of opportunities to ROTC recruits by leveraging the ROTC's existing training program for the IC.

Therefore, the Committees direct the USD(I), in coordination with ODNI, to conduct a feasibility study on creating a pathway for ROTC recruits to find employment in the IC, on a reimbursable basis. The study should examine:

1. Pros and cons of instituting an ROTC IC recruitment pipeline;
2. Approximate reimbursement cost per recruit; and
3. Legislative requirements for program execution.

The Committees direct that the study results be submitted via report to the Committees and the congressional defense committees within 90 days of enactment of the Act.

Explosive Ordinance Disposal Intelligence.

The Committees are concerned that the expertise of Explosive Ordinance Disposal (EOD) personnel is not adequately accessible and therefore, not sufficiently utilized by the Defense Intelligence Enterprise and IC to provide the combatant commands with the required intelligence to identify, combat, and deter violent extremism and other asymmetric threats.

Explosive ordnance includes all munitions, improvised explosive devices, devices containing explosives, propellants, nuclear fission or fusion materials, biological, and chemical agents. The primary consumer of this information are military tactical explosive ordnance disposal units that employ the data for threat identification and neutralization. However, the required analysis to determine appropriate render-safe capabilities requires operational and strategic intelligence to process and analyze the data, and data management processes to promulgate the resulting information. The Committees believe DoD should modernize the processes and procedures to more comprehensively track, manage, and coordinate the capability and capacity of EOD intelligence within the IC and the DIE to support all levels of render-safe capabilities.

Therefore, the Committees direct the USD(I), in coordination with the ODNI, to provide a briefing to the congressional intelligence and defense committees within 120 days of enactment of the Act on the capability and capacity of EOD intelligence expertise across the DIE and IC. The briefing shall include:

1. An assessment of the coordination and integration of defense and national intelligence capabilities against EOD intelligence requirements, to include a mitigation strategy to address any identified gaps or deficiencies, information-sharing challenges, or any other impediments to integration of EOD expertise across the defense and intelligence communities; and
2. An assessment of the technical skills needed to address EOD intelligence requirements, while identifying any gaps or deficiencies in current personnel hiring and training structures, and a long-term plan to develop proficiency of EOD intelligence expertise in the defense and intelligence communities.

Information-Sharing Arrangements with India, Japan, and the Republic of Korea.

International alliances and partnerships are critical to the pursuit and sustainment of the United States national security objectives, built upon foundations of shared values and intent. The Committees recognize the importance of the DoD sharing information with international allies and partners in support of the planning and execution of the National Defense Strategy, as allies and third-party international partners enhance strategic stability across the Department's purview while increasing effectiveness of operations. The Committees believe the mechanisms to share information across the ''Five Eyes'' alliance continue to mature through established exercises, exchange of personnel, and virtual data sharing, while that cooperation is potentially less robust with third-party partners.

The Committees support the roles and contributions of third-party partners such as India, Japan, and the Republic of Korea, and recognizes their ongoing contribution toward maintaining peace and stability in the Indo-Pacific region. The Committees are interested in understanding the policies and procedures governing the collaboration and information sharing with India, Japan, the Republic of Korea, and the ''Five Eyes'' allies, and whether opportunities exist to strengthen those arrangements.

Therefore, the Committees direct the Under Secretary of Defense for Intelligence (USD(I)), in coordination with the ODNI, to provide a briefing to the congressional intelligence and defense committees within 60 days of enactment of the Act, on the benefits, challenges, and risks of broadening the information-sharing mechanisms between India, Japan, the Republic of Korea, and the ''Five Eyes'' allies.

Transitioning the Function of Background Investigations to the Department of Defense.

Executive Order 13869 transitions the background investigation functions of the Federal Government from the Office of Personnel Management (OPM), National Background Investigations Bureau, to the DoD, Defense Counterintelligence and Security Agency. The Committees recognize the importance of ensuring timely and efficient background investigations to overcome workforce staffing challenges of cleared individuals across the whole of government and private sector, and to vet personnel who come into contact with the Department's personnel, installations, and technology. The Committees are aware of the temporary establishment of the Personnel Vetting Transformation Office in the OUSD(I) to manage the transition of this activity from OPM to the Department and improve the processes and procedures related to vetting personnel for clearances across the whole of government and private sector.

However, the Committees are concerned about the potential risks to personnel management and mission such a transfer may present, and believes that appropriate protections of civil liberties and privacy must be prioritized throughout the transition, through the implementation of modern and efficient vetting measures. The Committees recognize the Department's leadership, through sharing best practices with ODNI, in reforming the vetting process using modern techniques such as continuous evaluation, and expects regular updates on the Department's progress in addressing the current background investigations backlog.

Therefore, the Committees direct the USD(I), in coordination with the Director of the Defense Counterintelligence and Security Agency, to provide a briefing to the congressional intelligence and defense committees within 90 days of enactment of the Act, on how the DoD will transfer the background investigation mission and establish an effective personnel vetting capability to provide for the security of the Department, while maintaining the civil liberties and privacy protections of personnel under consideration to receive a clearance.

Joint Intelligence Operations Center Staffing.

The Committees recognize the evolving operational and strategic priorities of the DoD will impact Defense Intelligence Enterprise capabilities and resources. The Committees recognize the ongoing efforts by the USD(I) to comply with direction specified by the *John. S. McCain National Defense Authorization Act for Fiscal Year 2019* (Public Law 115–232) to reduce and prevent imbalances in priorities and mitigate against insufficient or misaligned resources within the Defense Intelligence Enterprise.

While the Committees support the efforts by the USD(I) to create efficiencies across the Defense Intelligence Enterprise organizations, to include the Service Intelligence Centers and combatant command Joint Operations Intelligence Centers, and enable those elements to plan and posture staffing requirements accordingly, the Committees are concerned that the shifts in current and future resourcing lack coherence to support the global mandate of the Department.

Therefore, the Committees direct the USD(I), in coordination with DIA, to provide

a briefing to the congressional intelligence and defense committees within 90 days of enactment of the Act on how the OUSD(I) and DIA are managing resourcing requirements to the combatant command Joint Intelligence Operations Centers to meet current and future needs of the combatant commanders and DoD.

China's Biological Weapons Program.

The Committees remain interested in ensuring the Defense Intelligence Enterprise is providing timely, accurate, and effective intelligence to support information needs of the DoD, and are aware of a recent GAO report on long-range emerging threats facing the United States that highlighted potential pursuit by near-peer competitors of biological weapons using genetic engineering and synthetic biology.

Therefore, the Committees direct the USD(I), in coordination with the Director of the DIA, to provide a briefing to the congressional intelligence and defense committees within 30 days of enactment of the Act with an assessment of China's current and projected biological weapons program, the risks presented to the joint force, and the mitigation strategies to protect U.S. military forces against said threats.

Machine-assisted Analytic Rapid Repository System Government Accountability Office Review.

The re-emergence of great power competition will stress DIA's ability to provide foundational military intelligence for the IC and warfighters. As such, the Committees are supportive of DIA's intent to replace the Modernized Integrated Database (MIDB) with the Machine-assisted Analytic Rapid Repository System (MARS).

However, the Committees are concerned that MARS's development and procurement will entail a complex and extensive transformation that will impact the DIA's delivery of foundational military intelligence.

Therefore, the Committees direct the GAO to provide a report to the congressional intelligence and defense committees within one year of enactment of the Act that describes:

1. The envisioned users and customer base and how they will use MARS;
2. An assessment of the transition plan from MIDB to MARS with input from current and historic MIDB users, as well as customers;
3. An assessment of the resources necessary to fully implement MARS, to include funding and personnel implications;
4. An assessment of DIA's acquisition strategy for MARS to include the use of any rapid acquisition or prototyping authorities; and
5. The challenges DIA has identified that it will face in transitioning from MIDB to MARS and whether its migration plans are sufficient for addressing these challenges.

The Committees expect DIA's full cooperation with the GAO study.

Update on the DIA Strategic Approach.

In September 2018, the Defense Intelligence Agency (DIA) adopted a Strategic Approach to enhance workforce development, improve foundational military intelligence data management, address perennial intelligence issues and realign roles and missions. Improvements in these issue areas will enhance the Agency's ability to support both the National Security Strategy and National Defense Strategy.

The Committees support the DIA's initiative to improve those structures it assesses are critical to providing warfighters the information needed to prevent and, if necessary, decisively win wars, such as intelligence on foreign militaries' capabilities.

Therefore, the Committees direct DIA to provide quarterly briefings, beginning 45 days after enactment of the Act, to the congressional intelligence and defense committees on its efforts to enhance workforce development, improve foundational military intelligence data management, address perennial intelligence issues, and realign roles and missions.

Report on Chinese Efforts Targeting Democratic Elections and U.S. Alliances and Partnerships and Strategy to Counter Chinese Election Interference.

The Committees direct the DNI, in coordination with the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security, to provide a report to the Committees, the congressional defense committees, the House Committee on Foreign Affairs, the Senate Committee on Foreign Relations, the House Committee on Homeland Security, and the Senate Committee on Homeland Security and Governmental Affairs on the Chinese government's influence operations and campaigns targeting democratic elections.

The report shall be divided into two sections, which respectively address influence operations and campaigns targeting: (1) recent and upcoming elections in the United States (dating back to January 1, 2017), and (2) military alliances and partnerships of which the United States is a member. The report should also include a strategy to counter these activities. The Committees further direct the Secretary of Defense to provide an interim report within 30 days of enactment of the Act, and a final report within a year of enactment of the Act.

The report shall be unclassified and appropriate for release to the public but may include a classified annex. At a minimum, the report should include:

1. An assessment of China's objectives in influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member, and how such objectives relate to the China's broader strategic aims;
2. The United States' strategy and capabilities for detecting, deterring, countering, and disrupting such Chinese influence operations (including recommended authorities and activities) and campaigns and a discussion of the DoD's and the IC's respective roles in the strategy;
3. A comprehensive list of specific Chinese state and non-state entities involved in supporting such Chinese influence operations and campaigns and the role of each entity in supporting them;
4. An identification of the tactics, techniques, and procedures used in previous Chinese influence operations and campaigns;
5. A comprehensive identification of countries with democratic election systems that have been targeted by Chinese influence operations and campaigns since January 1, 2017;
6. An assessment of the impact of previous Chinese influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member, including the views of senior Chinese officials about their effectiveness in achieving Chinese objectives;
7. An identification of countries with democratic elections systems that may be targeted in future Chinese influence operations and campaigns and an assessment of the likelihood that each such country will be targeted;
8. An identification of all U.S. military alliances and partnerships that have been targeted by Chinese influence operations and campaigns since January 1, 2017;
9. An identification of all U.S. military alliances and partnerships that may be targeted in future Chinese influence operations and campaigns and an assessment of the likelihood that each such country will be targeted; and
10. An identification of tactics, techniques, and procedures likely to be used in future Chinese influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member.

Report on Russian Efforts Targeting Democratic Elections and U.S. Alliances and Partnerships and Strategy to Counter Russian Election Interference.

The Committees direct the DNI, in coordination with the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security, to provide a report to the Committees, the congressional defense committees, the House Committee on Foreign Affairs, the Senate Committee on Foreign Relations, the House Committee on Homeland Security, and the Senate Committee on Homeland Security and Governmental Affairs on Russia's influence operations and campaigns targeting democratic elections.

The report shall be divided into two sections, which respectively address influence operations and campaigns targeting: (1) recent and upcoming elections in the United States (dating back to January 1, 2017) and (2) military alliances and partnerships of which the United States is a member. The report should also include a strategy to counter these activities. The Committees further direct the Secretary of Defense to provide an interim report within 30 days of enactment of the Act, and a final report within a year of enactment of the Act.

The report shall be unclassified and appropriate for release to the public but may include a classified annex. At a minimum, the report should include:

1. An assessment of Russia's objectives in influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member, and how such objectives relate to Russia's broader strategic aims;
2. The United States strategy and capabilities for detecting, deterring, countering, and disrupting such Russian influence operations (including recommended authorities and activities) and campaigns and a discussion of the DoD's and IC's respective roles in the strategy;
3. A comprehensive list of specific Russian state and non-state entities involved in supporting such Russian influence operations and campaigns and the role of each entity in supporting them;
4. An identification of the tactics, techniques, and procedures used in previous Russian influence operations and campaigns;
5. A comprehensive identification of countries with democratic election systems that have been targeted by Russian influence operations and campaigns since January 1, 2017;
6. An assessment of the impact of previous Russian influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member, including the views of senior Russian officials about their effectiveness in achieving Russian objectives;
7. An identification of countries with democratic elections systems that may be targeted in future Russian influence operations and campaigns and an assessment of the likelihood that each such country will be targeted;
8. An identification of all U.S. military alliances and partnerships that have been targeted by Russian influence operations and campaigns since January 1, 2017;

9. An identification of all U.S. military alliances and partnerships that may be targeted in future Russian influence operations and campaigns and an assessment of the likelihood that each such country will be targeted; and

10. An identification of tactics, techniques, and procedures likely to be used in future Russian influence operations and campaigns targeting democratic elections and military alliances and partnerships of which the United States is a member.

UNCLASSIFIED DIRECTION RELATED TO SUBDIVISION 2

Management of Intelligence Community Workforce.

The Committees repeat direction from the Intelligence Authorization Act for Fiscal Year 2017 that IC elements should build, develop, and maintain a workforce appropriately balanced among its civilian, military, and contractor workforce sectors to meet the missions assigned to it in law and by the president. Starting in Fiscal Year 2019, the Committees no longer authorize position ceiling levels in the annual Schedule of Authorizations.

The Committees look forward to working with the ODNI as it develops an implementation strategy and sets standards for workforce cost analysis tools.

Countering Russian Propaganda.

The Committees support the IC's role in countering Russian propaganda and other active measures. The Committees are committed to providing the appropriate legal authorities, financial resources, and personnel necessary to address these hostile acts. The Committees specifically find that language capabilities are important to the IC's efforts in countering Russia's hostile acts. The Committees encourage the IC to commit considerable resources in the future to bolstering officers' existing Russian language skills, recruiting Russian language speakers, and training officers in Russian, in particular key technical language skills. This effort will require strategic planning both in recruiting and rotating officers through language training. The Committees expect to see these priorities reflected in future IC budget requests.

Protection of the Supply Chain in Intelligence Community Acquisition Decisions.

The Committees continue to have significant concerns about risks to the supply chain in IC acquisitions. The Committees encourage the Supply Chain and Counterintelligence Risk Management Task Force recommendations to support continued efforts to develop an open, interoperable information security-sharing platform to enable real-time cross-domain sharing for the IC to effectively share and analyze information on supply chain, cybersecurity vulnerabilities, and counterintelligence risks.

The report to accompany the Intelligence Authorization Act for Fiscal Year 2017 directed the DNI to review and consider changes to Intelligence Community Directive (ICD) 801 (''Acquisition'') to reflect the issuance of ICD 731 (''Supply Chain Risk Management'') in 2013 and the issues associated with cybersecurity. It specifically recommended the review examine whether to: expand risk management criteria in the acquisition process to include cyber and supply chain threats; require counterintelligence and security assessments as part of the acquisition and procurement process; propose and adopt new education requirements for acquisition professionals on cyber and supply chain threats; and factor in the cost of cyber and supply chain security. This review was due in November 2017, with a report on the process for updating ICD 801 in December 2017. The report was completed on June 18, 2018.

As a follow-on to this review, the Committees direct DNI to address three other considerations: changes in the Federal Acquisition Regulation that may be necessary; how changes should apply to all acquisition programs; and how security risks must be addressed across development, procurement, and operational phases of acquisition. The Committees further direct the DNI to submit a plan to implement necessary changes within 60 days of completion of this review.

National Geospatial-Intelligence Agency use of VERA and VSIP Authorities.

The Committees encourage the use by the National Geospatial-Intelligence Agency (NGA) of Voluntary Early Retirement Authority (VERA) and Voluntary Separation Incentive Program (VSIP) offers to meet future goals of building a workforce more attuned to automation of data production, automation of analytic processes, and establishment of development and operations (DevOps) software development processes.

Therefore, the Committees direct the NGA to report to the Committees, within 120 days of enactment of the Act, on its use to date of VERA and VSIP incentives, to include how they have been used to develop an acquisition cadre skilled in ''DevOps'' software development processes, as well as a plan for further use of these incentives. The report should specify metrics for retooling its workforce, including how it measures data literacy and computational skills in potential hires, and an accounting of the numbers of new hires who have met these higher standards.

Report on Engagement of National Reconnaissance Office with University Community.

The Committees recognize that the survivability and resiliency of United States satellites is critically important to the United States intelligence and defense communities. While the NRO engages with the university community in support of basic research and developing an education workforce pipeline to help advance new technologies and produce skilled professionals, it can do more in this regard to focus on space survivability.

Therefore, the Committees direct the NRO to report, within 120 days of enactment of the Act, on NRO's current efforts and future strategies to engage with university partners that are strategically located, host secure information facilities, and offer a strong engineering curriculum, with a particular focus on space survivability and resiliency. This report should provide a summary of NRO's current and planned university engagement programs, levels of funding, and program research and workforce objectives and metrics. The report should also include an assessment of the strategic utility of chartering a University Affiliated Research Center in this domain.

National Geospatial-Intelligence Agency Facilities.

Consistent with section 2401 of the National Defense Authorization Act for Fiscal Year 2019, the Committees authorize the President's request for $447.8 million in Fiscal Year 2019 for phase two construction activities of the Next National Geospatial-Intelligence Agency West (N2W) facility in St. Louis, Missouri. The Committees are pleased that the second phase of this $837.2 million project was included in the Fiscal Year 2019 President's budget.

Clarification of Oversight Responsibilities.

The Committees reinforce the requirement for all IC agencies funded by the NIP to respond in a full, complete, and timely manner to any request for information made by a member of the congressional intelligence committees. In addition, the Committees direct the DNI to issue guidelines, within 90 days of enactment of the Act, to ensure that the intent of section 501 of the National Security Act of 1947 (50 U.S.C. 3091) is carried out.

Clarification on Cooperation with Investigation on Russian Influence in the 2016 Election.

The Committees continue to reinforce the obligation for all IC agencies to cooperate in a full, complete, and timely manner with the Committees' ongoing investigations into Russian meddling in the 2016 Presidential election and cooperation with the declassification process.

Supervisory Feedback as Part of Continuous Vetting Program.

The Committees direct the DNI to review the results of ongoing pilot programs regarding the use of supervisory feedback as part of the periodic reinvestigation and continuous vetting process and report, within 180 days of enactment of the Act, on the establishment of a policy for its use across the IC.

National Security Threats to Critical Infrastructure.

The Committees are aware of significant threats to our critical infrastructure and industrial control systems posed by foreign adversaries. The sensitive nature of the information related to these threats make the role of the IC of vital importance to United States defensive efforts. The Committees have grave concerns that current IC resources dedicated to analyzing and countering these threats are neither sufficient nor closely coordinated. The Committees include provisions within this legislation to address these concerns.

Framework for Cybersecurity and Intelligence Collection Doctrine.

The Committees direct the ODNI, in coordination with appropriate IC elements, to develop an analytic framework that could support the eventual creation and execution of a Government-wide cybersecurity and intelligence collection doctrine. The ODNI shall provide this framework, which may contain a classified annex, to the congressional intelligence committees, within 180 days of enactment of the Act.

This framework shall include:

1. An assessment of the current and medium-term cyber threats to the protection of the United States' national security systems and critical infrastructure;

2. IC definitions of key cybersecurity concepts, to include cyberespionage, cyber theft, cyber acts of aggression, and cyber deterrence;

3. Intelligence collection requirements to ensure identification of cyber actors targeting U.S. national security interests, and to inform policy responses to cyber-attacks and computer network operations directed against the United States;

4. The IC's methodology for assessing the impacts of cyber-attacks and computer network operations incidents directed against the United States, taking into account differing levels of severity of incidents;

5. Capabilities that the IC could employ in response to cyber-attacks and computer network operations incidents, taking into account differing levels of severity of incidents;

6. A policy and architecture for sharing cybersecurity-related intelligence with government, private sector, and international partners, including existing statutory and other authorities which may be exercised in pursuit of that goal; and

7. Any necessary changes in IC authorities, governance, technology, resources, and policy to provide more capable and agile cybersecurity.

Inspector General of the Intelligence Community Role and Responsibilities.

The position of the Inspector General of the Intelligence Community (IC IG) was codified by the Intelligence Authorization Act for Fiscal Year 2010. Among other things, the IC IG's statutory purposes include ''conduct[ing] independent reviews investigations, inspections, audits, and reviews on programs and activities within the responsibility and authority of the Director of National Intelligence;'' keeping the Committees fully and currently informed of significant problems and deficiencies; and leading efforts of inspectors general within the IC.

The Committees have included provisions intended to strengthen the IC IG's role. The Committees will insist on full cooperation from the Director, ODNI offices, as well as those of inspectors general across the IC, in ensuring that the IC IG's prescribed functions are carried out to the fullest extent possible. The Committees further reiterate Congress's intent that the IC IG is obligated to identify and inform the Committees of significant problems and deficiencies ''relating to'' all intelligence programs and activities.

The Committees also remain seriously concerned about the undermining of protections and rights afforded to whistleblowers within the IC and the level of insight congressional committees have into the handling of lawful disclosures. Without exception, the Committees must be made aware of lawful disclosures made to any inspector general within the IC, consistent with provisions added to Title 50 by sections 5331–5335 of Subdivision 1 of the Act; and of all lawful disclosures made pursuant to ICWPA and Title 50 procedures, which Intelligence Community personnel intend to be submitted to the Committees. The Committees underscore in the strongest terms that all elements of the IC are obligated, as a categorical matter, to comply with both existing law as well as direction provided elsewhere in the Act and this Explanation, with respect to inspector general and whistleblower matters.

Space Launch Facilities.

The Committees continue to believe it is critical to preserve a variety of launch range capabilities to support national security space missions, and encourage planned launches such as the U.S. Air Force Orbital/Sub-Orbital Program (OSP)-3 NRO–111 mission, to be launched in 2019 on a Minotaur 1 from the Mid-Atlantic Regional Spaceport at Wallops Flight Facility. In the Intelligence Authorization Act for Fiscal Year 2017, the Committees directed a brief from the ODNI, in consultation with the DoD and the U.S. Air Force, on their plans to utilize state-owned and operated spaceports, which leverage non-federal public and private investments to bolster United States launch capabilities and provide access to mid-to-low or polar-to-high inclination orbits for national security missions.

The Committees direct that the ODNI supplement this brief with how state investments in these spaceports may support infrastructure improvements, such as payload integration and launch capabilities, for national security launches.

Acquisition Research Center Postings.

The Committees support a flexible NRO acquisition process that allows the NRO to choose the most appropriate contracting mechanism, whether for small research and development efforts or large acquisitions. The NRO's Acquisition Research Center (ARC), a classified contracting and solicitation marketplace that NRO and other agencies use, enables this flexible acquisition process for classified efforts.

The Committees direct the NRO, within 60 days of enactment of the Act, to brief the congressional intelligence and defense committees on options for modifying ARC posting procedures to ensure fair and open competition. Those options should include ensuring that unclassified NRO solicitations are posted on the unclassified FEDBIZOPS website, and identifying ways to better utilize the ARC to encourage contract opportunities for a more diverse industrial base that includes smaller and non-traditional companies.

Ensuring Strong Strategic Analytical Tradecraft.

The Department of Homeland Security's (DHS's) Office of Intelligence and Analysis (I&A) has taken steps to improve the quality of its analysis, to identify its core customers, and to tailor its production to meet customer needs. The Committees concur with I&A's implementation of analytic standards and review mechanisms that have improved the tradecraft behind I&A products. The bedrock of these efforts has been the development of a yearly program of analysis (POA) and key intelligence questions, which are essential tools for providing a roadmap and boundaries for the office's production efforts.

Therefore, the Committees direct the Office of I&A to continue to prioritize, develop and hone its strategic intelligence capabilities and production, including the annual development of a POA. Within 90 day of enactment of the Act, and on an annual basis thereafter for two years, I&A shall brief the congressional intelligence committees on the development and execution of its POA. These briefings should provide an overview of the POA, how customer needs have been incorporated into the POA, and an update on execution against the POA.

Cyber/Counterintelligence Analysis.

DHS's Office of I&A's Counterintelligence Mission Center analysis focuses on counterintelligence threats posed by foreign technology companies and fills a gap in IC intelligence production. Advanced technologies are increasingly ubiquitous and necessary to the function of modern society. Consequently, the scope of the threats from countries intent on using these technologies as a vector for collecting intelligence from within the United States will continue to expand. The Office of I&A is positioned to conduct a niche analysis critical to national security that combines foreign intelligence with domestic threat information.

The Committees strongly support I&A's Counterintelligence Mission Center's continued focus on these topics and the increased resources dedicated to this analysis in Fiscal Year 2019. Therefore, the Committees direct the I&A, in coordination with ODNI, to provide an update within 90 days of enactment of the Act on its recent analytic production related to counterintelligence threats posed by foreign technology companies, including a review of the countries and companies that present the greatest risks in this regard.

Intelligence Support to the Export Control Process.

The Committees have significant concerns that China poses a growing threat to United States national security, due in part to its relentless efforts to acquire United States technology. China purposely blurs the distinction between its military and civilian activities through its policy of ''military-civilian fusion,'' which compounds the risks of diversion of United States technology to the Chinese military.

The Committees conclude that the United States Government currently lacks a comprehensive policy and the tools needed to address this problem. China exploits weaknesses in existing U.S. mechanisms aimed at preventing dangerous technology transfers, including the U.S. export control system, which is run by the U.S. Department of Commerce's Bureau of Industry and Security (BIS). The Committees have specific concerns about the lack of adequate and effective IC support to BIS's export license application review process and believe more robust IC support could have prevented many of the ill-advised technology transfers that have occurred in recent years.

Therefore, the Committees directs the DNI to submit a plan, within 120 days of enactment of the Act, to describe how the IC will provide BIS with, at a minimum, basic but timely analysis of any threat to U.S. national security posed by any proposed export, re-export, or transfer of export-controlled technology. The plan shall include detailed information on the appropriate organizational structure, including how many IC personnel would be required, where they would be located (including whether they would be embedded at BIS to coordinate IC support), and the amounts of necessary funding. In formulating the plan, the DNI should study the ''National Security Threat Assessment'' process that the National Intelligence Council uses to inform the actions of the Committee on Foreign Investment in the United States. The DNI shall submit the plan to the congressional intelligence committees in classified form.

Social Media.

The Committees encourage the IC, notably the Federal Bureau of Investigation (FBI), to both continue and enhance its efforts to assist in detecting, understanding, and warning about foreign influence operations using social media tools to target the United States. Additionally, within the scope of the IC's authorities, and with all necessary protections for U.S. person information, the Committees encourage the IC to augment and prioritize these ongoing efforts.

Trade-Based Money Laundering.

Threats to our national security posed by trade-based money laundering are concerning. Therefore, the Committees direct the DNI, within 90 days of enactment of the Act, to submit a report to the congressional intelligence committees on these threats, including an assessment of the severity of the threats posed to the United States' national security by trade-based money laundering conducted inside and outside the United States; an assessment of the scope of the financial threats to the U.S. economy and financial systems posed by trade-based money laundering; a description of how terrorist financing and drug trafficking organizations are advancing their illicit activities through the use of licit trade channels; an assessment of the adequacy of the systems and tools available to the Federal Government for combating trade-based money laundering; and a description and assessment of the current structure and coordination between Federal agencies, as well as with foreign governments, to combat trade-based money laundering. The report shall be submitted in classified form with an unclassified summary to be made available to the public.

Expansions of Security Protective Service Jurisdiction of the Central Intelligence Agency.

The Committees direct the CIA, in connection with the expansion of its security protective service jurisdiction as set forth in section 6413 of Subdivision 2 of the Act, to engage with Virginia state and local law enforcement authorities to ensure that a memorandum of understanding, akin to those in place at other agencies setting forth the appropriate allocation of duties and responsibilities, is in effect.

Unauthorized Disclosures of Classified Information.

The Committees are concerned by the recent widespread media reports that purport to contain unauthorized disclosures of classified information. Protecting the nation's secrets from unauthorized disclosure is essential to safeguarding our nation's intelligence sources and methods. An unlawful disclosure of classified information can destroy sensitive collection capabilities and endanger American lives, including those individuals who take great personal risks to assist the United States in collecting vital foreign intelligence.

Federal law prohibits the unauthorized disclosure of classified information, but enforcement is often lacking or inconsistent. Accordingly, the Committees desire to better understand the number of potential unauthorized disclosures discovered and investigated on a routine basis. Moreover, the Committees have little visibility into the number of investigations initiated by each IC agency or the number of criminal referrals to the Department of Justice. Accordingly, section 6718 of Subdivision 2 of the Act requires all IC agencies to provide the congressional intelligence committees with a semi-annual report of the number of investigations of unauthorized disclosures to journalists or media organizations, including subsequent referrals made to the United States Attorney General.

Additionally, the Committees wish to better understand the role of IGs within elements of the IC, with respect to unauthorized disclosures of classified information at those elements.

Therefore, the Committees direct the IC IG, within 180 days of enactment of the Act, to provide the congressional intelligence committees with a report regarding the role of IGs with respect to investigating unauthorized disclosures. The report shall address: the roles of IC elements' security personnel and law enforcement regarding unauthorized disclosures; the current role of IGs within IC elements regarding such disclosures; what, if any, specific actions could be taken by such IGs to increase their involvement in the investigation of such matters; any laws, rules or procedures that currently prevent IGs from increasing their involvement; and the benefits and drawbacks of increased IG involvement, to include potential impacts to IG's roles and missions.

Presidential Policy Guidance.

The Presidential Policy Guidance (PPG) dated May 22, 2013, and entitled ''Procedures for Approving Direct Action Against Terrorist Targets Located Outside the United States and Areas of Active Hostilities'' provides for the participation by elements of the IC in reviews of certain proposed counterterrorism operations. The Committees expect to remain fully and currently informed about the status of the PPG and its implementation.

Therefore, the Committees direct ODNI, within five days of any change to the PPG, or to any successor policy guidance, to submit to the congressional intelligence committees a written notification thereof, that shall include a summary of the change and the specific legal and policy justifications for the change.

Centers for Academic Excellence.

The Committees commend the commitment demonstrated by the program managers of the IC's Centers for Academic Excellence (IC-CAE), IC agencies that sponsored CAE interns, and all other personnel who contributed to the inaugural edition of the CAE Internship Program in summer 2017.

The Committees expect the IC-CAE Program to build on this foundation by showing measurable, swift progress, and ultimately fulfilling Congress's intent that the Program serve as a pipeline of the next generation of IC professionals.

Therefore, the Committees direct that the IC take all viable action to expand the IC-CAE Program by increasing, to the fullest extent possible:

1. The number and racial and gender diversity of IC-CAE interns;

2. The number of IC-CAE academic institutions and their qualified internship candidates participating in the IC-CAE Program; and

3. The number of IC elements that sponsor IC-CAE interns.

Report on Violent Extremist Groups.

Violent extremist groups like ISIS continue to exploit the Internet for nefarious purposes: to inspire lone wolves; to spread propaganda; to recruit foreign fighters; and to plan and publicize atrocities. As a former Director of the National Counterterrorism Center (NCTC) has stated publicly:

[W]e need to counter our adversaries' successful use of social media platforms to advance their propaganda goals, raise funds, recruit, coordinate travel and attack plans, and facilitate operations. . . . Our future work must focus on denying our adversaries the capability to spread their messages to at-risk populations that they can reach through the use of these platforms.

Section 403 of the Intelligence Authorization Act for Fiscal Year 2017 required the DNI, consistent with the protection of sources and methods, to assist public and private sector entities in recognizing online violent extremist content—specifically, by making publicly available a list of insignias and logos associated with foreign extremist groups designated by the Secretary of State. The Committees believe the IC can take additional steps.

Therefore, the Committees direct the Director of NCTC, in coordination with other appropriate officials designated by the DNI, within 180 days of enactment of the Act, to brief the congressional intelligence committees on options for a pilot program to develop and continually update best practices for private technology companies to quickly recognize and lawfully take down violent extremist content online. Such briefing shall address:

1. The feasibility, risks, costs, and benefits of such a program;

2. The U.S. Government agencies and private sector entities that would participate; and

3. Any additional authorities that would be required by the program's establishment.

South China Sea.

The South China Sea is an area of great geostrategic importance to the United States and its allies. However, China's controversial territorial claims and other actions stand to undercut international norms and erode the region's stability. It is thus imperative the United States uphold respect for international law in the South China Sea. Fulfilling that objective in turn will require an optimal intelligence collection posture.

Therefore, the direct the DoD, in coordination with DNI, within 30 days of enactment of the Act, to brief the congressional intelligence and defense committees on known intelligence collection gaps, if any, with respect to adversary operations and aims in the South China Sea. The briefing shall identify the gaps and whether those gaps are driven by lack of access, lack of necessary collection capabilities or legal or policy authorities, or by other factors. The briefing shall also identify IC judgments that assess which intelligence disciplines would be best-suited to answer the existing gaps, and current plans to address the gaps over the Future Years Defense Program.

Policy on Minimum Insider Threat Standards.

Executive Order 13587 and the National Insider Threat Task Force established minimum insider threat standards. Such standards are required for the sharing and safeguarding of classified information on computer networks while ensuring consistent, appropriate protections for privacy and civil liberties. The Committees understand there are policies in place to attempt implementation of such standards; however, the Committees have found that several elements of the IC have not fully implemented such standards. Therefore, given the several high-profile insider threat issues, the Committees emphasize the importance of such minimums by statutorily requiring the DNI to establish a policy on minimum insider threat standards, consistent with the National Insider Threat Policy and Minimum Standards for Executive Branch Insider Threat Programs, and IC elements should expeditiously establish their own policies and implement the DNI guidance.

Further, referring to the directive language found in the committee report accompanying H.R. 5515, the Fiscal Year 2019 NDAA reported by the House Armed Services Committee (HASC), the Committees direct the Chief Management Officer to provide a briefing to the congressional intelligence and defense committees, no later than 90 days after enactment of the Act, on the outcomes of its cost and technical analyses required by this report, and the DoD's efforts to implement enterprise-wide programs and policies for insider threat detection, user activity monitoring, and cyber-attack detection and remediation.

Intelligence Community Information Technology Environment.

The Committees remain supportive of the goals of Intelligence Community Information Technology Environment (IC ITE) and the importance of the common, secure sharing infrastructure it creates. The Committees further understand that the path to implement a complex, technical environment such as IC ITE needs to be sufficiently flexible and agile. However, the Committees remain concerned with the lack of consistency and substance in previous reports and briefings on IC ITE. Therefore, section 6312 of Subdivision 2 of the Act requires a long-term roadmap, business plan, and security plan that shall be reported to the congressional intelligence committees at least quarterly with additional notifications as necessary.

Intelligence Community Chief Financial Officer.

The *Chief Financial Officers (CFO) Act of 1990* mandated best practices for decision-making and accountability, as well as improved decision-makers' access to reliable and timely financial and performance information. The CFO Act, as amended, requires that the chief financial officers of 24 departments and agencies ''report directly to the head of the agency regarding financial management matters.'' Section 6404 of Subdivision 2 of the Act brings the ODNI in line with the best practices implemented in the CFO Act.

Intelligence Community Chief Information Officer.

As codified in 44 U.S.C. 3506(a)(1)(A), each federal agency head is responsible for ''carrying out the information resources management activities to improve agency productivity, efficiency, and effectiveness.'' Accordingly, section 6405 of Subdivision 2 of the Act expresses the Committee's intent to emphasize the importance of the IC Chief Information Officer (CIO), as defined in 50 U.S.C.

3032(a), in assisting the DNI with information resource management by requiring the IC CIO to report directly to the DNI.

Central Intelligence Agency Subsistence for Personnel Assigned to Austere Locations.

Section 6411 of Subdivision 2 of the Act permits the Director of the CIA to allow subsistence for personnel assigned to austere locations. Although the statute does not define ''austere,'' the Committees believe that utilization of this authority should be minimal. Therefore, within 180 days after the enactment of the Act, the CIA shall brief the Committees on the CIA's definition of ''austere'' and the CIA regulations in place governing this authority.

Collocation of Certain Department of Homeland Security Personnel at Field Locations.

The Committees support DHS I&A's intent to integrate into operations across the broader DHS enterprise. Accordingly, section 6434 of Subdivision 2 of the Act requires I&A to identify opportunities for collocation of I&A field officers and to submit to the Committees a plan for their deployment.

Limitations on Intelligence Community Elements' Communications with Congress.

Effective oversight of the IC requires unencumbered communications between representatives of the agencies, members of Congress, and congressional staff. The Committees direct the DNI not to limit any element of the IC from having interactions with the congressional intelligence committees, including but not limited to, preclearance by the DNI of remarks, briefings, discussions of agency resources or authorities requirements, or mandatory reports to the DNI on conversations with the Committees.

Intelligence Community Support to the National Vetting Center.

On February 6, 2018, the President issued National Security Policy Memorandum (NSPM)-9, ''Presidential Memorandum on Optimizing the Use of Federal Government Information in Support of National Vetting Enterprise.'' The memorandum directs the DHS, in coordination with the ODNI and other agencies, to establish the National Vetting Center. The memorandum also requires agencies to ''provide the Center access to relevant biographic, biometric, and related derogatory information.'' It further directs DNI, in coordination with the heads of relevant IC elements, to ''establish a support element to facilitate, guide, and coordinate all IC efforts to use classified intelligence and other relevant information within the IC holdings in support of the center.'' The Committees wish to obtain regular updates and the most current information about the activities of that support element.

Therefore, no later than 180 days after the enactment of the Act and annually thereafter, the Committees direct the DNI and the Under Secretary for Intelligence and Analysis at DHS to brief the Committees on the status of IC support to the National Vetting Center, as established by NSPM–9.

Update on Status of Attorney General-Approved U.S. Person Procedures under Executive Order 12333.

The Committees acknowledge the difficult, labor-intensive work undertaken by certain IC elements, to ensure the current effectiveness of, and in some cases to substantially revise, final Attorney General-approved procedures regarding the collection, dissemination, and retention of United States persons information. The Committees wish to better understand the status of this project, throughout the IC.

Therefore, the Committees direct that, not later than 60 days after enactment of the Act, the DNI and the Attorney General shall brief the Committees on the issuance of final, Attorney General-approved procedures by elements of the IC. Specifically, the briefing shall identify (1) any such elements that have not yet issued final procedures; and (2) with respect to such elements, the status of the procedures' development, and any interim guidance or procedures on which those elements currently rely.

Homegrown Violent Extremists Imprisoned in Department of Defense Facilities.

The Committees are concerned about an evident gap in information sharing about individuals imprisoned in DoD facilities who are categorized by the FBI as homegrown violent extremists (HVEs). A recent FBI report underscores this gap, highlighting the case of an individual who has been convicted and sentenced to death by a U.S. military court martial and remains incarcerated in a U.S. military facility. The Committees understand that, despite his incarceration, this inmate openly communicates with the outside world through written correspondence and has continued to inspire extremists throughout the world. The Committees further understand that the FBI is unable to determine the full scope of this inmate's contacts with the outside world because only a portion of his communications have been provided by the DoD.

Therefore, no later than 180 days after the enactment of the Act, the Committees direct the FBI to work with the DoD to create a process by which the DoD provides to the FBI the complete communications of individuals imprisoned in DoD facilities and who are categorized by the FBI as HVEs.

Naming of Federal Bureau of Investigation Headquarters.

According to statute enacted in 1972, the current FBI headquarters building in Washington, D.C. must be ''known and designated'' as the ''J. Edgar Hoover FBI Building.'' That tribute has aged poorly. It should be reconsidered, in view of Hoover's record on civil liberties—including the effort to disparage and undermine Dr. Martin Luther King Jr. Even today, Hoover's name evokes the FBI's sordid ''COINTELPRO'' activities.

The Committees believe Congress should consider repealing the provision requiring the existing Pennsylvania Avenue building to be known as the ''J. Edgar Hoover FBI Building.'' A new name should be determined, through a joint dialogue among Bureau leadership, law enforcement personnel, elected officials, and civil rights leaders.

Science, Technology, Engineering, and Math careers in Defense Intelligence.

Referring to the directive language found in the committee report accompanying H.R. 5515, the HASC-reported Fiscal Year 2019 NDAA, the Committees direct the Director of DIA to provide, within 90 days after enactment of the Act, a briefing to the congressional intelligence committees and the congressional defense committees on a plan to develop a Science, Technology, Engineering, and Math career program that attracts and maintains the defense intelligence cadre of Science and Technical Intelligence analysts to meet tomorrow's threats.

Security and Intelligence Role in Export Control.

Referring to the directive language found in the committee report accompanying H.R. 5515, the HASC-reported Fiscal Year 2019 NDAA, the Committees direct the Under Secretary of Defense for Policy, in coordination with the USD(I), within 60 days of enactment of the Act, to brief the congressional intelligence and defense committees, on security support to export control.

Security Clearance Background Investigation Reciprocity.

Referring to the directive language found in the committee report accompanying H.R. 5515, the HASC-reported Fiscal Year 2019 NDAA, the Committees direct the Secretary of Defense, in coordination with the DNI and the Director of the Office of Personnel Management, within 60 days of enactment of the Act, to brief the Committees and the congressional defense committees on efforts to ensure seamless transition of investigations between authorized investigative agencies, as required by law.

Further, referring to the directive language found in the committee report accompanying H.R. 5515, the HASC-reported Fiscal Year 2019 NDAA, the Committees direct the Secretary of Defense, in coordination with the DNI and the Director of the Office of Personnel Management, within 90 days of enactment of the Act, to brief the congressional intelligence committees on efforts to ensure reciprocity is a consideration for implementation of continuous evaluation and continuous vetting across the federal government.

Foreign Influence Task Force.

The IC has warned of active measures taken by foreign actors to interfere with and undermine the U.S. democratic process, most recently and brazenly by the Russian Federation. The Committees appreciate FBI efforts to confront this challenge in part through creation of its Foreign Influence Task Force. The Committees believes that confronting foreign influence directed at the United States is of fundamental importance, and thus desire to engage in a close and regular dialogue with the FBI about the task force's activities.

Therefore, the Committees direct the FBI to provide detailed, quarterly briefings to the Committees regarding the task force's activities, to include its progress and any significant challenges.

Enhanced Oversight of IC Contractors.

A topic of sustained congressional intelligence committee interest has been improving the federal government's oversight of IC acquisition and procurement practices, including activities by poorly performing IC contractors.

A framework exists to ensure that IC elements do not award IC contracts to businesses that engage in negligence or even gross negligence, consistently fail to appropriately safeguard classified information, maintain poor financial practices, or other issues. For example, an IC element may maintain a list of contractors of concern, in order to ensure that proposals from such contractors are rejected or subjected to additional scrutiny. The Committees wish to build on these practices and are concerned about the existing framework's adequacy.

Therefore, the Committees direct all elements of the IC, to the fullest extent consistent with applicable law and policy, to share with one another information about contractors with track records of concern—such as the commission of negligence or gross negligence in the performance of IC contracts, or the repeated failure to appropriately safeguard classified information in a fashion that the contractor reasonably could have been expected to prevent.

Additionally, no later than 30 days after enactment of the Act, the DNI shall brief the Committees on the authorities of IC elements with respect to contractors with track records of concern — before, during, and after procurement. An objective of the briefing will be to discuss information sharing practices in this regard, and to identify specific areas where the oversight framework can be strengthened.

Security Clearance Reporting Requirements.

The Agreement directs the Office of Management and Budget, in coordination with members of the Performance Accountability Council, to report to Congress, within 90 days of enactment of the Act, on recommendations for harmonizing and streamlining reporting requirements related to security clearances that have been set forth in legislation.

PART III: SECTION-BY-SECTION ANALYSIS AND EXPLANATION OF LEGISLATIVE TEXT

SECTION-BY-SECTION ANALYSIS AND EXPLANATION

The following is a section-by-section analysis and explanation of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (the ''Act''}.

SUBDIVISION 1—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2020

Section 5100. Table of contents.

TITLE LI—INTELLIGENCE ACTIVITIES

Section 5101. Authorization of appropriations.

Section 5101 lists the United States Government departments, agencies, and other elements for which the Act authorizes appropriations for intelligence and intelligence-related activities for Fiscal Year 2020.

Section 5102. Classified schedule of authorizations.

Section 5102 provides that the details of the amounts authorized to be appropriated for intelligence and intelligence-related activities for Fiscal Year 2020 are contained in the classified Schedule of Authorizations and that the classified Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President.

Section 5103. Intelligence Community Management Account.

Section 5103 authorizes appropriations for the Intelligence Community Management Account (ICMA) of the ODNI for Fiscal Year 2020.

TITLE LII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Section 5201. Authorization of appropriations.

Section 5201 authorizes appropriations in the amount of $514,000,000 for the CIA Retirement and Disability Fund for Fiscal Year 2020.

TITLE LIII—INTELLIGENCE COMMUNITY MATTERS

SUBTITLE A—GENERAL INTELLIGENCE COMMUNITY MATTERS

Section 5301. Restriction on conduct of intelligence activities.

Section 5301 provides that the authorization of appropriations by the Act shall not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or laws of the United States.

Section 5302. Increase in employee compensation and benefits authorized by law.

Section 5302 provides that funds authorized to be appropriated by the Act for salary, pay, retirement, and other benefits for federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in compensation or benefits authorized by law.

Section 5303. Expansion of scope of protections for identities of covert agents.

Section 5303 amends the definition of ''covert agent'' in the National Security Act of 1947 (50 U.S.C. 3126

(4)) to protect the identities of all undercover intelligence officers, and United States citizens whose relationship to the United States is classified, regardless of the location of the individuals' government service or time since separation from government service.

Section 5304. Required counterintelligence assessments, briefings, notifications, and reports.

Section 5304 requires the DNI, in consultation with other appropriate agencies, to conduct an assessment following a United States election of any foreign government interference. Section 5304 requires the DNI to post publicly advisory reports on foreign counterintelligence and cybersecurity threats to federal election campaigns. It also requires quarterly briefings to the congressional intelligence committees regarding the Federal Bureau of Investigation's counterintelligence activities and prompt notification of an investigation carried out regarding a counterintelligence risk related to a federal election or campaign.

Section 5305. Inclusion of security risks in program management plans required for acquisition of major systems in National Intelligence Program.

Section 5305 amends the National Security Act of 1947 (50 U.S.C. 3024(q)(1)(A)) to require that the annual program management plans on major system acquisitions that the DNI submits to Congress address security risks, in addition to cost, schedule, performance goals, and program milestone criteria.

Section 5306. Intelligence community public-private talent exchange.

Section 5306 requires the DNI to develop policies, processes, and procedures to facilitate IC personnel rotations to the private sector and vice versa, to bolster skill development and collaboration. Section 5306 further sets forth requirements with which agreements governing such rotations must address, including terms and conditions, including termination, duration, employment status, pay, and benefits.

Section 5307. Assessment of contracting practices to identify certain security and counterintelligence concerns.

Section 5307 requires the DNI to conduct an assessment of the authorities, policies, processes, and standards used by the IC to ensure that the IC is weighing security and counterintelligence risks in contracting with companies that contract—or carry out joint research and development—with the People's Republic of China, the Russian Federation, the Democratic People's Republic of Korea, or the Islamic Republic of Iran.

SUBTITLE B—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Section 5321. Establishment of Climate Security Advisory Council.

Section 5321 requires the DNI to establish an advisory council to assist analytic components of the IC with incorporating analysis of climate security into their work. The council will also facilitate coordination and sharing of data between the IC and non-IC elements related to climate change.

Section 5322. Foreign Malign Influence Response Center.

Section 5322 establishes a Foreign Malign Influence Response Center within the ODNI to analyze and integrate all U.S. Government intelligence pertaining to hostile efforts undertaken by, at the direction of, or on behalf of or with the substantial support of, the government of the Russian Federation, Iran, North Korea, China, or any other country that the Director of the Center determines appropriate, to influence U.S.-based policies, activities, or public opinion.

Section 5323. Encouragement of cooperative actions to detect and counter foreign influence operations.

Section 5323 provides the DNI, in coordination with the Secretary of Defense, with the necessary authorities and ability to use up to $30 million of NIP funds, to establish an independent, non-profit Social Media Data and Threat Analysis Center (''Center''). Section 323 further provides that this Center shall establish a central portal for social media data analysis, enabling: (1) social media companies to voluntarily share data on foreign influence operations; (2) researchers to analyze that data; and (3) information sharing between and among government and private companies. Section 5323 also requires the Director of the Center to produce quarterly public reports on trends in foreign influence and disinformation operations, including any threats to campaigns and elections, as well as an annual report to Congress on the degree of cooperation and commitment from the social media companies.

Section 5324. Transfer of National Intelligence University to the Office of the Director of National Intelligence.

Section 5324 requires the Director of the DIA to transfer to the DNI the National Intelligence University, upon submission of required joint certifications to appropriate congressional committees by the Secretary of Defense and the DNI.

SUBTITLE C—INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY

Section 5331. Definitions.

Section 5331 provides definitions for terminology used throughout this Subtitle.

Section 5332. Inspector General external review panel.

Section 5332 codifies the whistleblower protections contained in Part C of Presidential Policy Directive–19 to ensure an effective appeals process through external review panels and the reporting of waste, fraud, and abuse. Section 5332 further requires the Inspector General of the Intelligence Community (IC IG) to submit to the congressional intelligence committees a recommendation on how to ensure that a whistleblower with a complaint against an Inspector General of an IC agency has equal access to adjudication, appellate review, and external review panels.

Section 5333. Harmonization of whistleblower processes and procedures.

Section 5333 requires the IC IG, in coordination with the IC Inspectors General Forum, to develop recommendations applicable to Inspectors Generals for all IC elements regarding the harmonization, where appropriate, of policies and directives related to whistleblower claims and appeals processes and procedures. Section 5333 further requires the IC IG to maximize transparency regarding these processes and procedures.

Section 5334. Oversight by Inspector General of the Intelligence Community over intelligence community whistleblower matters.

Section 5334 requires the IC IG, in consultation with the IC Inspectors General Forum, to establish a system whereby the IC IG is provided in near real time of whistleblower complaints relating to the programs and activities under the DNI's jurisdiction, as well as any IG actions relating to such complaints.

Section 5335. Report on cleared whistleblower attorneys.

Section 5335 requires the IC IG to submit to the congressional intelligence committees a report on access to cleared attorneys by whistleblowers in the IC, including any recommended improvements to the limited security agreement process and such other options as the IC IG considers appropriate.

SUBTITLE D—CENTRAL INTELLIGENCE AGENCY

Section 5341. Clarification of certain authority of the Central Intelligence Agency.

Section 5341 clarifies current CIA authorities related to death benefits, requires the Director of the CIA to submit a report if the CIA does not modify relevant regulations, and requires a briefing on certain health care services for CIA personnel.

TITLE LIV—SECURITY CLEARANCES

Section 5401. Improving visibility into the security clearance process.

Section 5401 requires the DNI, acting as the Security Executive Agent, to issue a policy requiring the head of each Federal agency to create an electronic portal whereby the agency and its workforce applicants can review the status of their security clearance processing. An enterprise solution that is accessible to multiple agencies may meet this objective. Any portal should have appropriate security safeguards.

Section 5402. Making certain policies and execution plans relating to personnel clearances available to industry partners.

Section 5402 requires each head of a Federal agency to share security clearance policies and plans with directly affected industry partners, consistent with national security and with National Industrial Security Program (NISP) goals. Section 5402 further requires the DNI, acting as the Security Executive Agent, jointly with the Director of the NISP, to develop policies and procedures for sharing this information.

TITLE LV—MATTERS RELATING TO FOREIGN COUNTRIES

SUBTITLE A—MATTERS RELATING TO RUSSIA

Section 5501. Annual reports on influence operations and campaigns in the United States by the Russian Federation.

Section 5501 requires the Director of the National Counterintelligence and Security Center to submit an annual report to the congressional intelligence committees concerning the influence operations and campaigns in the United States conducted by the Russian Federation.

Section 5502. Assessment of legitimate and illegitimate financial and other assets of Vladimir Putin.

Section 5502 expresses the sense of Congress that the United States should do more to expose the corruption of Russian President Vladimir Putin and directs the DNI to submit to appropriate congressional committees an assessment on the net worth and financial and other assets of President Putin and his family members.

Section 5503. Assessments of intentions of political leadership of the Russian Federation.

Section 5503 directs the IC to submit assessments to certain congressional committees of the current intentions of the political leadership of the Russian Federation concerning potential military action against members of the North Atlantic Treaty Organization (NATO), responses to an enlarged United States or NATO military presence in Eastern Europe, and potential actions taken for the purpose of exploiting perceived divisions among the governments of Russia's Western adversaries.

SUBTITLE B—MATTERS RELATING TO CHINA

Section 5511. Annual reports on influence operations and campaigns in the United States by the Communist Party of China.

Section 5511 requires the Director of the National Counterintelligence and Security Center to submit an annual report to the congressional intelligence committees concerning the influence operations and campaigns in the United States conducted by the Communist Party of China.

Section 5512. Report on repression of ethnic Muslim minorities in the Xinjiang region of the People's Republic of China.

Section 5512 requires the Director of National Intelligence to submit a report to the congressional intelligence committees concerning activity by the People's Republic of China to repress ethnic Muslim minorities in the Xinjiang region of China.

Section 5513. Report on efforts by People's Republic of China to influence election in Taiwan.

Section 5513 requires the DNI to submit a report within 45 days of the 2020 Taiwan Presidential and Vice Presidential elections concerning any influence operations by China to interfere in or undermine the election and efforts by the United States to disrupt those operations.

SUBTITLE C—MATTERS RELATING TO OTHER COUNTRIES

Section 5521. Sense of Congress and report on Iranian efforts in Syria and Lebanon.

Section 5521 requires the DNI, in coordination with the Secretary of State and the Secretary of Defense, to submit a report that assesses Iran's efforts to establish influence in Syria, Iran's support of proxy forces, and the resulting threats to U.S. interests and allies.

Section 5522. Assessments regarding the Northern Triangle and Mexico.

Section 5522 requires the DNI, in coordination with other IC officials, to submit a comprehensive assessment of drug trafficking, human trafficking, and human smuggling activities in the Northern Triangle and Mexico. Section 508 further requires the DNI to provide a briefing on the IC's collection priorities and activities in these areas.

TITLE LVI—FEDERAL EFFORTS AGAINST DOMESTIC TERRORISM

Section 5601. Definitions.

Section 5601 provides definitions for terminology used throughout this Title.

Section 5602. Strategic intelligence assessment of and reports on domestic terrorism.

Section 5602 requires the Director of the FBI and the Secretary of Homeland Security, in consultation with the DNI, to submit a report on standardization of terminology and procedures relating to domestic terrorism, and a report containing strategic intelligence assessment and data on domestic terrorism, together with required documents and materials, with annual updates for 5 years thereafter.

TITLE LVII—REPORTS AND OTHER MATTERS

SUBTITLE A—REPORTS AND BRIEFINGS

Section 5701. Modification of requirements for submission to Congress of certain reports.

Section 5701 amends or cancels numerous reporting requirements under current law.

Section 5702. Increased transparency regarding counterterrorism budget of the United States.

Section 5702 makes several findings regarding the transparency of the IC's counterterrorism budget and directs a briefing from the executive branch on the feasibility of releasing additional information to the public concerning the IC's efforts on counterterrorism.

Section 5703. Study on role of retired and former personnel of intelligence community with respect to certain foreign intelligence operations.

Section 5703 requires the DNI to conduct a study on former IC personnel providing intelligence assistance to foreign governments, and to provide a report on the findings and a plan for recommendations.

Section 5704. Collection, analysis, and dissemination of workforce data.

Section 5704 requires the DNI to provide a publicly available annual report on diversity and inclusion efforts of the IC's workforce.

Section 5705. Plan for strengthening the supply chain intelligence function.

Section 5705 requires the Director of the NCSC, in coordination with interagency partners, to submit a plan for strengthening supply chain intelligence function.

Section 5706. Comprehensive economic assessment of investment in key United States technologies by companies or organizations linked to China.

Section 5706 requires the DNI, in coordination with other designated agencies, to submit to the congressional intelligence committees a comprehensive economic assessment of investment in key United States technologies, by companies or organizations linked to China, as well as the national security implications of Chinese-backed investments to the United States.

Section 5707. Report by Director of National Intelligence on fifth-generation wireless network technology.

Section 5707 directs the DNI to submit to the appropriate committees a report on the threat to the national security of the United States posed by adoption of fifth-generation wireless network built by foreign companies and possible efforts to mitigate the threat.

Section 5708. Report on use by intelligence community of facial recognition technology.

Section 5708 requires the DNI to submit a report on the IC's use of facial recognition technology.

Section 5709. Report on deepfake technology, foreign weaponization of deepfakes, and related notifications.

Section 5709 requires the DNI to submit a report on the potential national security impacts of machine-manipulated media and the use of machine-manipulated media by foreign governments to spread disinformation or engage in other malign activities.

Section 5710. Annual report by Comptroller General of the United States on cybersecurity and surveillance threats to Congress.

Section 5710 requires the Comptroller General, in consultation with the DNI, Secretary of Homeland Security, and the Sergeant at Arms, to submit a report to the Committees on cybersecurity and surveillance threats to Congress.

Section 5711. Analysis and periodic briefings on major initiatives of intelligence community in artificial intelligence and machine learning.

Section 5711 requires the DNI, in coordination with other appropriate IC elements, to provide briefings to the congressional intelligence committees on the IC's major initiatives in artificial intelligence and machine learning.

Section 5712. Report on best practices to protect privacy and civil liberties of Chinese Americans.

Section 5712 requires the DNI, through the Office of Civil Liberties, Privacy, and Transparency, and in coordination with other IC civil liberty and privacy officers, to submit a report on how IC policies targeting China affect the privacy and civil liberties of certain Americans of Chinese descent, along with recommendations for necessary protections.

Section 5713. Oversight of foreign influence in academia.

Section 5713 requires the DNI, in consultation with other appropriate IC elements, to

submit a report on the risks to sensitive research subjects posed by foreign entities. Section 5713 further requires the report to identify specific national security-related threats to research conducted at institutions of higher education.

Section 5714. Report on death of Jamal Khashoggi.

Section 5714 requires the DNI to submit to Congress an unclassified report on the death of Jamal Khashoggi, consistent with protecting sources and methods. The report shall include identification of those who carried out, participated in, ordered, or were otherwise complicit in, or responsible for, Mr. Khashoggi's death.

Section 5715. Report on terrorist screening database.

Section 5715 requires the DNI and the Secretary of State to jointly submit a report on the FBI's terrorist screening database.

Section 5716. Report containing threat assessment of terrorist use of conventional and advanced conventional weapons.

Section 5716 requires the Under Secretary of Homeland Security for I&A, in coordination with the Director of the FBI, to develop and submit a threat assessment regarding the availability of certain conventional weapons in support of terrorism activities.

Section 5717. Assessment of homeland security vulnerabilities associated with certain retired and former personnel of the intelligence community.

Section 5717 requires the DNI to submit an assessment of the homeland security vulnerabilities associated with retired and former personnel of the IC providing covered intelligence assistance.

Section 5718. Study on feasibility and advisability of establishing Geospatial-Intelligence Museum and learning center.

Section 5718 requires the Director of the National Geospatial-Intelligence Agency (NGA) to complete a study and report the findings on the feasibility and advisability of establishing a Geospatial-Intelligence Museum and learning center.

SUBTITLE B—OTHER MATTERS

Section 5721. Whistleblower disclosures to Congress and committees of Congress.

Section 5721 enables whistleblowers to provide classified disclosures to appropriate committees of Congress.

Section 5722. Task force on illicit financing of espionage and foreign influence operations.

Section 5722 requires the DNI to establish a task force to study and assess the illicit financing of espionage and foreign influence operations directed at the United States and requires the task force to issue a report on this subject to the appropriate congressional committees.

Section 5723. Establishment of fifth-generation technology prize competition.

Section 5723 establishes a program to award prizes to stimulate research and development relevant to fifth-generation wireless technology.

Section 5724. Establishment of deepfakes prize competition.

Section 5724 establishes a program to award prizes to stimulate the research, development, or commercialization of technologies to automatically detect machine-manipulated media.

Section 5725. Identification of and countermeasures against certain International Mobile Subscriber Identity-Catchers.

Section 5725 requires the DNI and the Director of the FBI, in collaboration with the Under Secretary of DHS for I&A, and other appropriate heads of Federal agencies, to undertake an effort to identify and, when appropriate, develop countermeasures against, International Mobile Subscriber Identity-Catchers operated within the United States by criminals and hostile foreign governments.

Section 5726. Securing energy infrastructure.

Section 5726 requires the Secretary of Energy, within 180 days of enactment of the Act, to establish a two-year control systems implementation pilot program within the National Laboratories. This pilot program will partner with covered entities in the energy sector to identify new security vulnerabilities, and for purposes of researching, developing, testing, and implementing technology platforms and standards in partnership with such entities. Section 5726 also requires the Secretary to establish a working group composed of identified private and public sector entities to evaluate the technology platforms and standards for the pilot program, and develop a national cyber-informed engineering strategy to isolate and defend covered entities from security vulnerabilities. Section 5726 requires the Secretary, within 180 days after the date on which funds are first disbursed, to submit to specified committees an interim report that describes the pilot program's results, provides a feasibility analysis, and describes the working group's evaluations. Section 5726 further requires the Secretary, within two years of funding, to submit to the congressional intelligence committees a progress report on the pilot program and an analysis of the feasibility of the methods studied, and a description of the working group's evaluation results.

SUBDIVISION 2—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019

Section 6100. Table of contents.

TITLE LXI—INTELLIGENCE ACTIVITIES

Section 6101. Authorization of appropriations.

Section 6101 lists the United States Government departments, agencies, and other elements for which the Act deems authorized appropriations for intelligence and intelligence-related activities for Fiscal Years 2018 and 2019.

Section 6102.Intelligence Community Management Account.

Section 6102 provides that the amounts that were appropriated for Fiscal Years 2018 and 2019 are deemed authorized.

TITLE LXII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Section 6201. Authorization of appropriations.

Section 6201 deems authorized the appropriations for the CIA Retirement and Disability Fund for Fiscal Years 2018 and 2019.

Section 6202. Computation of annuities for employees of the Central Intelligence Agency.

Section 6202 makes technical changes to the CIA Retirement Act to conform with various statutes governing the Civil Service Retirement System.

TITLE LXIII—GENERAL INTELLIGENCE COMMUNITY MATTERS

Section 6301. Restriction on conduct of intelligence activities.

Section 6301 provides that the authorization of appropriations by the Act shall not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or the laws of the United States.

Section 6302. Increase in employee compensation and benefits authorized by law.

Section 6302 provides that funds authorized to be appropriated by the Act for salary, pay, retirement, and other benefits for federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in compensation or benefits authorized by law.

Section 6303. Modification of special pay authority for science, technology, engineering, or mathematics positions and addition of special pay authority for cyber positions.

Section 6303 provides an increased yearly cap for Science, Technology, Engineering, or Mathematics (STEM) employee positions in the IC that support critical cyber missions. Section 6303 also permits the National Security Agency (NSA) to establish a special rate of pay for positions that perform functions that execute the agency's cyber mission.

Section 6304. Modification of appointment of Chief Information Officer of the Intelligence Community.

Section 6304 changes the position of IC Chief Information Officer from being subject to presidential appointment to being subject to appointment by the DNI.

Section 6305. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.

Section 6305 requires the DNI, in coordination with the Office of Personnel Management, to conduct a review of the positions within the IC that may be appropriate for inclusion on the Executive Schedule, and the appropriate levels for inclusion.

Section 6306. Supply Chain and Counterintelligence Risk Management Task Force.

Section 6306 requires the DNI to establish a task force to standardize information sharing between the IC and the United States Government acquisition community with respect to supply chain, cybersecurity, and counterintelligence risks. Section 6306 further provides requirements for membership, security clearances, and annual reports.

Section 6307. Consideration of adversarial telecommunications and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.

Section 6307 requires the IC, when entering into foreign intelligence sharing agreements, to consider the pervasiveness of telecommunications and cybersecurity infrastructure, equipment, and services provided by United States adversaries or entities thereof.

Section 6308. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.

Section 6308 permits the DNI to provide cyber protection support for the personal technology devices and personal accounts of IC personnel whom the DNI determines to be highly vulnerable to cyber attacks and hostile information collection activities.

Section 6309. Elimination of sunset authority relating to management of supply-chain risk.

Section 6309 extends certain IC procurement authorities to manage and protect against supply chain risks.

Section 6310. Limitations on determinations regarding certain security classifications.

Section 6310 prohibits an officer of the IC who is nominated to a Senate-confirmed position from making certain classification determinations posing potential conflicts of interest regarding that nominee.

Section 6311. Joint Intelligence Community Council.

Section 6311 amends Section 101A of the National Security Act of 1947 (50 U.S.C. 3022(d)) as to the Joint Intelligence Community Council meetings and to require a report on its activities.

Section 6312. Intelligence community information technology environment.

Section 6312 defines the roles and responsibilities for the performance of the Intelligence Community Information Technology Environment (IC ITE). Section 6312 requires certain reporting and briefing requirements to the congressional intelligence committees regarding the IC's ongoing implementation of IC ITE.

Section 6313. Report on development of secure mobile voice solution for intelligence community.

Section 6313 requires the DNI, in coordination with the Directors of the CIA and NSA, provide the congressional intelligence committees with a classified report on the feasibility, desirability, cost, and required schedule associated with the implementation of a secure mobile voice solution for the IC.

Section 6314. Policy on minimum insider threat standards.

Section 6314 requires the DNI to develop minimum insider threat standards to be followed by each element of the IC, consistent with the National Insider Threat Policy and Minimum Standards for Executive Branch Insider Threat Programs.

Section 6315. Submission of intelligence community policies.

Section 6315 requires the DNI to make all ODNI policies and procedures available to the congressional intelligence committees. Section 6315 also requires ODNI to notify the congressional committees of any new or rescinded policies.

Section 6316. Expansion of intelligence community recruitment efforts.

Section 6316 requires the DNI, in consultation with IC elements, to submit a plan to the congressional intelligence committees as to each element's efforts in recruitment from rural and underrepresented regions.

TITLE LXIV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

SUBTITLE A—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Section 6401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.

Section 6401 amends Title 50, section 3506, to provide protection for current and former ODNI personnel and designated immediate family members, if there is a national security threat that warrants such protection.

Section 6402. Designation of the program manager-information sharing environment.

Section 6402 amends the Intelligence Reform and Terrorism Protection Act of 2004 so that the Program Manager-Information Sharing Environment (PM-ISE) is subject to appointment by the DNI, not the President.

Section 6403. Technical modification to the executive schedule.

Section 6403 amends the Executive Schedule to make the Director of the National Counterintelligence and Security Center a Level IV position on the Executive Schedule.

Section 6404. Chief Financial Officer of the Intelligence Community.

Section 6404 amends the National Security Act of 1947 by requiring the Chief Financial Officer of the IC to directly report to the DNI.

Section 6405. Chief Information Officer of the Intelligence Community.

Section 6405 amends the National Security Act of 1947 by requiring the Chief Information Officer of the IC to directly report to the DNI.

SUBTITLE B—CENTRAL INTELLIGENCE AGENCY

Section 6411. Central Intelligence Agency subsistence for personnel assigned to austere locations.

Section 6411 authorizes the Director of the CIA to approve, with or without reimbursement, subsistence to personnel assigned to an austere overseas location.

Section 6412. Special rules for certain monthly workers' compensation payments and other payments for Central Intelligence Agency personnel.

Section 6412 authorizes the Director of the CIA to provide enhanced injury benefits to a covered employee or qualifying dependents who suffer an injury overseas due to war, insurgency, hostile act, or terrorist activities.

Section 6413. Expansion of security protective service jurisdiction of the Central Intelligence Agency.

Section 6413 expands the security perimeter jurisdiction at CIA facilities from 500 feet to 500 yards.

Section 6414. Repeal of foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.

Section 6414 repeals Title 50, section 3036(g), with conforming amendments to section 611 of the *Intelligence Authorization Act for Fiscal Year 2005* (Public Law 108–487).

SUBTITLE C—OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE OF THE DEPARTMENT OF ENERGY

Section 6421. Consolidation of Department of Energy Offices of Intelligence and Counterintelligence.

Section 6421 amends the Department of Energy Organization Act to consolidate the offices of intelligence and counterintelligence into the DOE Office of Intelligence and Counterintelligence.

Section 6422. Repeal of Department of Energy Intelligence Executive Committee and budget reporting requirement.

Section 6422 amends the Department of Energy Organization Act by repealing the Department of Energy Intelligence Executive Committee, as well as certain budgetary reporting requirements.

SUBTITLE D—OTHER ELEMENTS

Section 6431. Plan for designation of counterintelligence component of the Defense Security Service as an element of intelligence community.

Section 6431 directs the DNI and the Under Secretary of Defense for Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, to provide the congressional intelligence and defense committees with an implementation plan to make the Defense Security Service's (DSS's) Counterintelligence component an element of the IC as defined in paragraph (4) of section 3 of the National Security Act of 1947 (50 U.S.C. 3003(4)), by January 1, 2020. Section 6431 further mandates that the plan shall not address the DSS's personnel security functions.

Section 6432. Notice not required for private entities.

Section 6432 provides a Rule of Construction that the Secretary of the Department of Homeland Security (DHS) is not required to provide notice to private entities before issuing directives on agency information security policies and practices.

Section 6433. Establishment of advisory board for National Reconnaissance Office.

Section 6433 amends the National Security Act of 1947 to authorize the Director of the NRO to establish an advisory board to study matters related to space, overhead reconnaissance, acquisition, and other matters. Section 6433 provides that the board shall terminate 3 years after the Director declares the board's first meeting.

Section 6434. Collocation of certain Department of Homeland Security personnel at field locations.

Section 6434 requires the Under Secretary of Homeland Security for Intelligence & Analysis (DHS I&A) to identify opportunities for collocation of I&A field officers and to submit to the congressional intelligence committees a plan for deployment.

TITLE LXV—ELECTION MATTERS

Section 6501. Report on cyber attacks by foreign governments against United States election infrastructure.

Section 6501 directs the DHS Under Secretary for I&A to submit a report on cyber attacks and attempted cyber attacks by foreign governments on United States election infrastructure, in connection with the 2016 presidential election. Section 6501 further requires this report to include identification of the States and localities affected and include efforts to attack voter registration databases, voting machines, voting-related computer networks, and the networks of Secretaries of State and other election officials.

Section 6502. Review of intelligence community's posture to collect against and analyze Russian efforts to influence the Presidential election.

Section 6502 requires the DNI to submit to the congressional intelligence committees, within one year of enactment of the Act, a report on the Director's review of the IC's posture to collect against and analyze Russian efforts to interfere with the 2016 United States presidential election. Section 6502 further requires the review to include assessments of IC resources, information sharing, and legal authorities.

Section 6503. Assessment of foreign intelligence threats to Federal elections.

Section 6503 requires the DNI, in coordination with the Director of the CIA, Director of the NSA, Director of the FBI, Secretary of DHS, and heads of other relevant IC elements, to commence assessments of security vulnerabilities of State election systems one year before regularly scheduled Federal elections. Section 6503 further requires the DNI to submit a report on such assessments 180 days before regularly scheduled Federal elections, and an updated assessment 90 days before regularly scheduled Federal elections.

Section 6504. Strategy for countering Russian cyber threats to United States elections.

Section 6504 requires the DNI, in coordination with the Secretary of DHS, Director of the FBI, Director of the CIA, Secretary of State, Secretary of Defense, and Secretary of the Treasury, to develop a whole-of-government strategy for countering Russian cyber threats against United States electoral systems and processes. Section 6504 further requires this strategy to include input from solicited Secretaries of State and chief election officials.

Section 6505. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.

Section 6505 requires the DNI to provide a report assessing past and ongoing Russian influence campaigns against foreign elections and referenda, to include a summary of the means by which such influence campaigns have been or are likely to be conducted, a summary of defenses against or responses to such Russian influence campaigns, a summary of IC activities to assist foreign governments against such campaigns, and an assessment of the effectiveness of such foreign defenses and responses.

Section 6506. Information sharing with State election officials.

Section 6506 requires the DNI, within 30 days of enactment of the Act, to support security clearances for each eligible chief election official of a State, territory, or the District of Columbia (and additional eligible designees), up to the Top Secret level. Section 6506 also requires the DNI to assist with sharing appropriate classified information about threats to election systems.

Section 6507. Notification of significant foreign cyber intrusions and active measure campaigns directed at elections for Federal offices.

Section 6507 requires the Director of the FBI, and the Secretary of Homeland Security to brief the congressional intelligence committees, congressional leadership, the armed services committees, the appropriations committees, and the homeland security committees (consistent with sources and methods) not later than 14 days after a determination has been made with moderate or high confidence that a significant foreign cyber intrusion or active measures campaign intended to influence an upcoming election for any Federal office has taken place by a foreign state or foreign non-state person, group, or other entity. The briefing shall provide a description of the significant foreign cyber intrusion or active measures campaign, including an identification of the foreign state or foreign non-state person or group.

Section 6508. Designation of counterintelligence officer to lead election security matters.

Section 6508 requires the DNI to designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate election security-related counterintelligence matters, including certain risks from foreign power interference.

TITLE LXVI—SECURITY CLEARANCES

Section 6601. Definitions.

Section 6601 provides definitions for terminology used throughout this Title.

Section 6602. Reports and plans relating to security clearances and background investigations.

Section 6602 requires the interagency Performance Accountability Council (Council) to provide plans to reduce the background investigation inventory and best align the investigation function between DoD and the National Background Investigation Bureau. Section 6602 further requires the Council to report on the future of the clearance process and requires the DNI to notify the appropriate committees of responding to official requests to change clearance standards, and the status of those requests' disposition. As with other reports in this title, these reports can be met in a consolidated format and potentially through the regularly scheduled quarterly Council briefings.

Section 6603. Improving the process for security clearances.

Section 6603 requires the DNI to review the Questionnaire for National Security positions (SF–86 or any current instantiation thereof) and the Federal Investigative Standards to determine potential unnecessary information required and assess whether revisions are necessary to account for insider threats. Section 6603 further requires the DNI, in coordination with the Council, to establish policies on interim clearances and consistency between the clearance process for contract and government personnel.

Section 6604. Goals for promptness of determinations regarding security clearances.

Section 6604 requires the Council to implement a plan to be able to process 90 percent of clearance requests at the Secret level in 30 days, and at the Top Secret-level in 90 days. The provision provides the Council with latitude to issue equivalent metrics that similarly improve the timeliness of the clearance process. The plan shall also address how to recognize reciprocity in accepting clearances among agencies within two weeks, and to require that ninety percent of clearance holders not be subject to a time-based periodic investigation.

Section 6605. Security Executive Agent.

Section 6605 establishes the DNI as the government's Security Executive Agent, consistent with Executive Order 13467, and sets forth relevant authorities.

Section 6606. Report on unified, simplified, Governmentwide standards for positions of trust and security clearances.

Section 6606 directs the DNI and the Director of the Office of Personnel Management to report on the advisability and implications of consolidating the tiers for positions of trust and security clearances from 5 to 3 tiers.

Section 6607. Report on clearance in person concept.

Section 6607 requires the DNI to submit a report on a concept whereby an individual can maintain eligibility for access to classified information for up to 3 years after access may lapse.

Section 6608. Reports on reciprocity for security clearances inside of departments and agencies.

Section 6608 requires each federal agency to submit a report to the DNI that identifies the number of clearances that take more than two weeks to reciprocally recognize and set forth the reason for any delays. Section 6608 further requires the DNI to submit an annual report summarizing reciprocity.

Section 6609. Intelligence community reports on security clearances.

Section 6609 requires the DNI to submit a report on each IC element's security clearance metrics, segregated by Federal employees and contractor employees.

Section 6610. Periodic report on positions in the intelligence community that can be conducted without access to classified information, networks, or facilities.

Section 6610 requires the DNI to submit to the congressional intelligence committees a report on positions that can be conducted without access to classified information, networks, or facilities, or may require only a Secret-level clearance.

Section 6611. Information-sharing program for positions of trust and security clearances.

Section 6611 requires the Security Executive Agent and the Suitability and Credentialing Executive Agents to establish a program to share information between and among government agencies and industry partners to inform decisions about positions of trust and security clearances.

Section 6612. Report on protections for confidentiality of whistleblower-related communications.

Section 6612 requires the Security Executive Agent, in coordination with the IC IG, to submit a report detailing the IC's controls used to ensure continuous evaluation programs protect the confidentiality of whistleblower-related communications.

Section 6613. Reports on costs of security clearance background investigations.

Section 6613 requires the DNI to provide an annual report for three years after enactment on the resources expended by each government agency for processing security clearance background investigations and continuous evaluation programs, disaggregated by tier and employment status.

TITLE LXVII—REPORTS AND OTHER MATTERS

SUBTITLE A—MATTERS RELATING TO RUSSIA AND OTHER FOREIGN POWERS

Section 6701. Limitation relating to establishment or support of cybersecurity unit with the Russian Federation.

Section 6701 prohibits the Federal government from expending any funds to establish or support a cybersecurity unit or other cyber agreement that is jointly established or otherwise implemented by the United States Government and the Russian Federation, unless the DNI submits a report to the appropriate congressional committees at least 30 days prior to any such agreement. The report shall include the agreement's purpose, intended shared intelligence, value to national security, counterintelligence concerns, and any measures taken to mitigate such concerns.

Section 6702. Assessment of threat finance relating to Russia.

Section 6702 requires the DNI, in coordination with the Assistant Secretary of the Treasury for Intelligence and Analysis, to submit to the congressional intelligence committees, within 60 days of enactment of the Act, an assessment of Russian threat finance, based on all-source intelligence from both the IC and the Office of Terrorism and Financial Intelligence of the Treasury Department. Section 6702 further requires the assessment to include global nodes and entry points for Russian money laundering; United States vulnerabilities; connections between Russian individuals involved in money laundering and the Russian Government; counterintelligence threats to the United States posed by Russian money laundering and other forms of threat finance; and challenges to United States Government efforts to enforce sanctions and combat organized crime.

Section 6703. Notification of an active measures campaign.

Section 6703 requires the DNI to notify congressional leadership, and the Chairman and Vice Chairman or Ranking Member of the appropriate congressional committees, each time the DNI has determined there is credible information that a foreign power has attempted, is attempting, or will attempt to employ a covert influence or active measures campaign with regard to the modernization, employment, doctrine, or force posture of the United States' nuclear deterrent or missile defense. Section 6703 further requires that such notification must include information on any actions that the United States has taken to expose or halt such attempts.

Section 6704. Notification of travel by accredited diplomatic and consular personnel of the Russian Federation in the United States.

Section 6704 requires the Secretary of State to ensure that the Russian Federation provides notification at least two business days in advance of all travel that is subject to such requirements by accredited diplomatic and consular personnel of the Russian Federation in the United States, and take necessary action to secure full compliance by Russian personnel and address any noncompliance.

Section 6705. Report and annual briefing on Iranian expenditures supporting foreign military and terrorist activities.

Section 6705 requires the DNI to submit a report to Congress describing Iranian expenditures on military and terrorist activities outside the country.

Section 6706. Expansion of scope of committee to counter active measures.

Section 6706 amends a provision in the *Intelligence Authorization Act for Fiscal Year 2017* to expand the scope of the interagency committee to counter active measures by the Russian Federation to add China, Iran, North Korea, and other nation states.

SUBTITLE B—REPORTS

Section 6711. Technical correction to Inspector General study.

Section 6711 amends Title 50, section 11001(d), by replacing the IC IG's ''audit'' requirement for Inspectors General with employees having classified material access, with a ''review'' requirement.

Section 6712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.

Section 6712 requires the Secretary of DHS, in consultation with the Under Secretary for I&A, to submit to the congressional intelligence committees a report on the adequacy of the Under Secretary's authorities required as the Chief Intelligence Officer to organize the Homeland Security Intelligence Enterprise, and the legal and policy changes necessary to coordinate, organize, and lead DHS intelligence activities.

Section 6713. Review of intelligence community whistleblower matters.

Section 6713 directs the IC IG, in consultations with the IGs of other IC agencies, to conduct a review of practices and procedures relating to IC whistleblower matters.

Section 6714. Report on role of Director of National Intelligence with respect to certain foreign investments.

Section 6714 directs the DNI to submit a report on ODNI's role in preparing analytic materials in connection with the United States Government's evaluation of national security risks associated with potential foreign investments.

Section 6715. Report on surveillance by foreign governments against United States telecommunications networks.

Section 6715 requires the DNI, in coordination with the Director of the CIA, Director of the NSA, Director of the FBI, and Secretary of DHS, to submit to the congressional intelligence, judiciary, and homeland security committees, within 180 days of enactment of the Act, a report on known attempts by foreign governments to exploit cybersecurity vulnerabilities in United States telecommunications networks to surveil United States persons, and any actions that the IC has taken to protect United States Government agencies and personnel from such surveillance.

Section 6716. Biennial report on foreign investment risks.

Section 6716 requires the DNI to establish an IC working group on foreign investment risks and prepare a biennial report that includes an identification, analysis, and explanation of national security vulnerabilities, foreign investment trends, foreign countries' strategies to exploit vulnerabilities through the acquisition of either critical technologies (including components or items essential to national defense), critical materials (including physical materials essential to national security), or critical infrastructure (including physical or virtual systems and assets whose destruction or incapacity would have a debilitating impact on national security), and market distortions caused by foreign countries. Technologies, materials, and infrastructure are deemed to be ''critical'' under this provision if their exploitation by a foreign government could cause severe harm to the national security of the United States.

Section 6717. Modification of certain reporting requirement on travel of foreign diplomats.

Section 6717 amends a provision in the *Intelligence Authorization Act for Fiscal Year 2017*, to require reporting of ''a best estimate'' of known or suspected violations of certain travel requirements by accredited diplomatic and consular personnel of the Russian Federation.

Section 6718. Semiannual reports on investigations of unauthorized disclosures of classified information.

Section 6718 requires the Assistant Attorney General for National Security at the Department of Justice, in consultation with the Director of the FBI, to submit to the congressional intelligence and judiciary committees a semiannual report on the status of IC referrals to the Department of Justice regarding unauthorized disclosures of classified information. Section 6718 also directs IC elements to submit to the congressional intelligence committees a semiannual report on the number of investigations opened and completed by each agency regarding an unauthorized public disclosure of classified information to the media, and the number of completed investigations referred to the Attorney General.

Section 6719. Congressional notification of designation of covered intelligence officer as persona non grata.

Section 6719 requires, not later than 72 hours after a covered intelligence officer is designated as *persona non grata*, that the DNI, in consultation with the Secretary of State, submit to the designated committees a notification of that designation, to include the basis for the designation and justification for the expulsion.

Section 6720. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.

Section 6720 requires the DNI to submit, within 90 days of enactment of the Act, to the congressional intelligence committees a report describing the Vulnerabilities Equities Process (VEP) roles and responsibilities for each IC element. Section 6720 further requires each IC element to report to the congressional intelligence committees within 30 days of a significant change to that respective IC element's VEP process and criteria. Section 6720 also requires the DNI to submit an annual report to the congressional intelligence committees with specified information on certain VEP metrics.

Section 6721. Inspectors General reports on classification.

Section 6721 requires each designated IG to submit to the congressional intelligence committees a report on the accuracy in the application of classification and handling markings on a representative sample of finished products, to include those with compartments. Section 6721 also directs analyses of compliance with declassification procedures and a review of the effectiveness of processes for identifying topics of public or historical importance that merit prioritization for declassification review.

Section 6722. Reports on global water insecurity and national security implications and briefing on emerging infectious disease and pandemics.

Section 6722 requires the DNI to submit to the congressional intelligence committees a report on the implications of global water insecurity on the United States' national security interests. Section 6722 further requires the DNI to provide a briefing to appropriate congressional committees on the geopolitical effects of emerging infectious disease and pandemics, and their implications on the United States' national security.

Section 6723. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States Government regarding significant operational activities or policy.

Section 6723 amends a provision in the *Intelligence Authorization Act for Fiscal Year 2017*, instead requiring each IC element to submit an annual report to the Committees that lists each significant memorandum of understanding or other agreement entered into during the preceding fiscal year. Section 6723 further requires each IC element to provide such documents if an intelligence committee so requests.

Section 6724. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.

Section 6724 requires the DNI to complete a study on the feasibility of encrypting unclassified wireline and wireless telephone calls between personnel in the IC.

Section 6725. Reports on intelligence community loan repayment and related programs.

Section 6725 requires the DNI, in cooperation with the heads of the elements of the IC, to submit to the congressional intelligence committees a report on potentially establishing an IC-wide program for student loan repayment and forgiveness.

Section 6726. Repeal of certain reporting requirements.

Section 6726 repeals certain IC reporting requirements.

Section 6727. Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.

Section 6727 directs the IC IG to submit a report to the congressional intelligence committees regarding senior executive service staffing at the ODNI.

Section 6728. Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.

Section 6728 directs the FBI within 30 days of enactment of this Act to provide a briefing to the congressional intelligence committees regarding the FBI's ability to provide permanent U.S. residence to foreign individuals who serve as cooperators in national security-related investigations.

Section 6729. Intelligence assessment of North Korea revenue sources.

Section 6729 requires the DNI, in coordination with other relevant IC elements, to produce to the congressional intelligence committees an intelligence assessment of the North Korean regime's revenue sources.

Section 6730. Report on possible exploitations of virtual currencies by terrorist actors.

Section 6730 requires the DNI, in consultation with the Secretary of the Treasury, to submit to Congress a report on the possible exploitation of virtual currencies by terrorist actors.

SUBTITLE C—OTHER MATTERS

Section 6741. Public Interest Declassification Board.

Section 6741 permanently reauthorizes the Public Interest Declassification Board administered by the National Archives and Records Administration.

Section 6742. Technical and clerical amendments to the National Security Act of 1947.

Section 6742 makes certain edits to the National Security Act of 1947 as amended for technical or clerical purposes.

Section 6743. Bug bounty programs.

Section 6743 directs the Secretary of DHS, in consultation with the Secretary of Defense, to submit a strategic plan to implement bug bounty programs at appropriate

agencies and departments of the United States Government. Section 6743 further requires the plan to include an assessment of the ''Hack the Pentagon'' pilot program and subsequent bug bounty programs. Section 6743 also requires the plan to provide recommendations on the feasibility of initiating bug bounty programs across the United States Government.

Section 6744. Technical amendments related to the Department of Energy.

Section 6744 provides technical corrections to certain provisions regarding the Department of Energy's Office of Intelligence and Counterintelligence.

Section 6745. Sense of Congress on notification of certain disclosures of classified information.

Section 6745 expresses the sense of Congress that, pursuant to the requirement for the IC to keep the congressional intelligence committees ''fully and currently informed'' in Section 502 of the National Security Act of 1947, IC agencies must submit prompt written notification after becoming aware that an individual in the executive branch has disclosed certain classified information outside established intelligence channels to foreign adversaries — North Korea, Iran, China, Russia, or Cuba.

Section 6746. Sense of Congress on consideration of espionage activities when considering whether or not to provide visas to foreign individuals to be accredited to a United Nations mission in the United States.

Section 6746 provides a Sense of Congress that, as to foreign individuals to be accredited to a United Nations mission, the Secretary of State should consider known and suspected intelligence and espionage activities, including activities constituting precursors to espionage, carried out by such individuals against the United States, or against foreign allies or partners of the United States. Section 6746 further provides that the Secretary of State should consider an individual's status as a known or suspected intelligence officer for a foreign adversary.

Section 6747. Sense of Congress on WikiLeaks.

Section 6747 provides a Sense of Congress that WikiLeaks and its senior leadership resemble a non-state hostile intelligence service, often abetted by state actors, and should be treated as such.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

HONORING SERGEANT KORT M. PLANTENBERG, CHIEF WARRANT OFFICER 2 JAMES A. ROGERS, JR., AND CHIEF WARRANT OFFICER 2 CHARLES P. NORD

• Ms. KLOBUCHAR. Madam President, today I rise with a heavy heart to honor and pay tribute to three exemplary National Guard Members from my home State of Minnesota. On Thursday, December 5, SGT Kort M. Plantenberg, CW2 James A. Rogers, Jr., and CW2 Charles P. Nord lost their lives when their Black Hawk UH–60 helicopter went down southwest of St. Cloud, MN, during a routine maintenance flight.

They had just returned home from the Middle East in May after a 9-month deployment conducting medical evacuations. Once back in Minnesota, they had continued serving our Nation by ensuring that our Forces would be prepared to respond the moment they were needed. After this tragic loss, Governor Walz, a Minnesota National Guardsman for nearly 25 years, remarked that ''we will forever be in the debt of these warriors.'' I couldn't agree more.

Today, I would like to honor these brave men for giving what President Lincoln called, ''the last full measure of devotion.'' We are forever grateful for heroes like Sergeant Plantenberg, Chief Warrant Officer 2 Rogers, and Chief Warrant Officer 2 Nord.

Some who knew these extraordinary men described Sergeant Plantenberg as ''one of the most professional individuals . . . [who] had unlimited potential.'' Chief Warrant Officer 2 Rogers was said to be a ''calming presence'' who could always make those around him laugh. Chief Warrant Officer 2 Nord was described as ''lighthearted—and kind-hearted.'' Like many who serve this country, these men all had so many gifts, and our Nation is better today because of their service and sacrifice.

During this time of unimaginable grief, I would also like to offer my prayers and condolences to the families of these fallen heroes. I hope they take comfort in the fact that their lives weren't lost in vain but in support of their common goal: to serve the Nation they loved.

They will be missed, but never forgotten, as their service has inspired us all. So now, it is up to us to preserve their memory and support all of our brave men and women who make such an immense sacrifice to keep our Nation strong. Our thoughts and prayers are with their families and loved ones and with the entire Minnesota National Guard community, at home and overseas. There is no limit to the respect they have earned, no cap to the honor they are due, and no time when we will not be in their debt.

Thank you.•

HONORING SERGEANT KORT M. PLANTENBERG, CHIEF WARRANT OFFICER 2 JAMES A. ROGERS, JR., AND CHIEF WARRANT OFFICER 2 CHARLES P. NORD

Ms. SMITH. Madam President, today I wish to recognize and celebrate the lives of James Rogers, Charles Nord, and Kort Plantenberg, all members of the Minnesota National Guard, who tragically lost their lives in a helicopter accident on Thursday, December 5. After returning home safely from deployment to the Middle East in May, this loss is especially heart wrenching. These men conducted medical evacuations in the Middle East, and their service to our troops and allies will not be forgotten. I am grateful for their service and sacrifice for Minnesota and our country.

CW2 James Rogers, often remembered for his curious nature, served 10 years in the Minnesota National Guard, having enlisted before his high school graduation. CW2 Charles Nord enlisted in 2007, and he leaves behind his wife, young daughter, and a child on the way. SGT James Plantenberg enlisted in 2016, was a member of the Guard's biathlon team, and was preparing to start flight school. We are all indebted to these men for their service, and I wish their families peace during this time of tragic loss.

ADDITIONAL STATEMENTS

REMEMBERING THE HANSEN FAMILY

• Mr. RISCH. Madam President, I rise today on a more somber note to pay tribute to members of the Hansen family who recently lost their lives in a tragic accident.

For Jim Hansen, family is what mattered most in life. This past Thanksgiving, he was with his sons, grandsons, and great-grandson, participating in an annual hunting activity that had become a family tradition.

On November 30, 2019, they were returning from this cherished family time, when a tragic plane accident took the lives of nine members of the Hansen family: Jim Hansen, Sr., Jim Hansen, Jr., Kirk Hansen, Stockton Hansen, Logan Hansen, Kyle Naylor, Tyson Dennert, Jake Hansen, and Houston Hansen.

My wife Vicki and I offer our deepest condolences and our hearts go out to the remaining family members during this overwhelmingly difficult time. Their loss will not only be felt throughout their community in eastern Idaho, but also by countless others throughout the world who have been touched by their religious and philanthropic service.

The miraculous survival of Josh Hansen, Matt Hansen, and Thomas Long is a tender mercy to their remaining loved ones and will hopefully bring a measure of healing for their families.

Jim Hansen, Sr., spent his entire life building a legacy steeped in a strong sense of commitment to family, a touchstone to guide future generations. Being born into a family known for hard work and business acumen, as well as caring for people in need, Jim, Jr., and Kirk harnessed their entrepreneurial spirit to expand the family business into other successful ventures that had a significant impact on their home community of Idaho Falls. The success of their values and vision was manifest in the growth of their business endeavors and their global impact.

Kirk and Jim were passionate about bringing hope to others, and that hope took shape in several forms. With the guidance and insight of their remarkable wives, Kirk and Jim helped found Kyani Caring Hands. For nearly a decade, this organization dedicated a significant portion of its time, energy, and financial resources to respond to disasters and support poverty-stricken

communities throughout the world, with a special focus on improving children's nutrition and education.

The tragic plane accident that claimed the lives of these Idaho sons will forever cement the ideals and values that motivated these men to do good where good was needed.

Idaho said farewell to several great men who were not only pillars of the community, but also beloved by employees everywhere. Jim Hansen, Sr., and his two sons, Kirk and Jim, Jr., were known throughout the world as men who were passionate about helping others and touching lives wherever they went. The Hansen men and children who lost their lives in this tragic plane accident will be deeply missed, but their legacy will not be forgotten.●

RECOGNIZING VALLEY QUEEN CHEESE FACTORY

● Mr. ROUNDS. Madam President, today, it is my pleasure to name Valley Queen Cheese Factory of Milbank, SD as the Senate Small Business of the Week. Valley Queen Cheese is a prime example of the important role small businesses play in their local economies and communities.

In 1929, Alfred Nef and Alfred Gonzenbach decided Milbank, SD was the perfect home for their business and founded Valley Queen Cheese. Four generations later, Valley Queen remains a family-run operation and is still owned by the Nef and Gonzenbach families. Today, it operates less than half a mile from the original location. It is a recognized leader in the South Dakota business community and the greater dairy industry. Since 2017, Doug Wilke has served as CEO of Valley Queen. With guidance from the board of directors, he currently oversees the largest cheese plant in South Dakota and the largest employer in Milbank.

More than 90 percent of all milk Valley Queen uses comes from South Dakota cows, and they make a conscious effort to continue South Dakota's leadership in this important industry. Thanks to a recent expansion, Valley Queen now has the capacity to produce 200 million pounds of cheese from 2 billion pounds of milk each year. Their cheese can be found in most local grocery stores, as it is sold to some of the best-known food brands in the world. To meet the growing demand, Valley Queen recently invested in a business expansion project that increased the factory's output by twenty-five percent.

Valley Queen is an active leader in the Milbank community, where it has grown to employ 300 people. In 2017, the Valley Queen Charitable Foundation was established to advance positive change by supporting local organizations and initiatives. In its first 3 years as a nonprofit, the foundation has contributed more than $900,000 to local charities that have a community, educational, or humanitarian focus. Since 1990, Valley Queen has awarded high school and college students over $300,000 in scholarships. In addition to the business's own philanthropy, Valley Queen makes an annual contribution to the Milbank Community Foundation, which seeks to improve the quality of life of residents in the community.

Valley Queen has been recognized for their continuous improvement and exceptional process control through several awards. Earlier this year, Valley Queen won two awards and received near-perfect marks at the U.S. Championship Cheese Contest for their reduced fat cheddar and Monterey Jack jalapeno cheeses. Valley Queen's sustained efforts toward improved research and development does not go unnoticed by the industry.

Valley Queen is an excellent example of how small businesses fit the shared values and ideals of their community and give back in a multitude of ways. I am proud to highlight Valley Queen and its team for their integral social and economic contributions to South Dakota. Although many years removed from being a startup company, Valley Queen remains committed to the legacy of its founders. Furthermore, Milbank, South Dakota continues to serve as the perfect home for this thriving business. Congratulations again to the entire team at Valley Queen Cheese Factory for being named Senate Small Business of the Week.●

TRIBUTE TO FRANK FRAZIER

● Mr. TILLIS. Madam President, I rise today to pay tribute to Mr. Frank Frazier of Oxford, NC, for his 35 years of dedicated public service to the city of Henderson and surrounding communities. Mr. Frazier was hired as an engineering technician for the city of Henderson in 1985 and has since dedicated his career to public service. He has held a number of roles within local government including, but not limited to, director of engineering, assistant city manager and city manager.

As city manager, Mr. Frazier has managed over 200 employees responsible for all city operations including the Fire and Police Departments, engineering, human resources, finance, recreation, and water resources, among many others. Mr. Frazier has led several significant projects that have benefited the city, county, and region as a whole, including upgrades to the Henderson Water Reclamation Facility and an upgrade to the Kerr Lake Regional Water Plant. Not only did Mr. Frazier successfully execute many accomplishments for the community, he did so through balanced budgets without tax increases and simultaneously providing substantial pay raises to city employees.

Mr. Frazier is well respected and acknowledged for his consistent dedication to improving the quality of life for Henderson and the greater region. I would like to thank Mr. Frazier for his 35 years of honorable service, as well as acknowledge his wife Sherrie and their two sons, Mitchell and Chad, who have supported his service. I wish Mr. Frazier all the best in his future endeavors as he retires from the city of Henderson.●

MESSAGES FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 50. An act to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes.

S. 216. An act to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 453. An act to take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians, and for other purposes.

H.R. 2647. An act to adopt a certain California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability, and for other purposes.

H.R. 3172. An act to provide that inclined sleepers for infants and crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, and for other purposes.

H.R. 3362. An act to amend title 49, United States Code, to require small hub airports to construct areas for nursing mothers, and for other purposes.

H.R. 4227. An act to prohibit the submission to the Federal Communications Commission of broadband internet access service coverage information or data for the purposes of compiling an inaccurate broadband coverage map.

H.R. 4229. An act to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

H.R. 4779. An act to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes.

H.R. 4920. An act to amend title 38, United States Code, to provide for an exception to certain small business contracting requirements applicable to the Department of Veterans Affairs procurement of certain goods and services covered under the Ability One program, and for other purposes.

H.R. 4998. An act to prohibit certain Federal subsidies from being used to purchase communications equipment or services posing national security risks, to provide for the establishment of a reimbursement program for the replacement of communications equipment or services posing such risks, and for other purposes.

The message further announced that the House agreed to the amendment of

the Senate to the bill (H.R. 150) to modernize Federal grant reporting, and for other purposes.

At 4:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 81. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1158.

H. Con. Res. 82. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1865.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1865) to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

ENROLLED BILL SIGNED

At 4:11 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 5363. An act to reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mrs. BLACKBURN).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 759. An act to restore an opportunity for tribal economic development on terms that are equal and fair, and for other purposes; to the Committee on Indian Affairs.

H.R. 3172. An act to provide that inclined sleepers for infants and crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4227. An act to prohibit the submission to the Federal Communications Commission of broadband internet access service coverage information or data for the purposes of compiling an inaccurate broadband coverage map; to the Committee on Commerce, Science, and Transportation.

H.R. 4779. An act to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4920. An act to amend title 38, United States Code, to provide for an exception to certain small business contracting requirements applicable to the Department of Veterans Affairs procurement of certain goods and services covered under the Ability One program, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4229. An act to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3499. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Registration and Compliance Requirements for Commodity Pool Operators and Commodity Trading Advisors: Registered Investment Companies, Business Development Companies, and Definition of Reporting Person'' (RIN3038–AE76) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3500. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Registration and Compliance Requirements for Commodity Pool Operators (CPOs) and Commodity Trading Advisors: Family Offices and Exempt CPOs'' (RIN3038–AE76) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3501. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Sweet Cherries Grown in Designated Counties in Washington; Decreased Assessment Rate'' ((7 CFR Part 923) (Docket Nos. AMS–SC–19–0049 and SC–19–923–1 FR)) received in the Office of the President of the Senate on December 10, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3502. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred in the Department of Agriculture's County Agriculture Risk Coverage account; to the Committee on Appropriations.

EC–3503. A communication from the Policy Analyst, Department of the Army, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Obtaining Information From Financial Institutions'' ((RIN0702–AA99) (32 CFR Part 504)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Armed Services.

EC–3504. A communication from the Chief of the Legal Assistance Policy Division, Department of the Army, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Family Support, Child Custody, and Paternity'' (RIN0702–AA84) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Armed Services.

EC–3505. A communication from the Acting General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Payday Alternative Loans'' (RIN3133–AE84) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–3506. A communication from the Policy Associate Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Truth in Lending (Regulation Z) Annual Threshold Adjustments (Credit Cards, HOEPA, and Qualified Mortgages)'' (12 CFR Part 1026) received in the Office of the President of the Senate on December 11, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–3507. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Assessments'' (RIN3064–AE98) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–3508. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Assessments'' (RIN3064–AF16) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–3509. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the final report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–3510. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts during fiscal year 2019; to the Committee on Commerce, Science, and Transportation.

EC–3511. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Modernizing the E–Rate Program for Schools and Libraries'' ((RIN3060–AK57) (FCC 19–117)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3512. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund'' ((RIN3060–AK57) (WC Docket No. 10–90)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3513. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2016''; to the Committee on Energy and Natural Resources.

EC–3514. A communication from the Director of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Enforcement Guidance

Memorandum (EGM) 19–001, Clarification of Inspection Documentation Requirements in Section 2.2.3 of the Enforcement Policy'' (RIN3150–A112) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Environment and Public Works.

EC–3515. A communication from the Senior Advisor, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report of a correction relative to a report of a vacancy in the position of Assistant Secretary for Legislation, Department of Health and Human Services, received in the Office of the President of the Senate on December 12, 2019; to the Committee on Finance.

EC–3516. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Calculation of UBTI for Certain Exempt Organizations'' (RIN1545–BJ92) received in the Office of the President of the Senate on December 11, 2019; to the Committee on Finance.

EC–3517. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to deployments of United States Armed Forces equipped for combat (OSS–2019–1312); to the Committee on Foreign Relations.

EC–3518. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2017 Report to Congress: Older Americans Act''; to the Committee on Health, Education, Labor, and Pensions.

EC–3519. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2020–03; Small Entity Compliance Guide'' ((48 CFR Chapter 1) (FAC 2020–03)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–3520. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2020–03, Introduction'' ((48 CFR Chapter 1) (FAC 2020–03)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–3521. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; FAR Case 2018–017, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment'' ((RIN9000–AN83) (48 CFR Parts 4 and 52)) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–3522. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Semiannual Report of the Office of the Inspector General for the period from April 1, 2019 through September 30, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–3523. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''2017 Report to Congress on the Benefits and Costs of Federal Regulations and Agency Compliance with the Unfunded Mandates Reform Act''; to the Committee on Homeland Security and Governmental Affairs.

EC–3524. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–3525. A communication from the Chief Financial Officer, National Labor Relations Board, transmitting, pursuant to law, a report entitled ''Performance and Accountability Report for Fiscal Year 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3526. A communication from the Federal Register Liaison Officer, Office of the Judge Advocate General, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Policies and Responsibilities for Implementation of the National Environmental Policy Act within the Department of the Navy'' ((RIN0703–AB01) (32 CFR Part 775)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Armed Services.

EC–3527. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was originally declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC–3528. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Fair Credit Reporting Act Disclosures'' (12 CFR Part 1022) received in the Office of the President of the Senate on December 12, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–3529. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Extension of the Prohibition Against Certain Flights in Specified Areas of the Sanaa Flight Information Region (FIR) (OYSC)'' ((RIN2120–AL44) (Docket No. FAA–2015–8672)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3530. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Extension of the Prohibition Against Certain Flights in the Territory and Airspace of Somalia'' ((RIN2120–AL46) (Docket No. FAA–2007–27602)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3531. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3881'' ((RIN2120–AA65) (Docket No. 31285)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3532. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3882'' ((RIN2120–AA65) (Docket No. 31286)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3533. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3880'' ((RIN2120–AA65) (Docket No. 31284)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3534. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach and Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3879'' ((RIN2120–AA65) (Docket No. 31283)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3535. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment and Removal of Air Traffic Service (ATS) Routes; Southeastern United States'' ((RIN2120–AA66) (Docket No. FAA–2019–0638)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3536. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Madera, CA'' ((RIN2120–AA66) (Docket No. FAA–2018–1002)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3537. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D; Los Angeles, CA'' ((RIN2120–AA66) (Docket No. FAA–2019–0535)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3538. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace and Establishment of Class E Airspace; La Crosse, WI'' ((RIN2120–AA66) (Docket No. FAA–2019–0503)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3539. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace; Alpena, MI'' ((RIN2120–AA66) (Docket No. FAA–2019–0549)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3540. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0584)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3541. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0973)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3542. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–1024)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3543. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0188)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3544. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0443)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3545. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0494)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3546. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0671)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3547. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0440)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3548. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0437)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3549. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0697)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3550. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0668)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3551. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.)'' ((RIN2120–AA64) (Docket No. FAA–2019–0479)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3552. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Saab AB, Saab Aeronautics (Formerly Known as Saab AB, Saab Aerosystems) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0669)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3553. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0321)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3554. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; International Aero Engines, LLC Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2019–0995)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3555. A communication from the General Attorney, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Maintenance of and Access to Records Pertaining to Individuals'' (RIN2105–AE76) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3556. A communication from the Chief of Regulatory Development, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Extension of Compliance Date for States' Query of the Drug and Alcohol Clearinghouse'' (RIN2126–AC32) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3557. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2017–1105)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC–3558. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–176, ''Community Harassment Prevention Second Temporary Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3559. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–175, ''Fiscal Year 2020 Budget Support Clarification Temporary Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3560. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and the Semiannual Management Report for the period from April 1, 2019 through September 30, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–3561. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Corps' Agency Financial Report for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–3562. A communication from the Assistant Attorney General for Administration, Department of Justice, transmitting, pursuant to law, the Agency Financial Report for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–3563. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 23–177, ''Federal Worker Housing Relief Extension Temporary Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 553. A bill to direct the Secretary of Commerce to establish a working group to recommend to Congress a definition of blockchain technology, and for other purposes (Rept. No. 116–177).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1228. A bill to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes (Rept. No. 116–178).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1611. A bill to ensure appropriate prioritization, spectrum planning, and interagency coordination to support the Internet of Things (Rept. No. 116–179).

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S.J. Res. 4. A joint resolution requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes.

H.R. 133. A bill to promote economic partnership and cooperation between the United States and Mexico.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 142. A resolution condemning the Government of the Philippines for its continued detention of Senator Leila De Lima, calling for her immediate release, and for other purposes.

S. Res. 152. A resolution expressing the importance of the United States alliance with the Republic of Korea and the contributions of Korean Americans in the United States.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 258. A bill to prohibit oil and gas leasing on the National Forest System land in the Ruby Mountains Ranger District located in the Humboldt-Toiyabe National Forest, Elko and White Pine Counties, Nevada, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 297. A resolution commending the Inter-American Foundation (IAF) on the occasion of its 50th anniversary for its significant accomplishments and contributions to the economic and social development of the Americas.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 298. A bill to establish the Springfield Race Riot National Historic Monument in the State of Illinois, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 327. A bill to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 343. A resolution congratulating the people of the Czech Republic and the people of the Slovak Republic on the 30th anniversary of the Velvet Revolution, the 26th anniversary of the formation of the Czech Republic and the Slovak Republic, and the 101st anniversary of the declaration of independence of Czechoslovakia.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 371. A resolution reaffirming the support of the United States for the people of the Republic of South Sudan and calling on all parties to uphold their commitments to peace and dialogue as outlined in the 2018 revitalized peace agreement.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Res. 375. A resolution recognizing the 75th anniversary of the Warsaw Uprising.

S. Res. 385. A resolution celebrating the 30th anniversary of the fall of the Berlin Wall, the reunification of both Germany and Europe, and the spread of democracy around the world.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 389. A bill to authorize the Society of the First Infantry Division to make modifications to the First Division Monument located on Federal land in Presidential Park in the District of Columbia, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 395. A resolution recognizing the 40th anniversary of the Iran Hostage Crisis, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 434. A bill to provide for a report on the maintenance of Federal land holdings under the jurisdiction of the Secretary of the Interior.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 447. A resolution expressing serious concern about widespread irregularities in Bolivia's October 20, 2019, general elections and supporting the convening of new elections in Bolivia at the earliest possible date.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 490. A bill to designate a mountain ridge in the State of Montana as ''B–47 Ridge'' .

S. 526. A bill to withdraw certain Bureau of Land Management land from mineral development.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 617. A bill to authorize the Department of Energy to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

S. 704. A bill to prioritize the efforts of and enhance coordination among United States agencies to encourage countries in Central and Eastern Europe to diversify their energy sources and supply routes, increase Europe's energy security, and help the United States reach its global energy security goals, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 876. A bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1189. A bill to require the Secretary of State to determine whether the Russian Federation should be designated as a state sponsor of terrorism and whether Russian-sponsored armed entities in Ukraine should be designated as foreign terrorist organizations.

S. 1310. A bill to strengthen participation of elected national legislators in the activities of the Organization of American States and reaffirm United States support for Organization of American States human rights and anti-corruption initiatives, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1739. A bill to enable projects that will aid in the development and delivery of related instruction associated with apprenticeship and preapprenticeship programs that are focused on serving the skilled technical workforce at the National Laboratories and certain facilities of the National Nuclear Security Administration, and for other purposes .

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1830. A bill to enhance the security of the United States and its allies, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 2368. A bill to amend the Atomic Energy Act of 1954 and the Energy Policy Act of 2005 to support licensing and relicensing of certain nuclear facilities and nuclear energy research, demonstration, and development, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2425. A bill to amend the Energy Policy and Conservation Act to establish the CHP Technical Assistance Partnership Program, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 2508. A bill to require the Secretary of Energy to establish a council to conduct a survey and analysis of the employment figures and demographics in the energy, energy efficiency, and motor vehicle sectors of the United States, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2547. A bill to state the policy of the United States with respect to the expansion of cooperation with allies and partners in the Indo-Pacific region and Europe regarding the People's Republic of China.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2556. A bill to amend the Federal Power Act to provide energy cybersecurity investment incentives, to establish a grant and technical assistance program for cybersecurity investments, and for other purposes.

S. 2657. A bill to support innovation in advanced geothermal research and development, and for other purposes.

S. 2668. A bill to establish a program for research, development, and demonstration of solar energy technologies, and for other purposes.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2683. A bill to establish a task force to assist States in implementing hiring requirements for child care staff members to improve child safety.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2688. A bill to amend the Energy Policy Act of 2005 to establish an Office of Technology Transitions, and for other purposes.

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, with amendments:

S. 2695. A bill to authorize the Secretary of Agriculture to provide for the defense of United States agriculture and food through the National Bio and Agro-Defense Facility, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2702. A bill to require the Secretary of Energy to establish an integrated energy systems research, development, and demonstration, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2714. A bill to amend the America COMPETES Act to reauthorize the ARPA–E program, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

H.R. 2744. A bill to authorize the Administrator of the United States Agency for International Development to prescribe the manner in which programs of the agency are identified overseas, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 2799. A bill to require the Secretary of Energy and the Secretary of the Interior to establish a joint Nexus of Energy and Water Sustainability Office, and for other purposes.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 2927. A bill to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes.

By Mr. RISCH, from the Committee on Foreign Relations, without amendment:

S. 2977. A bill to extend the termination of sanctions with respect to Venezuela under the Venezuela Defense of Human Rights and Civil Society Act of 2014.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2997. A bill to revise and extend health workforce programs under title VII of the Public Health Service Act.

By Mr. BARRASSO, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 3051. A bill to improve protections for wildlife, and for other purposes.

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 3076. An original bill to release a federal reversionary interest in Chester County, Tennessee, to manage certain Federal land in Bath County, Virginia.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BARRASSO for the Committee on Environment and Public Works.

*Robert J. Feitel, of Maryland, to be Inspector General, Nuclear Regulatory Commission.

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 3062. A bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARDIN:

S. 3063. A bill to encourage greater community accountability of law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. WICKER:

S. 3064. A bill to oppose violations of religious freedom in Ukraine by Russia and armed groups commanded by Russia; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mr. WYDEN, Mr. DURBIN, Mr. MARKEY, Mr. MENENDEZ, Mr. CASEY, Mrs. GILLIBRAND, Mr. BOOKER, Mr. VAN HOLLEN, Mr. BROWN, Mr. COONS, Ms. KLOBUCHAR, Ms. HARRIS, Mr. UDALL, Ms. DUCKWORTH, Mrs. MURRAY, Ms. BALDWIN, Mr. REED, Mr. CARPER, Ms. WARREN, and Mr. MURPHY):

S. 3065. A bill to amend the Consumer Product Safety Act to direct the Consumer Product Safety Commission to establish consumer product safety standards for firearm locks and firearm safes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. ERNST (for herself and Ms. DUCKWORTH):

S. 3066. A bill to provide for an advisory committee for the prevention of sexual misconduct in the Coast Guard, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. CAPITO (for herself, Mr. JONES, Ms. ERNST, Mrs. SHAHEEN, and Mr. MANCHIN):

S. 3067. A bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting; to the Committee on Finance.

By Mr. GARDNER:

S. 3068. A bill to modify the boundary of the Rocky Mountain National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER:

S. 3069. A bill to authorize the Secretary of the Interior to correct a land ownership error within the boundary of Rocky Mountain National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. DURBIN, and Mrs. CAPITO):

S. 3070. A bill to modify reporting requirements under the Controlled Substances Act; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Ms. DUCKWORTH, Mr. LEAHY, Ms. HARRIS, and Mr. BROWN):

S. 3071. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, or adult child, or another related individual, who has a serious health condition, and to allow employees to take, as additional leave, parental involvement and family wellness leave to participate in or attend their children's and grandchildren's educational and extracurricular activities or meet family care needs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HYDE–SMITH (for herself, Mr. CRAMER, Mr. WICKER, Mr. INHOFE, Mr. SCOTT of Florida, Mr. DAINES, Mr. COTTON, Mr. SASSE, Mr. LANKFORD, Mr. ROUNDS, and Mr. MORAN):

S. 3072. A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the approval of new abortion drugs, to prohibit investigational use exemptions for abortion drugs, and to impose additional regulatory requirements with respect to previously approved abortion drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY (for himself, Mr. TILLIS, and Mr. MENENDEZ):

S. 3073. A bill to require online marketplaces to disclose certain verified information regarding seller's of children's products to inform consumers; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH:

S. 3074. A bill to amend the Public Health Service Act to provide for and support liver illness visibility, education, and research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROMNEY:

S. 3075. A bill to designate as wilderness certain National Forest System land in the State of Illinois, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROBERTS:

S. 3076. An original bill to release a federal reversionary interest in Chester County, Tennessee, to manage certain Federal land in Bath County, Virginia; from the Committee on Agriculture, Nutrition, and Forestry; placed on the calendar.

By Ms. MCSALLY (for herself and Ms. SINEMA):

S. 3077. A bill to provide technical and financial support for the completion of the Interstate 11 environmental impact statement, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GRASSLEY (for himself and Mr. WYDEN):

S. 3078. A bill to amend title XVIII of the Social Security Act to improve the efficiency of the Medicare appeals process, and for other purposes; to the Committee on Finance.

By Mr. WICKER:

S. 3079. A bill to amend title 49, United States Code, to provide family and medical leave to employees of the Federal Aviation Administration and the Transportation Security Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SHELBY (for himself and Mr. JONES):

S. Res. 456. A resolution recognizing and celebrating the 200th anniversary of the entry of Alabama into the Union as the 22d State; considered and agreed to.

ADDITIONAL COSPONSORS

S. 117

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 117, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 120

At the request of Ms. DUCKWORTH, her name was added as a cosponsor of S. 120, a bill to protect victims of stalking from gun violence.

S. 133

At the request of Ms. MURKOWSKI, the names of the Senator from Arizona (Ms. MCSALLY) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 153

At the request of Mr. RUBIO, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 153, a bill to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.

S. 178

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

S. 182

At the request of Mr. KENNEDY, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 182, a bill to prohibit discrimination against the unborn on the basis of sex, and for other purposes.

S. 191

At the request of Mr. BENNET, his name was added as a cosponsor of S. 191, a bill to direct the Secretary of Defense to include in periodic health assessments, separation history and physical examinations, and other assessments an evaluation of whether a member of the Armed Forces has been exposed to open burn pits or toxic airborne chemicals, and for other purposes.

S. 430

At the request of Mr. CRAPO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 430, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 460

At the request of Mr. WARNER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 460, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 479

At the request of Mr. TOOMEY, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 641

At the request of Mr. GARDNER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 641, a bill to update the map of, and modify the maximum acreage available for inclusion in, the Yucca House National Monument.

S. 692

At the request of Mr. TOOMEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 692, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 803

At the request of Mr. TOOMEY, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 803, a bill to amend the Internal Revenue Code of 1986 to restore incentives for investments in qualified improvement property.

S. 877

At the request of Mr. SCHUMER, his name was added as a cosponsor of S. 877, a bill to prohibit the sale of shark fins, and for other purposes.

S. 1007

At the request of Mr. WARNER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1007, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1253

At the request of Mrs. FEINSTEIN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1253, a bill to apply requirements relating to delivery sales of cigarettes to delivery sales of electronic nicotine delivery systems, and for other purposes.

S. 1301

At the request of Mr. MERKLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1301, a bill to prohibit the use of the poisons sodium fluoroacetate (known as ''Compound 1080'') and sodium cyanide for predator control.

S. 1394

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1394, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1590

At the request of Mr. MERKLEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1590, a bill to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

S. 1627

At the request of Mrs. CAPITO, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1627, a bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes.

S. 1657

At the request of Ms. COLLINS, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1657, a bill to provide assistance to combat the escalating burden of Lyme disease and other tick and vector-borne diseases and disorders.

S. 1700

At the request of Mr. KENNEDY, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 1700, a bill to provide a temporary safe harbor for publishers of online content to collectively negotiate with dominant online platforms regarding the terms on which content may be distributed.

S. 1757

At the request of Ms. ERNST, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1816

At the request of Ms. DUCKWORTH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1816, a bill to prohibit the manufacture for sale, offer for sale, distribution in commerce, or importation

into the United States of any crib bumper, and for other purposes.

S. 1989

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1989, a bill to amend title XVIII of the Social Security Act to provide for transparency of Medicare secondary payer reporting information, and for other purposes.

S. 2001

At the request of Ms. STABENOW, the names of the Senator from Nevada (Ms. ROSEN), the Senator from Maine (Mr. KING) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2001, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 2085

At the request of Ms. ROSEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2085, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes.

S. 2103

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2103, a bill to improve access to affordable insulin.

S. 2282

At the request of Ms. SMITH, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 2282, a bill to amend the McKinney-Vento Homeless Assistance Act to enable Indian Tribes and tribally designated housing entities to apply for, receive, and administer grants and subgrants under the Continuum of Care Program of the Department of Housing and Urban Development.

S. 2321

At the request of Mr. BLUNT, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Mexico (Mr. UDALL), the Senator from Connecticut (Mr. MURPHY), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of Negro Leagues baseball.

S. 2570

At the request of Ms. SINEMA, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Oregon (Mr. MERKLEY), the Senator from Oregon (Mr. WYDEN) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 2570, a bill to award a Congressional Gold Medal to Greg LeMond in recognition of his service to the United States as an athlete, activist, role model, and community leader.

S. 2627

At the request of Ms. CORTEZ MASTO, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2627, a bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with civil claim awards.

S. 2661

At the request of Mr. GARDNER, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 2661, a bill to amend the Communications Act of 1934 to designate 9–8–8 as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes.

S. 2680

At the request of Mr. RUBIO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2680, a bill to impose sanctions with respect to foreign support for Palestinian terrorism, and for other purposes.

S. 2693

At the request of Mr. SCHATZ, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2693, a bill to improve oversight by the Federal Communications Commission of the wireless and broadcast emergency alert systems.

S. 2754

At the request of Mr. KENNEDY, the names of the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2754, a bill to create jobs and drive innovation and economic growth in the United States by supporting and promoting the manufacture of next-generation technologies, including refrigerants, solvents, fire suppressants, foam blowing agents, aerosols, and propellants.

S. 2815

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2815, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Honor Mission.

S. 2821

At the request of Ms. DUCKWORTH, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2821, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to allow a veteran to receive a full year supply of contraceptive pills, transdermal patches, and vaginal rings, and for other purposes.

S. 2826

At the request of Mr. YOUNG, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2826, a bill to require a global economic security strategy, and for other purposes.

S. 2869

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2869, a bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes.

S. 2898

At the request of Mr. INHOFE, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2898, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 2920

At the request of Ms. ERNST, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2920, a bill to reauthorize the Violence Against Women Act of 1994, and for other purposes.

S. 2941

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2941, a bill to require the Administrator of the Environmental Protection Agency to establish a consumer recycling education and outreach grant program, and for other purposes.

S. 2949

At the request of Mrs. FISCHER, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2949, a bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes.

S. 2970

At the request of Ms. ERNST, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2970, a bill to improve the fielding of newest generations of personal protective equipment to the Armed Forces, and for other purposes.

S. 2998

At the request of Mr. BRAUN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2998, a bill to amend the Internal Revenue Code of 1986 to clarify that payment of taxes on deferred foreign income in installments shall not prevent credit or refund of overpayments or increase estimated taxes.

S. 3004

At the request of Mr. MARKEY, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 3004, a bill to protect human rights and enhance opportunities for LGBTI people around the world, and for other purposes.

S. 3029

At the request of Mr. MENENDEZ, the name of the Senator from New York

(Mr. SCHUMER) was added as a cosponsor of S. 3029, a bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States.

S. 3031

At the request of Mr. COTTON, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 3031, a bill to amend the Immigration and Nationality Act to add membership in a significant transnational criminal organization to the list of grounds of inadmissibility and to prohibit the provision of material support or resources to such organizations.

S. 3043

At the request of Mr. INHOFE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3043, a bill to modernize training programs at aviation maintenance technician schools, and for other purposes.

S. 3051

At the request of Mr. BARRASSO, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3051, a bill to improve protections for wildlife, and for other purposes.

S. 3056

At the request of Mr. DURBIN, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3056, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. RES. 343

At the request of Mrs. SHAHEEN, the names of the Senator from Idaho (Mr. RISCH) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. Res. 343, a resolution congratulating the people of the Czech Republic and the people of the Slovak Republic on the 30th anniversary of the Velvet Revolution, the 26th anniversary of the formation of the Czech Republic and the Slovak Republic, and the 101st anniversary of the declaration of independence of Czechoslovakia.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. DURBIN, and Mrs. CAPITO):

S. 3070. A bill to modify reporting requirements under the Controlled Substances Act; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise with my colleagues, Senators GRASSLEY, CAPITO, and DURBIN to introduce the Preventing Pill Mills Through Data Sharing Act.

Millions of pills flooded small communities throughout the Nation to fuel the opioid epidemic we are facing today.

Despite the fact that opioid manufacturers and distributors were required to keep complete and accurate records relating to the sale, delivery, or disposal of opioids through the Automated Reports and Consolidated Ordering System, often referred to as ARCOS, and to detect and disclose suspicious orders of opioids to the Drug Enforcement Administration (DEA), these substances still reached our streets.

That is why my colleagues and I previously introduced the ''Using Data to Prevent Opioid Diversion Act,'' which was enacted as part of the ''SUPPORT Act'' in 2018. As a result of that law, DEA is now required to provide to opioid manufacturers and distributors anonymized information related to the number of distributors serving a single pharmacy or practitioner, and the quantity and type of opioids being delivered to each.

This information, coupled with the internal controls that these companies already use in their efforts to determine the legitimacy of opioid orders, is assisting manufacturers and distributors in their efforts to better prevent these substances from being diverted to someone other than the intended recipient who has a lawful prescription.

That law also strengthened accountability by establishing civil and criminal fines for drug manufacturers and distributors who fail to consider ARCOS data when determining whether an order for opioids is suspicious. Additionally, it increased existing civil fines for drug manufacturers and distributors who fail to report suspicious orders and keep accurate records tenfold, and doubled existing criminal fines.

Finally, our legislation required the United States Attorney General to share standardized reports with state officials, including regulatory, licensing, attorneys general, and law enforcement agencies, related to the distribution patterns collected by the ARCOS database on a semi-annual basis.

This law has ensured that opioid manufacturers and distributors have a clear picture of how many pills are going to each pharmacy, thereby helping to eradicate pill mills.

To strengthen this law, my colleagues and I are introducing the ''Preventing Pill Mills Through Data Sharing Act.'' This new legislation is largely based on recommendations included in the October 2019 U.S. Department of Justice (DOJ) Office of the Inspector General (OIG) report related to the DEA's response to the opioid epidemic.

In that report, the DOJ OIG noted two shortcomings associated with the ARCOS system. First, not all registrants input data into the ARCOS system at the same intervals.

While both opioid manufacturers and distributors are required to input data on a quarterly basis, manufacturers often input the data monthly, while distributors do so quarterly. This means that when the DEA provides the quarterly reports that drug manufacturers and distributors must use to determine whether orders are suspicious, they don't have the most up to date information. Our legislation addresses this problem by requiring all registrants to input data on a monthly basis.

Second, the database only captures information for Schedule I and II drugs. As a result, addictive drugs in other schedules, which are also diverted, are not captured. This includes nine combination opioid products.

For this reason, our legislation expands the reporting requirements to include controlled substances in all schedules. Our legislation also closes an existing loophole.

The DEA has informed my staff that, under current law, one pharmacy is able to transfer up to five percent of its inventory of controlled substances to another pharmacy without having to immediately report to the DEA.

Because these transfers are not automatically reported to the DEA through the ARCOS system, it creates a blind spot for the DEA, as well as for drug manufacturers and distributors who are required to consider data from the anonymized reports generated from the ARCOS database when determining whether an order for controlled substances is suspicious.

Moreover, because pharmacies are not currently required to check the ARCOS reports provided by DEA before transferring a controlled substance to another pharmacy, they could be inadvertently supplying a pharmacy with excess amounts of pills that could easily end up on the black market.

That is why our legislation applies the same reporting requirements and penalties to pharmacies transferring controlled substances, except in the limited circumstance of a transfer made for a specific patient need, as those that are applied to drug manufacturers and distributors.

In 2018, we lost almost 70,000 individuals to drug overdose deaths in our country. Nearly 48,000 of these were opioid-related.

Drug manufacturers, distributors, and pharmacies all play a critical role in preventing future overdose deaths.

The ''Using Data to Prevent Opioid Diversion Act'' has been successful.

The ''Preventing Pill Mills Through Data Sharing Act'' builds on that success and will close existing loopholes in order reduce the diversion of controlled substances that are contributing to the massive number of overdose deaths in the United States.

I urge my colleagues to support this legislation and look forward to its passage.

Thank you, Mr. President. I yield the floor.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Ms. DUCKWORTH,

Mr. LEAHY, Ms. HARRIS, and Mr. BROWN):

S. 3071. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, or adult child, or another related individual, who has a serious health condition, and to allow employees to take, as additional leave, parental involvement and family wellness leave to participate in or attend their children's and grandchildren's educational and extracurricular activities or meet family care needs; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3071

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Family Medical Leave Modernization Act''.

SEC. 2. LEAVE TO CARE FOR A DOMESTIC PARTNER, SON-IN-LAW, DAUGHTER-IN-LAW, PARENT-IN-LAW, ADULT CHILD, GRANDPARENT, GRANDCHILD, OR SIBLING OF THE EMPLOYEE, OR ANOTHER RELATED INDIVIDUAL.

(a) DEFINITIONS.—

(1) INCLUSION OF RELATED INDIVIDUALS.—Section 101 of such Act is further amended by adding at the end the following:

''(20) ANY OTHER INDIVIDUAL RELATED BY BLOOD OR AFFINITY WHOSE CLOSE ASSOCIATION IS THE EQUIVALENT OF A FAMILY RELATIONSHIP.—The term 'any other individual related by blood or affinity whose close association is the equivalent of a family relationship', used with respect to an employee, means any person with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

''(21) DOMESTIC PARTNER.—The term 'domestic partner', used with respect to an employee, means—

''(A) the person recognized as the domestic partner of the employee under any domestic partnership or civil union law of a State or political subdivision of a State; or

''(B) in the case of an unmarried employee, an unmarried adult person who is in a committed, personal relationship with the employee, is not a domestic partner as described in subparagraph (A) to or in such a relationship with any other person, and who is designated to the employer by such employee as that employee's domestic partner.

''(22) GRANDCHILD.—The term 'grandchild' means the son or daughter of an employee's son or daughter.

''(23) GRANDPARENT.—The term 'grandparent' means a parent of a parent of an employee.

''(24) NEPHEW; NIECE.—The terms 'nephew' and 'niece', used with respect to an employee, mean a son or daughter of the employee's sibling.

''(25) PARENT-IN-LAW.—The term 'parent-in-law' means a parent of the spouse or domestic partner of an employee.

''(26) SIBLING.—The term 'sibling' means any person who is a son or daughter of an employee's parent (other than the employee).

''(27) SON-IN-LAW; DAUGHTER-IN-LAW.—The terms 'son-in-law' and 'daughter-in-law', used with respect to an employee, mean any person who is a spouse or domestic partner of a son or daughter, as the case may be, of the employee.

''(28) UNCLE; AUNT.—The terms 'uncle' and 'aunt', used with respect to an employee, mean the son or daughter, as the case may be, of the employee's grandparent (other than the employee's parent).''.

(2) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 101(12) of such Act (29 U.S.C. 2611(12)) is amended—

(A) by inserting ''a child of an individual's domestic partner,'' after ''a legal ward,''; and

(B) by striking ''who is—'' and all that follows and inserting ''and includes an adult child.''.

(b) LEAVE REQUIREMENT.—Section 102 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking ''spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, if such spouse, domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual''; and

(ii) in subparagraph (E), by striking ''spouse, or a son, daughter, or parent of the employee'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee''; and

(B) in paragraph (3), by striking ''spouse, son, daughter, parent, or next of kin of a covered servicemember'' and inserting ''spouse or domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, sibling, uncle or aunt, nephew or niece, or next of kin of a covered servicemember, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the covered servicemember'';

(2) in subsection (e)—

(A) in paragraph (2)(A), by striking ''son, daughter, spouse, parent, or covered servicemember of the employee, as appropriate'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, nephew or niece, or covered servicemember of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate''; and

(B) in paragraph (3), by striking ''spouse, or a son, daughter, or parent, of the employee'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate,''; and

(3) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting '', or domestic partners,'' after ''husband and wife''; and

(ii) in subparagraph (B), by inserting ''or parent-in-law'' after ''parent''; and

(B) in paragraph (2), by inserting '', or those domestic partners,'' after ''husband and wife'' each place it appears.

(c) CERTIFICATION.—Section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) is amended—

(1) in subsection (a), by striking ''son, daughter, spouse, or parent of the employee, or of the next of kin of an individual in the case of leave taken under such paragraph (3), as appropriate'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or the next of kin of an individual, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate''; and

(2) in subsection (b)—

(A) in paragraph (4)(A), by striking ''son, daughter, spouse, or parent and an estimate of the amount of time that such employee is needed to care for the son, daughter, spouse, or parent'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate, and an estimate of the amount of time that such employee is needed to care for such son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual''; and

(B) in paragraph (7), by striking ''son, daughter, parent, or spouse who has a serious health condition, or will assist in their recovery,'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, with a serious health condition, of the employee, or an individual, with a serious health condition, who is any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate, or will assist in the recovery,''.

(d) EMPLOYMENT AND BENEFITS PROTECTION.—Section 104(c)(3) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2614(c)(3)) is amended—

(1) in subparagraph (A)(i), by striking ''son, daughter, spouse, or parent of the employee, as appropriate,'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate,''; and

(2) in subparagraph (C)(ii), by striking ''son, daughter, spouse, or parent'' and inserting ''employee's son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or (with relation to the employee) any other individual related by blood or affinity whose close association is the equivalent of a family relationship, as appropriate,''.

SEC. 3. LEAVE TO CARE FOR A DOMESTIC PARTNER, SON-IN-LAW, DAUGHTER-IN-LAW, PARENT-IN-LAW, ADULT CHILD, GRANDPARENT, GRANDCHILD, OR SIBLING OF THE EMPLOYEE, OR ANOTHER RELATED INDIVIDUAL FOR FEDERAL EMPLOYEES.

(a) DEFINITIONS.—

(1) INCLUSION OF A DOMESTIC PARTNER, SON-IN-LAW, DAUGHTER-IN-LAW, PARENT-IN-LAW, ADULT CHILD, GRANDPARENT, GRANDCHILD, OR SIBLING OF THE EMPLOYEE, OR ANOTHER INDIVIDUAL RELATED BY BLOOD OR AFFINITY.—Section 6381 of title 5, United States Code, is amended—

(A) in paragraph (11) by striking ''; and'' and inserting a semicolon;

(B) in paragraph (12), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(13) the term 'any other individual related by blood or affinity whose close association is the equivalent of a family relationship', used with respect to an employee, means any person with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship;

''(14) the term 'domestic partner', used with respect to an employee, means—

''(A) the person recognized as the domestic partner of the employee under any domestic partnership or civil union law of a State or political subdivision of a State; or

''(B) in the case of an unmarried employee, an unmarried adult person who is in a committed, personal relationship with the employee, is not a domestic partner as described in subparagraph (A) or in such a relationship with any other person, and who is designated to the employing agency by such employee as that employee's domestic partner;

''(15) the term 'grandchild' means the son or daughter of an employee's son or daughter;

''(16) the term 'grandparent' means a parent of a parent of an employee;

''(17) the terms 'nephew' and 'niece', used with respect to an employee, mean a son or daughter of the employee's sibling;

''(18) the term 'parent-in-law' means a parent of the spouse or domestic partner of an employee;

''(19) the term 'sibling' means any person who is a son or daughter of an employee's parent (other than the employee);

''(20) the terms 'son-in-law' and 'daughter-in-law', used with respect to an employee, mean any person who is a spouse or domestic partner of a son or daughter, as the case may be, of the employee;

''(21) the term 'State' has the same meaning given the term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203); and

''(22) the terms 'uncle' and 'aunt', used with respect to an employee, mean the son or daughter, as the case may be, of the employee's grandparent (other than the employee's parent).''.

(2) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 6381(6) of such title is amended—

(A) by inserting ''a child of an individual's domestic partner,'' after ''a legal ward,''; and

(B) by striking ''who is—'' and all that follows and inserting ''and includes an adult child''.

(b) LEAVE REQUIREMENT.—Section 6382 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking ''spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, if such spouse, domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual''; and

(ii) in subparagraph (E), by striking ''spouse, or a son, daughter, or parent of the employee'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee''; and

(B) in paragraph (3), by striking ''spouse, son, daughter, parent, or next of kin of a covered servicemember'' and inserting ''spouse or domestic partner, son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandparent, sibling, uncle or aunt, nephew or niece, or next of kin of a covered servicemember, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the covered servicemember''; and

(2) in subsection (e)—

(A) in paragraph (2)(A), by striking ''son, daughter, spouse, parent, or covered servicemember of the employee, as appropriate'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, nephew or niece, or covered servicemember of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate''; and

(B) in paragraph (3), by striking ''spouse, or a son, daughter, or parent, of the employee'' and inserting ''spouse or domestic partner, or a son or daughter, son-in-law, daughter-in-law, parent, parent-in-law, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate,''.

(c) CERTIFICATION.—Section 6383 of title 5, United States Code, is amended—

(1) in subsection (a), by striking ''son, daughter, spouse, or parent of the employee, as appropriate'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate''; and

(2) in subsection (b)(4)(A), by striking ''son, daughter, spouse, or parent, and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, or parent'' and inserting ''son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece of the employee, or any other individual related by blood or affinity whose close association is the equivalent of a family relationship with the employee, as appropriate, and an estimate of the amount of time that such employee is needed to care for such son or daughter, son-in-law, daughter-in-law, spouse or domestic partner, parent, parent-in-law, grandparent, grandchild, sibling, uncle or aunt, or nephew or niece, or such other individual''.

SEC. 4. ENTITLEMENT TO ADDITIONAL LEAVE UNDER THE FMLA FOR PARENTAL INVOLVEMENT AND FAMILY WELLNESS.

(a) LEAVE REQUIREMENT.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)), as amended by section 2(b), is further amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) ENTITLEMENT TO ADDITIONAL LEAVE FOR PARENTAL INVOLVEMENT AND FAMILY WELLNESS.—

''(A) IN GENERAL.—Subject to subparagraph (B) and section 103(g), an eligible employee shall be entitled to leave under this paragraph to—

''(i) participate in or attend an activity that is sponsored by a school or community organization and relates to a program of the school or organization that is attended by a son or daughter or a grandchild of the employee; or

''(ii) meet routine family medical care needs (including by attending medical and dental appointments of the employee or a son or daughter, spouse, or grandchild of the employee) or attend to the care needs of an elderly individual who is related to the employee through a relationship described in section 102(a) (including by making visits to nursing homes or group homes).

''(B) LIMITATIONS.—

''(i) IN GENERAL.—An eligible employee shall be entitled to—

''(I) not to exceed 4 hours of leave under this paragraph during any 30-day period; and

''(II) not to exceed 24 hours of leave under this paragraph during any 12-month period described in paragraph (4).

''(ii) COORDINATION RULE.—Leave under this paragraph shall be in addition to any leave provided under any other paragraph of this subsection.

''(C) DEFINITIONS.—As used in this paragraph:

''(i) COMMUNITY ORGANIZATION.—The term 'community organization' means a private nonprofit organization that is representative of a community or a significant segment of a community and provides activities for individuals described in section 101(12), such as a scouting or sports organization.

''(ii) SCHOOL.—The term 'school' means an elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility licensed under State law.''.

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the third sentence the following new sentence: ''Subject to subsection (e)(4) and section 103(g), leave under subsection (a)(5) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2) of such Act (29 U.S.C. 2612(d)(2)) is amended by adding at the end the following new subparagraph:

''(C) PARENTAL INVOLVEMENT LEAVE AND FAMILY WELLNESS LEAVE.—

''(i) VACATION LEAVE; PERSONAL LEAVE; FAMILY LEAVE.—An eligible employee may elect, or an employer may require the employee, to substitute any of the accrued paid vacation leave, personal leave, or family leave of the employee for any part of the period of leave under subsection (a)(5).

''(ii) MEDICAL OR SICK LEAVE.—An eligible employee may elect, or an employer may require the employee, to substitute any of the

accrued paid medical or sick leave of the employee for any part of the period of leave provided under clause (ii) of subsection (a)(5)(A), except that nothing in this title shall require an employer to provide paid sick leave or paid medical leave in any situation in which such employer would not normally provide any such paid leave.

''(iii) PROHIBITION ON RESTRICTIONS AND LIMITATIONS.—If the employee elects or the employer requires the substitution of accrued paid leave for leave under subsection (a)(5), the employer shall not restrict or limit the leave that may be substituted or impose any additional terms and conditions on the substitution of such leave that are more stringent for the employee than the terms and conditions set forth in this Act.''.

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)), as amended by section 2(b), is further amended by adding at the end the following new paragraph:

''(4) NOTICE RELATING TO PARENTAL INVOLVEMENT AND FAMILY WELLNESS LEAVE.—In any case in which an employee requests leave under paragraph (5) of subsection (a), the employee shall—

''(A) provide the employer with not less than 7 days' notice, or (if such notice is impracticable) such notice as is practicable, before the date the leave is to begin, of the employee's intention to take leave under such paragraph; and

''(B) in the case of leave to be taken under subsection (a)(5)(A)(ii), make a reasonable effort to schedule the activity or care involved so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider involved (if any).''.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following new subsection:

''(g) CERTIFICATION RELATED TO PARENTAL INVOLVEMENT AND FAMILY WELLNESS LEAVE.—An employer may require that a request for leave under section 102(a)(5) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.''.

SEC. 5. ENTITLEMENT OF FEDERAL EMPLOYEES TO LEAVE FOR PARENTAL INVOLVEMENT AND FAMILY WELLNESS.

(a) LEAVE REQUIREMENT.—Section 6382(a) of title 5, United States Code, as amended by section 3(b), is further amended by adding at the end the following new paragraph:

''(5)(A) Subject to subparagraph (B) and section 6383(f), an employee shall be entitled to leave under this paragraph to—

''(i) participate in or attend an activity that is sponsored by a school or community organization and relates to a program of the school or organization that is attended by a son or daughter or a grandchild of the employee; or

''(ii) meet routine family medical care needs (including by attending medical and dental appointments of the employee or a son or daughter, spouse, or grandchild of the employee) or to attend to the care needs of an elderly individual who is related to the employee through a relationship described in section 6382(a) (including by making visits to nursing homes and group homes).

''(B)(i) An employee is entitled to—

''(I) not to exceed 4 hours of leave under this paragraph during any 30-day period; and

''(II) not to exceed 24 hours of leave under this paragraph during any 12-month period described in paragraph (4).

''(ii) Leave under this paragraph shall be in addition to any leave provided under any other paragraph of this subsection.

''(C) For the purpose of this paragraph—

''(i) the term 'community organization' means a private nonprofit organization that is representative of a community or a significant segment of a community and provides activities for individuals described in section 6381(6), such as a scouting or sports organization; and

''(ii) the term 'school' means an elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility licensed under State law.''.

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended—

(1) by inserting after the third sentence the following new sentence: ''Subject to subsection (e)(4) and section 6383(f), leave under subsection (a)(5) may be taken intermittently or on a reduced leave schedule.''; and

(2) in the last sentence, by striking ''involved,'' and inserting ''involved (or, in the case of leave under subsection (a)(5), for purposes of the 30-day or 12-month period involved),''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended—

(1) by inserting ''(1)'' after the subsection designation; and

(2) by adding at the end the following:

''(2) An employee may elect, or an employer may require the employee, to substitute for any part of the period of leave under subsection (a)(5), any of the employee's accrued or accumulated annual or sick leave under subchapter I. If the employee elects or the employer requires the substitution of that accrued or accumulated annual or sick leave for leave under subsection (a)(5), the employing agency shall not restrict or limit the leave that may be substituted or impose any additional terms and conditions on the substitution of such leave that are more stringent for the employee than the terms and conditions set forth in this subchapter.''.

(d) NOTICE.—Section 6382(e) of such title, as amended by section 3(b)(2), is further amended by adding at the end the following new paragraph:

''(4) In any case in which an employee requests leave under paragraph (5) of subsection (a), the employee shall—

''(A) provide the employing agency with not less than 7 days' notice, or (if such notice is impracticable) such notice as is practicable, before the date the leave is to begin, of the employee's intention to take leave under such paragraph; and

''(B) in the case of leave to be taken under subsection (a)(5)(A)(ii), make a reasonable effort to schedule the activity or care involved so as not to disrupt unduly the operations of the employing agency, subject to the approval of the health care provider involved (if any).''.

(e) CERTIFICATION.—Section 6383(f) of such title is amended by striking ''paragraph (1)(E) or (3) of'' and inserting ''paragraph (1)(E), (3) or (5) of''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 456—RECOGNIZING AND CELEBRATING THE 200TH ANNIVERSARY OF THE ENTRY OF ALABAMA INTO THE UNION AS THE 22D STATE

Mr. SHELBY (for himself and Mr. JONES) submitted the following resolution; which was considered and agreed to:

S. RES. 456

Whereas Congress created the Alabama Territory from the eastern half of the Mississippi Territory on March 3, 1817;

Whereas by 1819, the birth and growth of cities, towns, and communities in the Alabama Territory ensured that the population of the Alabama Territory had developed sufficiently to achieve the minimum number of inhabitants required by Congress to qualify for statehood;

Whereas Congress and President James Monroe approved statehood for the Alabama Territory on December 14, 1819, making Alabama the 22d State of the United States;

Whereas December 14, 2019, marks the 200th anniversary of the attainment of statehood by Alabama; and

Whereas that bicentennial is a monumental occasion to celebrate and commemorate the achievements of the great State of Alabama: Now, therefore, be it

Resolved, That the Senate recognizes and celebrates the 200th anniversary of the entry of Alabama into the Union as the 22d State.

-SUBFORMAT:

AMENDMENTS SUBMITTED AND PROPOSED

SA 1258. Mr. MCCONNELL proposed an amendment to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

SA 1259. Mr. MCCONNELL proposed an amendment to amendment SA 1258 proposed by Mr. MCCONNELL to the bill H.R. 1865, supra.

SA 1260. Mr. MCCONNELL proposed an amendment to the bill H.R. 1865, supra.

SA 1261. Mr. MCCONNELL proposed an amendment to amendment SA 1260 proposed by Mr. MCCONNELL to the bill H.R. 1865, supra.

SA 1262. Mr. MCCONNELL proposed an amendment to amendment SA 1261 proposed by Mr. MCCONNELL to the amendment SA 1260 proposed by Mr. MCCONNELL to the bill H.R. 1865, supra.

SA 1263. Mr. MCCONNELL proposed an amendment to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes.

SA 1264. Mr. MCCONNELL proposed an amendment to amendment SA 1263 proposed by Mr. MCCONNELL to the bill H.R. 1158, supra.

SA 1265. Mr. MCCONNELL proposed an amendment to the bill H.R. 1158, supra.

SA 1266. Mr. MCCONNELL proposed an amendment to amendment SA 1265 proposed by Mr. MCCONNELL to the bill H.R. 1158, supra.

SA 1267. Mr. MCCONNELL proposed an amendment to amendment SA 1266 proposed by Mr. MCCONNELL to the amendment SA 1265 proposed by Mr. MCCONNELL to the bill H.R. 1158, supra.

TEXT OF AMENDMENTS

SA 1258. Mr. MCCONNELL proposed an amendment to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

At the end add the following.

This act shall be effective 1 day after the enactment.''

SA 1259. Mr. MCCONNELL proposed an amendment to amendment SA 1258 proposed by Mr. MCCONNELL to the bill H.R. 1865, to require the Secretary

of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

Strike ''1 day'' and insert ''2 days''

SA 1260. Mr. MCCONNELL proposed an amendment to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

At the end add the following.

''This Act shall take effect 3 days after the date of enactment.''

SA 1261. Mr. MCCONNELL proposed an amendment to amendment SA 1260 proposed by Mr. MCCONNELL to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

Strike ''3 days'' and insert ''4 days''

SA 1262. Mr. MCCONNELL proposed an amendment to amendment SA 1261 proposed by Mr. MCCONNELL to the amendment SA 1260 proposed by Mr. MCCONNELL to the bill H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; as follows:

Strike ''4'' and insert ''5''

SA 1263. Mr. MCCONNELL proposed an amendment to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

At the end add the following.

''This act shall be effective 1 day after enactment.''

SA 1264. Mr. MCCONNELL proposed an amendment to amendment SA 1263 proposed by Mr. MCCONNELL to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

Strike ''1 day'' and insert ''2 days''

SA 1265. Mr. MCCONNELL proposed an amendment to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

At the end add the following.

''This Act shall take effect 3 days after the date of enactment.''

SA 1266. Mr. MCCONNELL proposed an amendment to amendment SA 1265 proposed by Mr. MCCONNELL to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

Strike ''3 days'' and insert ''4 days''

SA 1267. Mr. MCCONNELL proposed an amendment to amendment SA 1266 proposed by Mr. MCCONNELL to the amendment SA 1265 proposed by Mr. MCCONNELL to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

Strike ''4'' and insert ''5''

AUTHORITY FOR COMMITTEES TO MEET

Mr. INHOFE. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 10:30 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 10 a.m., to conduct a hearing on the nomination of Lanny Erdos, of Ohio, to be Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 10 a.m., to conduct a hearing on the following nominations: John Hennessey-Niland, of Illinois, to be Ambassador to the Republic of Palau, Dorothy Shea, of North Carolina, to be Ambassador to the Lebanese Republic, Todd C. Chapman, of Texas, to be Ambassador to the Federative Republic of Brazil, and Donald Wright, of Virginia, to be Ambassador to the United Republic of Tanzania, all of the Department of State.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, December 17, 2019, at 9:30 a.m., to conduct a hearing on the nomination of Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, December 10, 2019, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. BARRASSO. Mr. President, I ask unanimous consent that Mary Eileen Manning, a State Department fellow in Senator SULLIVAN's office, be granted floor privileges for the remainder of the Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERAN TREATMENT COURT COORDINATION ACT OF 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 2774 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2774) to direct the Attorney General to establish and carry out a Veteran Treatment Court Program.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2774) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2774

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veteran Treatment Court Coordination Act of 2019''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that veterans treatment courts are a successful program aimed at helping veterans charged with nonviolent crimes receive the help and the benefits for which the veterans are entitled.

SEC. 3. VETERAN TREATMENT COURT PROGRAM.

(a) ESTABLISHMENT.—Subject to the availability of appropriations, in coordination with the Secretary of Veterans Affairs, the Attorney General shall establish and carry out a Veteran Treatment Court Program to provide grants and technical assistance to court systems that—

(1) have adopted a Veterans Treatment Court Program; or

(2) have filed a notice of intent to establish a Veterans Treatment Court Program with the Secretary.

(b) PURPOSE.—The purpose of the Veterans Treatment Court Program established under subsection (a) is to ensure the Department of Justice has a single office to coordinate the provision of grants, training, and technical assistance to help State, local, and Tribal governments to develop and maintain veteran treatment courts.

(c) PROGRAMS INCLUDED.—The Veterans Treatment Court Program established under

subsection (a) shall include the grant programs relating to veterans treatment courts carried out by the Attorney General pursuant to sections 2991 and 3021 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10651, 10701) or any other provision of law.

(d) REGULATIONS.—The Attorney General shall promulgate regulations to carry out this section.

RECOGNIZING AND CELEBRATING THE 200TH ANNIVERSARY OF THE ENTRY OF ALABAMA INTO THE UNION AS THE 22ND STATE

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 456, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 456) recognizing and celebrating the 200th anniversary of the entry of Alabama into the Union as the 22nd State.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 456) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, DECEMBER 18, 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, December 18; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the McFarland nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, we are rapidly running out of time to protect our future and that of our children and grandchildren from worsening climate upheaval. America ought to be taking every measure available to rein in greenhouse gas emissions from legislative action to legal action, to diplomatic action, to regulatory action, which is going to be a theme of this talk tonight. We are not doing those things, and, frankly, it is because of corruption, plain and simple.

Regulatory action, that means enforcing the laws on the books. We have a Clean Air Act that requires the Environmental Protection Agency to stop dangerous pollutants from fouling our air. The EPA has found that greenhouse gases are pollutants under the Clean Air Act, and the Supreme Court has upheld that finding. That means we ought to be regulating methane. Methane is among the most potent of greenhouse gases. When released into the atmosphere, it traps about 30 times more heat than its chemical cousin, carbon dioxide. Oil and gas extraction releases massive methane pollution. In fact, a growing body of research suggests methane pollution from natural gas extraction may completely offset the climate gains of switching from coal to natural gas.

To fulfill its duties under the Clean Air Act, as a matter of law, EPA needs to prevent methane pollution. It is the law; it is not optional. But the corrupt Trump EPA won't fight methane pollution. This corrupt EPA is run by the fossil fuel industry, which could not care less about methane emissions.

Within weeks of Scott Pruitt taking control of the Agency, the corrupted EPA withdrew its request that oil and gas companies even report methane emissions. The industry knew a true report on methane leakage would damage their case for natural gas as a less dangerous air pollutant, so they went to a line of attack, taken directly from the Big Tobacco playbook: Silence the science. The fewer facts the EPA has, the less action it needs to take under law—the corrupt Trump EPA deliberately made itself ignorant and stopped the reporting so it could avoid its duty.

Step 2 came in March 2017 with the corrupt Trump effort to roll back existing greenhouse gas regulations, including methane regulations. Trump's Executive order reads like a fossil fuel lobbyist's dream, probably because fossil fuel lobbyists wrote it. He called on the EPA to ''review existing regulations that potentially burden the development or use of domestically produced energy resources and appropriately suspend, revise, or rescind those that unduly burden the development of domestic energy resources.''

Regulations to limit methane pollution were among those that Trump's Executive order singled out, saying, ''As soon as practical, suspend, revise, or rescind [them].''

Step 3 was to write a do-nothing replacement. After lots of dawdling, Trump's corrupt EPA decided to draft a fake rule, a rule they could point to if challenged in court for doing nothing, but a rule that would conveniently do nothing to limit methane emissions. The fake rule exempts a huge chunk of oil and gas production from regulation, leaving the industry with an effective blank check to pollute as much methane as it likes.

As I speak, the corrupt Trump EPA is preparing to issue its final rule, and the corrupted fossil fuel industry is poised to grab everything it wanted. The final rule is one that industry stooges could have written themselves because, well, it looks like they did write it themselves. They bought that privilege the old-fashioned way, by buying it.

Even before Trump took office, the fossil fuel industry began showering him with money. Trump raised a record amount for his inauguration—nearly doubling the previous record—and Hess, Chevron, BP, Citgo, ExxonMobil, Consol Energy, Continental Resources, Murray Energy, and Valero all made six- or seven-figure donations. The oil and gas and mining sector was the second largest source of donations, providing more than $10 million to Trump's inaugural committee. That money still flows as the 2020 election ramps up.

Fossil fuel companies are among the largest donors to the political group supporting Trump's reelection. A pipeline company is the largest single donor to the Trump victory political action committee, more than $700,000 as of this November. The oil, gas, and mining industries account for more than $5 million to the Trump Victory PAC.

Fossil fuel executives are some of the largest individual donors to the Trump Victory PAC. One executive alone gave $360,000. These known donations likely represent the tip of a big dark iceberg. Dark-money political organizations accept unlimited donations and provide no disclosure, and Super PACs accept unlimited donations with little disclosure. So the bottom line is we cannot tell exactly how much fossil fuel money is flowing to groups supporting Trump, but it is a lot. When you consider the $650 billion annual subsidiary the fossil fuel polluters enjoy, they have every reason to buy control over government from a corrupt Trump administration.

Money isn't the only way the fossil fuel industry exerts control. Oklahoma oil king and Scott Pruitt patron Harold Hamm set up a Trump leadership council to advise Trump. The fossil fuel industry was the heart of the council, with coal giants Alliance Resource Partners and Murray Energy, oil services company Baker Hughes, and natural gas company Devon Energy all active members. Of course, there was the National Association of Manufacturers, a trade association recently identified as America's worst climate obstructer.

With all these obstructers and polluters on board, the fossil fuel friendly

council fed Trump a steady diet of talking points about slashing regulations and achieving ''complete American energy independence.''

These fossil fuel industry talking points became the Executive order I mentioned earlier, an order to kill any environmental protection that ''unduly burdens the development of domestic energy resources.'' Do you want to know who the winners were from that Executive order? Check the list of attendees at the signing ceremony: fossil fuel executives and fossil fuel industry trade association executives, come to celebrate the freedom to pollute that their influence and money had bought them.

Chevron has recently been identified as one of the companies that has done the most to damage our oceans. They are one of the top ocean-wrecking companies on the planet. In February of 2017, Chevron wrote to the corrupt Pruitt with a list of deregulatory proposals the company wanted to see implemented at the EPA. Included was a request to ''refocus methane regulations, particularly those that impact existing sources, to encourage voluntary approaches.'' For sure, you can trust one of the world's worst ocean polluters with voluntary approaches.

The corrupt Trump EPA was stocked with fossil fuel industry cronies ready to implement whatever the industry wanted. Pruitt rose to political power on a wave of fossil fuel money and demonstrated a willingness to sell his office by putting fossil fuel industry asks verbatim onto his official letterhead.

Andrew Wheeler, Pruitt's successor as Administrator, had been a leading lobbyist for the coal industry. The head of the EPA Air Office, Bill Wehrum, rose to prominence by helping build and run an array of trade associations and front groups for—guess what—the fossil fuel industry.

Beyond Pruitt and Wheeler and Wehrum, the EPA's political leadership crawled with fossil fuel flunkies, like the one who left to set up the fossil-fuel dark energy group Energy 45 to help promote fossil fuel energy policies; or the lawyer-lobbyist for energy interests Dominion Energy, Koch Industries, and TransCanada overseeing Air Office compliance, of all things. It has been an infestation.

It is easy for the fossil fuel industry to spend big money to corrupt the EPA because the corruption payback is so big; the dirty methane work alone is estimated to save oil and gas companies hundreds of millions of dollars.

Meanwhile, the American Petroleum Institute, the largest trade association for the oil and gas industry, announced a new seven-figure ad campaign called ''We're on it.'' ''We're on it.'' These ads—on the Internet, TV, and billboards—they are all over the Washington, DC, airport. They are designed to fool the public and to fool policymakers that the oil industry is ''on its'' methane emissions problem. Of course, they are not. Of course, they are lying. It is what they do.

Science tells us that methane emissions are far higher than the estimates out of the corrupt Trump EPA. The investigative journalism group Unearthed found that leading oil companies are emitting unprecedented methane pollution. In just three producing basins, in just 1 year, oil companies emitted methane equivalent to the annual emissions of 10 coal-fired power plants or 8 million cars.

There is a recent New York Times article that you can link to showing infrared imagery—it is really impressive to see, actually, if you click through to it—infrared imagery of methane billowing out of what they call super-emitter fossil fuel facilities.

A recent article described one methane blowout in Ohio leaking as much ''methane than the entire oil and gas industries of many nations do in a year.''

''We are on it.'' Yeah, they are ''on it.'' What they are on is a binge of lying about emissions, corrupting our politics, and blocking climate action. These massive polluting industries have a long track record of climate denial and deceit. It is how they roll.

A top climate obstructer, the U.S. Chamber of Commerce, pays for a phony study, claiming the Paris agreement would cost jobs and economic growth, and Trump pulls out a pass. Oil companies lobby to gut auto fuel efficiency standards, and Pruitt and Wheeler gut the standards. The natural gas industry objects to rules limiting methane emission. The corrupt Trump EPA rolls them back.

Just now, on the Senate floor, we are looking at a tax extenders package that wipes out the tax extenders for solar going forward, wind going forward. They gave us 1 year looking backwards. Great, thanks a bunch. Electric vehicles, storage, and batteries, all of that had been in a tentative agreement. The fossil fuel industry and the Trump administration kiboshed all of it. ''On it,'' indeed.

Will Attorney General Barr look into any of this? Of course not. In the corrupt Trump administration, fossil fuel money and influence puts that industry above the law. They can pollute and corrupt more or less at will. We cannot afford this self-dealing from polluters any longer. This is flat-out wrong. Indeed, it is flat-out crooked. It is not only time to wake up, Madam President, it is time to clean up. This behavior is a disgrace.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 5:59 p.m., adjourned until Wednesday, December 18, 2019, at 9:30 a.m.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I was unable to cast votes on the following legislative measures due to flight delays. If I were present for roll call votes, I would have voted ''Aye'' for the following votes: Roll Call 656, December 9, 2019: On Motion to Suspend the Rules and Pass, H.R. 4739, Synthetic Opioid Exposure Prevention and Training Act, and Roll Call 655, December 9, 2019: On Motion to Suspend the Rules and Pass, H.R. 4761, DHS Opioid Detection Resilience Act.

CONGRATULATING CHAD BLACK ON RECEIVING THE NATHAN DEAL GOVERNOR'S AWARD FOR TRAUMA EXCELLENCE

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. COLLINS of Georgia. Madam Speaker, I rise today to recognize a fellow Northeast Georgian and my dear friend, Mr. Chad Black, for his incredible work in revolutionizing trauma care services in Northeast Georgia.

Chad Black spent over three decades working with the Hall County Fire Services, including 17 years in Air Medical Transport Services. After retiring from the Hall County Fire Services as Deputy Fire Chief in June 2016, Mr. Black was named Director of the Habersham County Emergency Services, where he oversees all fire, emergency medical services, and rescue for Habersham County. He also currently serves as Chairman of the Georgia Emergency Medical Services Association. Earlier this month, Mr. Black was appointed to the Georgia Firefighter Standards and Training Council. These honorable titles are the culmination of his 36 years of dedication to the fire and emergency services.

When Georgia Senate Bill 60 passed, it recognized the need for trauma centers in every community. Upon passage, Mr. Black began serving as Chair of the EMS Region II Regional Trauma Advisory Committee where he worked with the Northeast Georgia Medical Center to help them become a Level II trauma center. Today, the center remains the only trauma center in Region II, serving more than 2,000 patients each year.

To Mr. Black, trauma centers are a vital part of our community. Before these medical capabilities were established in Northeast Georgia, patients had to be airlifted to Atlanta to receive treatment. Thanks to Mr. Black's work, help is now closer than ever for the residents of Northeast Georgia.

Last month, the Regional Trauma Advisory Committee recognized Chad for his tireless work on developing the trauma center—and for his 36 years of service—by presenting him with the Nathan Deal Governor's Award for Trauma Excellence.

On behalf of the people of Northeast Georgia, I join Chad's colleagues in congratulating him on this award. I truly cannot think of anyone more deserving. I want to thank my dear friend for his commitment to improving trauma services across the state of Georgia, and most importantly, for devoting nearly four decades to saving lives in our communities.

DEPARTMENT OF VETERANS AFFAIRS CONTRACTING PREFERENCE, CONSISTENCY ACT

SPEECH OF

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2019

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I have determined it necessary to include in the RECORD the following views on H.R. 4920, the Department of Veterans Affairs Contracting Preference Consistency Act in the absence of a committee report.

VIEWS ON H.R. 4920, DEPARTMENT OF VETERANS AFFAIRS CONTRACTING PREFERENCE CONSISTENCY ACT

HON. DAVID P. ROE, RANKING MEMBER, COMMITTEE ON VETERANS' AFFAIRS

I.—PURPOSE AND SUMMARY: H.R. 4920, the Department of Veterans Affairs Contracting Preference Consistency Act, was introduced by Representative MARK TAKANO on October 30, 2019. H.R. 4920 is the ultimate result of a discussion draft that members of the Committee on Veterans' Affairs began circulating in October 2017. H.R. 4920 clarifies the relationship between the AbilityOne Program and the Department of Veterans Affairs' (VA) Veterans First Program.

Congress established the AbilityOne Program through the passage of the Javits-Wagner-O'Day Act, P.L. 92–98, codified at 41 U.S.C. §§8501–8506 (JWOD Act). The AbilityOne Program is designed to provide employment opportunities to individuals who are blind or who are severely disabled. Pursuant to the JWOD Act, the U.S. AbilityOne Commission (formerly known as the Committee for Purchase from People Who Are Blind or Severely Disabled) maintains the Procurement List, which lists the products and services made by qualified Non-Profit Agencies (NPAs) for the blind or severely disabled that the U.S. AbilityOne Commission deems suitable for the federal government to procure. If the federal government intends to purchase products or services on the Procurement List, it must purchase them from the qualified NPAs designated by the U.S. AbilityOne Commission. Therefore, the AbilityOne Program is often referred to as a ''mandatory source'' in federal contracting.

Congress created the Veterans First Contracting Program (Vets First Program) through the passage of the Veterans Benefits, Health Care, and Information Technology Act of 2006, P.L. 109–461, codified at 38 U.S.C. §§8127–8128 (VBA of 2006). The Vets First Program encourages increased levels of contracting by VA with Service Disabled Veteran Owned Small Businesses (SDVOSBs) and Veteran Owned Small Businesses (VOSBs), in descending order of priority, through a combination of noncompetitive, sole-source, and restricted competition authorities. The restricted competition authority, reflected in U.S.C. §8127(d) is known as the ''Rule of Two.'' The Rule of Two states that, ''a contracting officer ofthe Department shall award contracts on the basis of competition restricted to [SDVOSBs or VOSBs] if the contracting officer has a reasonable expectation that two or more [such SDVOSBs or VOSBs] will submit offers and that the award can be made at a fair and reasonable price that offers best value to the United States.''

Whereas the VBA of 2006 is silent as to the relationship between the AbilityOne Program as a mandatory source and the Rule of Two, H.R. 4920 states that, notwithstanding the Rule of Two, VA contracting officers shall continue procuring from qualified NPAs those products or services that were included on the Procurement List on or before December 22, 2006, the date of enactment of the VBA of 2006.

II.—BACKGROUND AND NEED FOR LEGISLATION: VA, like other federal agencies establishes contracts with private businesses for needed products and services. Federal contracting has the additional objective of promoting small business, including socioeconomic subcategories, principally through a system of government-wide participation goals administrated by the Small Business Administration. Congress established such a goal for SDVOSBs in the Veterans Entrepreneurship and Small Business Development Act of 1999, P.L. 106–50, codified at 15 U.S.C. §644(g)(l)(A)(ii). The government-wide SDVOSB goal remains three percent, representing a minimum, though individual agencies have opted for higher goals. Due to agencies', including VA's, inability to achieve the three percent SDVOSB goal, Congress enacted the Veterans Benefits Act of 2003, P.L. 108–183, codified at 15 U.S. Code §657f, which among other purposes, granted agencies the authority to restrict competition to SDVOSBs and to award sole-source contracts to SDVOSBs under certain circumstances. The Veterans Benefits Act of 2003 (in section 308 of P.L. 108–183) was specific as to the relationship between the AbilityOne Program as a mandatory source and the newly created SDVOSB sole-source authority, ''Relationship To Other Contracting Preferences.—A procurement may not be made from a source on the basis of a preference provided under subsection (a) or (b) if the procurement would otherwise be made from a different source under section 4124 or 4125 of title 18, United States Code, or the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.).'' However, due to VA's specific inability to achieve its SDVOSB goal, Congress enacted the VBA of 2006. In contrast to the Veterans Benefits Act of 2003, the VBA of 2006 contained no language clarifying the intended treatment of the AbilityOne Program or other contracting preference programs.

VA initially implemented the VBA of 2006 on June 20, 2007, and issued a final rule implementing the Act through changes to the

Veterans Affairs Acquisition Regulation on January 7, 2010. On April 28, 2010, VA issued a policy referred to as an ''information letter'' to address the relationship between the Vets First Program and the AbilityOne Program. This policy stated the following:

''The Veterans First Contracting Program final rule does not affect AbilityOne's order of priority in relation to the Veterans First Contracting Program. Therefore, all items currently on the AbilityOne Procurement List as of January 7, 2010, will continue to take priority over the contracting preferences mandated by P.L. 109–461. However, all new requirements will be subject to the contracting preferences mandated by P.L. 109–461 prior to being considered for placement with the AbilityOne Program. This policy provides an equitable solution by ensuring VA's continued commitment to AbilityOne, while also recognizing the changes to VA's small business hierarchy.''

The meaning and impact of the VBA of 2006 were challenged in a series of bid protests. In one key protest to the Government Accountability Office (GAO), In re Kingdomware Techs., No. B–406507 (May 30, 2012), GAO determined that VA, ''improperly used nonmandatory Federal Supply Schedule procedures to procure services, rather than using a set-aside for [SDVOSB] concerns, and improperly awarding a contract to a non-SDVOSB concern.'' After VA declined to implement GAO's decision, the protestor Kingdomware Technologies, Inc. proceeded to file a similar protest at the Court of Federal Claims, which granted summary judgment to VA upholding its interpretation on November 27, 2012. Kingdomware Technologies then appealed the Court of Federal Claims' ruling to the Court of Appeals for the Federal Circuit, which affirmed the earlier ruling in a split decision on June 3, 2014. The Supreme Court agreed to hear the case on June 22, 2015. There were two matters of controversy, which periodically rose and fell in prominence, throughout these protests and appeals: whether the Rule of Two should be in force at all times, or only up to the point in time in each fiscal year when VA has awarded sufficient contracts to SDVOSBs to satisfy its SDVOSB goal, and whether the Rule of Two applies to orders placed against Federal Supply Schedules. In the government's brief, the solicitor general framed the question presented as, ''whether the Department of Veterans Affairs permissibly concluded that 38 U.S.C. 8127 did not require it to utilize a small-business contracting preference before placing an order under a pre-existing Federal Supply Schedule contract.'' On August 25, 2015, forty-one members of Congress, including Rep. David P. Roe and three other current members of the House Committee on Veterans' Affairs, submitted an amici curiae brief, reiterating congressional intent that the Rule of Two shall apply continuously, not switch on and off throughout each fiscal year depending on when the SDVOSB participation goal is met. The Supreme Court, in a unanimous opinion, Kingdomware Techs. v. United States, No. 14–916, 136 S. Ct. 1969 (June 16, 2016) held the following:

''Alternative readings of §8127(d) are unpersuasive. First, §8127(d)'s prefatory clause, which declares that the Rule of Two is designed ''for the purposes of' meeting §8127(a)'s annual contracting goals, has no bearing on whether §8127(d)'s requirement is mandatory or discretionary. The prefatory clause's announcement of an objective does not change the operative clause's plain meaning. See Yazoo & Mississippi Valley R. Co. v. Thomas, 132 U.S. 174, 188. Second, an FSS order is a ''contract'' within the ordinary meaning of that term; thus, FSS orders do not fall outside §8127(d), which applies when the Department ''award[s] contracts.'' Third, to say that the Rule of Two will hamper mundane Government purchases misapprehends current FSS practices, which have expanded well beyond simple procurement to, as in this case, contracts concerning complex information technology services over a multiyear period. Finally, because the mandate §8127(d) imposes is unambiguous, this Court declines the invitation to defer to the Department's declaration that §8127 procedures are inapplicable to FSS orders.''

The construction of and relationship between the VBA of 2006 and the JWOD Act were also challenged in a series of bid protests. One key protest to the Court of Federal Claims, Angelica Textile Servs., Inc. v. United States, 95 Fed. Cl. 208 (Oct. 26, 2010), concerned the necessity of VA performing a Rule of Two analysis before adding a new product or service to the Procurement List, in addition to other alleged procedural irregularities. Angelica Textile Services, Inc. was an SDVOSB and an incumbent VA contractor performing a service which VA attempted to add to the Procurement List. The Court of Federal Claims noted in its opinion that, ''Were there a conflict between the two statutes, the more specific Veterans Benefits Act would control. See NISH v. Rumsfeld, 348 F.3d at 1272; NISH v. Cohen, 247 F.3d at 205. Where, as here, the statutes exist in tension, albeit not in direct conflict, the Department was entirely reasonable in concluding in its New Guidelines that the Veterans Benefits Act should have priority.'' Angelica Textile Servs., Inc. v. United States, 95 Fed. Cl. 208, 222 (Oct. 26, 2010). The Court ordered that VA be enjoined from adding the services to the Procurement List and proceeding to contract with an AbilityOne NPA, and that VA must comply with its April 28, 2010 policy and apply the Rule of Two before making any such decisions in the future.

In another important protest, PDS Consultants, Inc. v. United States, 132 Fed. Cl. 117 (May 30, 2017), the Court of Federal Claims considered the question of ''which procurement priority must the VA first employ: the requirement that the VA conduct a Rule of Two analysis to determine whether it must restrict the procurement to veteran-owned small businesses under the VBA [of 2006] or the requirement that the VA use the AbilityOne List under the JWOD, regardless of whether the VA has conducted a VBA Rule of Two analysis.'' The protestor was PDS Consultants, Inc., a SDVOSB. The holder of the protested contracts was Winston-Salem Industries for the Blind (now known as IFB Solutions) an NPA. This question arose in the context of products and services which had been included for many years on the Procurement List for two of VA's regions, called Veterans Integrated Service Networks, as well as products and services for two other regions which were being performed within the Vets First Program but which the AbilityOne Commission had recently added to the Procurement List without VA conducting Rule of Two analysis. Therefore, this protest concerned SDVOSB contracts which were subject to move into the AbilityOne Program and NPA contracts which were subject to move into the Vets First Program. The Court of Federal Claims noted in its opinion that:

''The VA, faced with these potentially contradictory contracting preferences, originally took the position in this litigation that if a product or service appears on the AbilityOne List for a particular region of the country the JWOD requires the VA to purchase that product off of the List without first performing a Rule of Two analysis. However, during the pendency of the litigation, the VA changed its position through regulation. The VA now agrees that if a product or service was added to the AbilityOne List after 2010, the VA will perform the Rule of Two analysis before purchasing off of the List. The new regulation provides, however, that the VA will continue to purchase items off of the AbilityOne List without first performing a Rule of Two analysis for items added to the List before 2010.''

The Court of Federal Claims held that, ''VA is required to perform a Rule of Two analysis for all procurements after the VBA was passed. Accordingly, the VA may not enter into future contracts with IFB until it performs a Rule of Two analysis and determines whether two or more veteran-owned small-businesses can perform the subject work.'' Winston-Salem Industries for the Blind appealed this decision to the Court of Appeals for the Federal Circuit. In PDS Consultants Inc. v. United States, 907 F.3d 1345 (Oct. 17, 2018), the appeals court upheld the lower court ruling and ''conclude[d] that the requirements of the more specific, later-enacted VBA take precedence over those of the JWOD when the two statutes are in apparent conflict.'' The appeals court observed in its opinion that, ''While the precise question we consider today was not presented in Kingdomware, we may not ignore the Court's finding that the VBA 'is mandatory, not discretionary,''' and, ''We assume that Congress was aware that it wrote an exception into the agency-wide Veterans Benefits Act in 2003 when it left that very same exception out of the VBA only three years later.'' Since the appeals court ruling, Winston-Salem Industries for the Blind filed a petition for a writ of certiorari on September 9, 2019. Recently, on December 9, 2019, the solicitor general filed a brief in response in opposition, reasoning that although the Supreme Court's decision in Kingdomware ''did not address the question presented here,'' and ''although the government agrees with petitioner that the relevant statutes taken together are better read to give priority to JWOD's specified-source requirements where those requirements apply, the court of appeals' contrary holding also represents a reasonable reconciliation of the competing interests that are implicated here. And Congress of course remains free to mandate a different approach in response to the court's decision.''

On May 20, 2019, in response to the Court of Appeals for the Federal Circuit issuing a mandate effectuating its decision in PDS Consultants Inc. v. United States, VA issued a new policy in the form of a Veterans Affairs Acquisition Regulation deviation replacing its April 28, 2010 policy. The deviation's purpose was to ''require contracting officers to apply the VA Rule of Two to determine whether a requirement should be awarded to [SDVOSBs] and VOSBs under the authority of 38 U.S.C. 8127–28, by using preferences and priorities in subpart 819.70 prior to considering an award to an AbilityOne non-profit organization or the Federal Prison Industry, Inc.'' Impacts ensued from this policy.

The AbilityOne Commission states on its website that, ''providing employment opportunities to more than 45,000 people who are blind or have significant disabilities, including approximately 3,000 veterans, the AbilityOne Program is among the nation's largest providers of jobs for people who are blind or have significant disabilities.'' The AbilityOne Commission also cites on its website a 70 percent unemployment rate among these populations and characterizes this as ''unacceptably high.'' According to the AbilityOne central nonprofit agencies

SourceAmerica (formerly National Industries for the Severely Handicapped) and National Industries for the Blind, approximately 2,000 jobs of individuals who are disabled and approximately 800 jobs of individuals who are blind, respectively, are associated with VA contracts. In mid–2019, there were roughly 90 such contracts held by NPAs located in 30 states and the District of Columbia. Some of these contracts have passed from AbilityOne NPAs to SDVOSBs or VOSBs since May 20, 2019. Available information indicates that more contracts for products have been affected than contracts for services, due to the fact that the particular services that are prevalent in the AbilityOne Program, such as custodial, food, and call center services, are relatively less likely than products to pass the Rule of Two. Available information indicates that many affected NPAs have furloughed employees while attempting to secure work for them on other contracts. However, the extent of layoffs that have already occurred is unknown, while the Committee has been provided no example of a SDVOSB or VOSB gaining a contract which was formerly performed by an NPA and taking on the NPA's employees who would otherwise be displaced.

The destruction of employment and employment opportunities for individuals who are blind or disabled is extremely unsatisfactory; it is also unnecessary and avoidable. The courts in the cases discussed above relied on the general maxim of statutory interpretation that a specific statute (the VBA of 2006) takes precedence over a general statute (the JWOD Act), particularly when the specific statute was later enacted. They also gave weight to the Veterans Benefits Act of 2003's clarity as to the treatment of the JWOD Act in contrast to the VBA of 2006's silence and imputed there congressional intent to subsume the AbilityOne Program in VA. The purpose of H.R. 4920 is to clarify Congress's intent. The Vets First Program and the AbilityOne Program should coexist in VA as they did after the enactment of the VBA of 2006, through the April 28, 2010 policy, through the time of Kingdowmare, until PDS Consultants fundamentally changed the programs' alignment. However, recognizing the time that has passed and the inherent fairness issue that informs the relevant bid protests and cases, it is more appropriate to use the date of enactment of the VBA of 2006, December 22, 2006, as a point of demarcation than the date of VA's former policy, April 28, 2010. This legislation would exempt the award of contracts in VA for products and services that were placed on the Procurement List on or before December 22, 2006 from the Rule of Two and thereby preserve a substantial amount of, though not all, employment in the NPAs that rely on these contracts. All contracting for products and services added to the Procurement List later must comply with the Rule of Two. In effect, all future contracting opportunities will flow through the Vets First Program.

Finally, it should be emphasized that in contrast with PDS Consultants, this intent is wholly consistent with the Supreme Court's opinion in Kingdomware as well as the congressional intent expressed in the amici curiae brief submitted in conjunction with that case and the functioning of the Vets First Program since Kingdomware. I share the solicitor general's assessment, in his December 9, 2019 response to Winston-Salem Industries for the Blind's petition, that the treatment of ordering against Federal Supply Schedules, which was the matter at issue in Kingdomware, is not generalizable to the AbilityOne Program's mandatory source. It should also be noted that although the AbilityOne Program's status as a mandatory source is directly comparable to that of the Federal Prison Industries Program, also known as UNICOR, and these two programs present a similar question as to their relationship to the Vets First Program, the volume of usage of Federal Prison Industries in VA has declined to a minimal level and no longer represents a significant controversy. For this reason, H.R. 4920 does not address Federal Prison Industries.

PERSONAL EXPLANATION

HON. ANTHONY G. BROWN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. BROWN of Maryland. Madam Speaker, on December 12, 2019 I was absent from the House of Representatives. Had I been present, I would have voted "YEA" on Roll Call No. 659, on Motion to Suspend the Rules and Pass, as Amended, FUTURE Act.

Historically Black Colleges and Universities make substantial contributions to the nation's economic strength. A recent report by the United Negro College Fund found that HBCUs generate $15 billion in annual economic impact, and created over 134,000 jobs. HBCUs enroll on average, 24 percent of all black undergraduates pursuing a bachelor's degree, graduate 26 percent of all black bachelor's degrees and 32 percent of STEM degrees earned by black students. Having a degree from an HBCU lifts the lifetime earnings of a graduate by nearly a million dollars. This legislation provides permanent funding for HBCUs and other minority-serving institutions attended by over 2 million students, recognizing the value of their missions and academic offerings. Furthermore, the bill takes an important step in simplifying the Free Application for Federal Student Aid for 20 million working families.

SECURE AND TRUSTED COMMUNICATIONS NETWORKS ACT OF 2019

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2019

Ms. ESHOO. Mr. Speaker, I rise in support of H.R. 4998, the Secure and Trusted Communications Networks Act of 2019, as amended.

For nearly a decade I've raised how the vulnerabilities in our telecommunications infrastructure directly impact our national security. On November 2, 2010, I wrote to the Chairman of the Federal Communications Commission (FCC) expressing grave concerns about Huawei and ZTE, which have opaque relationships with the Chinese government, and I request that my letter be entered into the CONGRESSIONAL RECORD.

Sadly, in the intervening nine years many small and rural providers have invested hundreds of millions of dollars in equipment made by Huawei and ZTE because the equipment is the cheapest available, and this investment was often funded by the FCC's own programs.

I'm pleased that H.R. 4998 addresses this problem by strengthening the supply chain of the U.S. telecommunications infrastructure by prohibiting purchases of compromised equipment when FCC funds are used. The bill also creates a program to assist providers with the costs of removing and replacing prohibited equipment. This is necessary since smaller providers can't afford these upgrades on their own.

However, H.R. 4998 is limited to strengthening our supply chain issue and is not a comprehensive network security effort. The threats we face are constantly evolving, and Congress must remain diligent in ensuring our communications are secure, private, and reliable.

I support H.R. 4998 and urge my colleagues to do the same.

HOUSE OF REPRESENTATIVES,
WASHINGTON, DC, NOVEMBER 2, 2010.

Hon. JULIUS GENACHOWSKI,
Chairman, Federal Communications Commission, Washington, DC

DEAR CHAIRMAN GENACHOWSKI, As a senior member of the House Permanent Select Committee on Intelligence, I have had grave concerns about the implications of foreign-controlled telecommunications infrastructure companies providing equipment to the U.S. market for quite some time. In particular, I'm very concerned that Huawei and ZTE, Chinese telecommunications infrastructure manufacturers are looking to increase their presence in the U.S.

These companies have long-standing relationships with the Chinese People's Liberation Army, and are not subject to the same kinds of independence and corporate transparency that other countries require of their telecommunications companies.

Last May, I wrote to the Director of National Intelligence and asked him to assess the national security implications of Chinese-origin telecommunications equipment on our law enforcement arid intelligence efforts, as well as on our switched-telecommunications infrastructure. While I cannot discuss the results of that assessment in an unclassified letter, suffice to say the answers were troubling, and the National Counter Intelligence Executive has made communications infrastructure security a top priority.

Huawei and ZTE have recently taken aggressive steps to increase penetration into the U.S. telecommunications market. This summer, Huawei was in discussions with Sprint to provide mobile telecommunications equipment. And in August of 2009, Huawei signed a deal with Clearwire to provide equipment to their wireless network. Unlike mergers and acquisitions by foreign firms, agreements to directly supply equipment to the U.S. telecommunications infrastructure are not subject to CFIUS requirements.

However, the net result is the same, where sensitive U.S. communications will travel over the networks and switches provided by a foreign-controlled entity.

Clearly, the current CFIUS regime does not provide scrutiny of procurements from foreign companies to assess the risk to the U.S. telecommunications infrastructure. I would like to understand what your role is to protect the U.S. networks in order to assess what additional legislation may be needed.

Do you have authority to protect the U.S. telecommunications infrastructure from inappropriate foreign control or influence?

What authorities do you have to review procurements of foreign equipment by U.S. companies operating our telecommunications networks? What additional authorities would you need to ensure that the U.S.

telecommunications infrastructure is secure from foreign influence?

To what extent are you working with our nation's intelligence community to assess the threat to our telecommunications infrastructure? What is, or should be, the interagency structure to best review procurements from foreign entities?

What kinds of transparency requirements, including divestment from state ownership, should be placed on companies seeking to sell telecommunications infrastructure equipment to U.S. network providers? Should this be a U.S. or an international standard?

Our nation's telecommunications infrastructure must be protected for our national security, and I look forward to your prompt reply.

Sincerely,

ANNA G. ESHOO,
Member of Congress.

PERSONAL EXPLANATION

HON. LLOYD SMUCKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. SMUCKER. Madam Speaker, had I been present, (would have voted NAY on Roll Call No. 660; NAY on Roll Call No. 661; NAY on Roll Call No. 662; YEA on Roll Call No. 663; NAY on Roll Call No. 664; YEA on Roll Call No. 665; YEA on Roll Call No. 666; and NAY on Roll Call No. 667.

CONGRATULATING THE UCLA SOFTBALL TEAM, 2019 WOMEN'S COLLEGE WORLD SERIES CHAMPIONS

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mrs. NAPOLITANO. Madam Speaker, I rise today to happily, enthusiastically congratulate the 2019 UCLA Softball Team, the reigning Women's College World Series Champions, whom I had the great pleasure of greeting here in the Capitol last month.

With the score tied in the 7th inning, the Bruins rallied with a walk-off single to complete the 2-game sweep of Oklahoma, capping the historic season. Head Coach Kelly Inouye-Perez won her 600th career game in the thrilling WCWS-clinching victory. There was clearly no quit in this team, which demonstrated the relentlessness of a champion team all year. The Bruins had 14 comeback victories throughout the season.

On their way to the National Championship—the 13th in program history—the Bruins led the entire NCAA Tournament in batting average (.317); runs scored (79); slugging percentage (.548); and home runs (18). They dominated all competitors in their way, never trailing an inning in the WCWS.

Congratulations to all of the players, coaches, and training staff on securing another national title. You have made all past, current, and future Bruins proud by displaying sportsmanship, teamwork, and excellence both on and off the field. Congratulations, and good luck in defending your title next year.

CONGRATULATIONS PRIME MINISTER BORIS JOHNSON

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. WILSON of South Carolina. Madam Speaker, as co-chair of the United Kingdom (UK) Caucus, I am grateful to extend my warmest congratulations to Prime Minister Boris Johnson and the Conservative Party for winning a resounding mandate from the British people to get Brexit done.

I have complete confidence that Prime Minister Johnson will finally implement the will of the British people to leave the European Union in a manner that best serves the interests of the UK. I look forward to continuing to work closely to deepen our bilateral ties with the UK, especially as it relates to a potential free trade agreement after Brexit is done.

I am confident the close relationship with President Donald Trump and the Prime Minister will expedite our trade for mutually beneficial job creation.

In conclusion, God Bless our Troops, and we will never forget September 11th in the Global War on Terrorism.

PERSONAL EXPLANATION

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. SENSENBRENNER. Madam Speaker, due to a previously scheduled engagement, I was physically absent from the House of Representatives on December 10, 2019. On that day, I missed 3 recorded votes. I include in the RECORD how I would have voted had I been present for those votes.

On Roll Call No. 657 on Ordering the Previous Question, had I been present, I would have voted "Nay."

On Roll Call No. 658 on the Adoption of H. Res. 748, had I been present, I would have voted "Nay."

On Roll Call No. 659 on the Passage of H.R. 5363, had I been present, I would have voted "Nay."

WELCOME LUCIANA ALICE ANSARI TAYLOR

HON. HALEY M. STEVENS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Ms. STEVENS. Madam Speaker, I am happy to congratulate Sara Ansari and Shiv Taylor of New York, New York, on the birth of their new baby girl, Luciana Alice Ansari Taylor. Luciana Alice Ansari Taylor was born on October 17, 2019, at Mount Sinai Hospital in New York, New York. Luciana weighed eight pounds and two ounces and measured 21 inches long.

I would also like to congratulate Luciana's maternal grandparents, Sue Carter Ansari and Dr. Shapoor Shalilvand Ansari, and her paternal grandparents, Kanika Garga Taylor and Indra Bishnoi. Congratulations to the entire family as they welcome their newest addition of pure pride and joy.

CONGRATULATING JAMES MADISON HIGH SCHOOL MARCHING ENSEMBLE ON ITS 2019 HISTORIC SUCCESSES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. CONNOLLY. Madam Speaker, I rise to recognize the James Madison High School (JMHS) Marching Ensemble and to offer my congratulations on its historic 2019 competition season. The band is known as "The Pride of Vienna" and this year has proven that this title is well-deserved.

In October 2019, JMHS won the Bands of America (BOA) Mid-Atlantic Regional Championship which was held in College Park, MD. JMHS is the only Virginia high school to win a BOA Regional competition in the past 40 years.

The band then went on to win the Virginia Marching Band Cooperative State Championship held in Lynchburg, VA. This is the second year in a row that JMHS was named Virginia state champion. Following its thrilling success at the BOA Regional competition, the band traveled to Indianapolis, IN where it competed in the BOA Grand National Championship—an accomplishment that is unmet by any other Fairfax County Public High School band. This competition was held over the course of three days in November. After a strong preliminary performance, JMHS advanced to the semifinals and was named 2nd Place in Class 3A. This marks the band's most successful trip ever to the Grand Nationals.

The JMHS Marching Ensemble is led by Mr. Michael Hackbarth, Director of Bands, a position he has held since 2001. In this role, he is the director for the Wind Symphony, the Symphonic Band, the Jazz Ensemble, and the Marching Ensemble. Under his leadership, the music programs have won numerous regional, state and national honors. Mr. Hackbarth and his dedicated team created this year's show entitled "Dusk 'till Dawn" and utilized music, color guard costumes, stage make-up, props and scenic backdrops. Preparation for this year's performances began on August 5, the first day of summer band camp, and he and the 150 members of the ensemble spent countless hours perfecting the show and preparing for a rigorous competition season, while also performing at football games, in the Homecoming Parade and in the Vienna Halloween Parade.

Madam Speaker, I ask that my colleagues join me in congratulating the James Madison High School Marching Ensemble and Mr. Michael Hackbarth on the inspiring success of the 2019 season. Together they made history and will carry with them a lifetime of memories. I also want to commend the parents and volunteers whose efforts made each show possible. Collectively, you are the "Pride of Virginia" and I wish you the very best of luck and continued success in your future endeavors.

BROADBAND DEPLOYMENT ACCURACY AND TECHNOLOGICAL AVAILABILITY ACT

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2019

Ms. ESHOO. Mr. Speaker, I rise in strong support of H.R. 4229, the Broadband Deployment Accuracy and Technological Availability Act, as amended.

We all agree that every American needs access to broadband. Government agencies, companies, and the philanthropic sector have devoted significant resources toward this goal, but our efforts are stymied by the fact that we have a fundamentally flawed understanding of where the investment is needed.

We need accurate maps to be able to close the digital divide and the Federal Communications Commission (FCC) should wait until these maps are developed before spending billions of dollars in additional subsidies to build out to unserved and underserved areas.

I commend Representatives LOEBSACK and LATTA, along with all of the members of the Subcommittee on Communications and Technology for their diligent work to find a bipartisan solution to this problem that will solve our mapping problem once and for all.

I'm also pleased that the legislation includes an amendment I authored that protects the privacy of Americans. The bill allows the FCC to contract out the development of a database of all buildings developed by processing millions of property records about every home, business, and community institution in the country. These records often include private data about property owners and the property itself, including property values.

My provision simply prohibits the FCC's contractor from selling this vast amount of data for marketing or other purposes, a practice common among data brokers. Our country doesn't need more data brokers. Any company using money authorized by Congress should only use its work product for the benefit of the American people in the ways that we expressly authorize.

I'm a proud cosponsor of this legislation, and I urge my colleagues to vote for it.

HONORING THE 100TH ANNIVERSARY OF THE OFFICE OF LEGISLATIVE COUNSEL

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Ms. LOFGREN. Madam Speaker, I rise today to recognize the Office of the Legislative Counsel of the House of Representatives on the occasion of its 100th anniversary. The Office's legal and drafting expertise is crucial to the House's core constitutional function of making law.

The Office was established by section 1303 of the Revenue Act of 1918 (P. L. 65–254, 40 Stat. 1057) as the Legislative Drafting Service with the charge of aiding ''in drafting public bills and resolutions or amendments thereto on the request of any committee[.]'' While the early work of the Office was focused on projects for the Committee on Ways and Means, other committees, recognizing the value of expert drafting, soon began requesting assistance. The Office now works with all of the committees and Members of the House in every area of Federal law, working with policy makers to produce legally effective legislative drafts.

Throughout the Office's history, it has provided exceptional drafting services on a nonpartisan, impartial, and confidential basis. Speaking during the floor debate on the establishment of the Office, the Chairman of the Committee on Ways and Means described the services of Middleton Beaman, who was the first head of the Office, as ''essential'' and the Committee as being ''indebted'' to him for clarifying and simplifying the complex legislative provisions on which he worked. The Chairman emphasized that Beaman had always been ''absolutely neutral'' on policy matters.

The Office continues to uphold the high standard established by Beaman. A 1975 report by the House Commission on Information and Facilities concluded that there was ''an unmistakable consensus among those who utilize the services of the Office of Legislative Counsel, Members and committee staff alike, that its overall operation is indeed a credit to the House.'' Over a quarter of a century later, in H. Res. 635 of the 111th Congress, the House recognized ''the professional, nonpartisan service to which the Office of the Legislative Counsel is dedicated.''

While carrying outthe purpose described in the Legislative Reorganization Act of 1970 of achieving ''a clear, faithful, and coherent expression of legislative policies,'' the Office has also become an increasingly important source of institutional memory. Most of its attorneys, paralegals, Ramseyer staff, IT staff, front desk staff, and GPO detailees spend a career in service of the House with many staying for decades.

Such long tenures allow the Office to serve as a source of education and expertise on Congress' role in making law, including the process for introducing, amending, and passing legislation. The staff of the Office of Legislative Counsel do more than provide drafts and legal advice; they teach. As committee and Member staff transition into more senior positions on and off the Hill, they take the lessons learned from working with the Office and apply them for the rest of their careers.

It is my honor and privilege to recognize the Office of the Legislative Counsel of the House of Representatives. For 100 years, the Office has proved essential to the House in the achievement of a clear, faithful, and coherent expression of legislative policies.

IN RECOGNITION OF JOE CARDONA

HON. DONNA E. SHALALA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Ms. SHALALA. Madam Speaker, I rise in recognition of Joe Cardona, the award-winning documentarian and former Miami Herald columnist. Mr. Cardona recently received a David Burke Distinguished Journalism Award from the United States Agency for Global Media (USAGM) for his show ''Arcoiris,'' the first program in Radio Marti's history to address LGBTQ+ issues in Cuba.

''Arcoiris,'' which means rainbow in Spanish, premiered last year and is produced and hosted by Mr. Cardona. The program provides a platform for the LGBTQ+ community in Cuba to express goals and concerns and to engage with other LGBTQ+ communities around the world. ''Arcoiris'' has already been enormously successful. The show has aired numerous stories, including on the experiences of gay prisoners in Cuba and the policies of Mariela Castro, director of Cuba's National Center for Sexual Education (CENESEX).

Mr. Cardona has created a space for the long-underserved LGBTQ community to prosper. I'm proud that USAGM has recognized his important work.

THE NEED FOR REVISIONS TO THE PFIC INSURANCE EXCEPTION FOR FINANCIAL GUARANTY INSURANCE COMPANIES

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Ms. MOORE. Madam Speaker, I thank the Speaker and the Chairman of the Ways and Means Committee for working on an end of year bipartisan tax package and helping Congress get on with the business of legislating. While I wish that our colleagues in the Senate would take up Butch Lewis, which the House passed in July, and addresses the multiemployer pension crisis affecting millions of retirees across the country and I wish my colleagues across the aisle would have supported the Ways and Means Committee's advancement of legislation to expand the Earned Income Tax Credit and make the Child Tax Credit fully refundable, it's important for our constituents to see Congress working together.

I also know that many Americans are waiting for Congress to make essential fixes to the tax code in response to the Tax Cuts and Jobs Act and were hoping that Congress would add these fixes to our year-end tax package. While a couple such fixes were made, many vital revisions were left out.

I am planning to introduce bipartisan legislation early next year that will fix an unintended consequence of the recent changes to the insurance business exception to the passive foreign investment company, or PFIC, rules. I urge my colleagues to join me in this effort and cosponsor this upcoming legislation especially Members who are aware of the importance of available and affordable municipal bond financing to state and local municipalities.

This legislation is necessary to preserve the availability and affordability of financial guaranty insurance with respect to municipal bond financing for state and local municipalities. I have worked in close consultation with the staff of the Joint Committee on Taxation in developing this legislation to ensure that it provides a narrow exception for financial guarantors that is specifically designed to address the issue affecting municipal bond insurance in a manner that preserves the closing of a

loophole for foreign hedge funds, the intended targets of the recent changes.

As I work with stakeholders and colleagues to finalize this legislation, I understand that the Treasury Department and the Internal Revenue Service are currently working on finalizing regulations with respect to the PFIC insurance business exception. I am particularly encouraged that the Treasury Department and the Internal Revenue Service specifically requested comments with respect to the application of those regulations to financial guaranty insurance. I would encourage the Treasury Department and the Internal Revenue Service to carefully consider the comments received pursuant to their request in light of the pending introduction and consideration of my legislation to address as much as possible any unintended consequences with respect to financial guarantors.

CELEBRATING THE PASSAGE OF THE FY2020 NDAA

HON. KENDRA S. HORN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Ms. KENDRA S. HORN of Oklahoma. Madam Speaker, I applaud the House for passing the FY20 National Defense Authorization Act in an overwhelming bipartisan vote. This bill includes important modernizations and protections for our service members, military families, and our nation's Armed Forces. It was an honor to represent Oklahomans as one of four freshmen on the House Armed Services Committee included at the bill's conference.

This legislation includes a Tenants Bill of Rights to address unsafe housing conditions on military bases and other critical protections for service members in privatized base housing. I led the effort in the House for these protections after hearing about military housing problems at Tinker Air Force Base during one of my town halls. The Tenants Bill of Rights will protect our military families from predatory contracts and provide increased oversight of privatized base housing.

I am proud this bill included legislation I introduced to address a severe shortage of pilots in both our Air Force and in the aviation industry. My provision would assist JROTC members in getting their pilot's certificate. In Oklahoma, Air Force JROTC provides specialized aeronautics and space education. With about 1,000 students participating in Air Force JROTC units alone, these programs provide an important and unique service to strengthen our aerospace workforce of the future.

This need will only become more pronounced with the establishment of the United States Space Corps within the Department of the Air Force. As the Chair of the Space Subcommittee of the Science, Space, and Technology Committee, I have heard from and worked with experts who recognize the imminent threats that our existing space infrastructure face. Satellites that offer geolocation services, weather data, and communications are all necessary elements to our modem day infrastructure. Our new Space Corps will protect these interests from natural catastrophes while deterring aggression from those intent on harming U.S. national security.

This bill also came with vital reforms to better our servicemembers daily lives.

The FY20 NDAA includes a 3.1% pay increase for all military personnel. Members of our uniformed services have not received a pay raise in far too long. As a result, our servicemember have experienced financial difficulty and have struggled to put food on the table for their family members even while they serve their country. I am proud to represent the servicemembers of my district and thankful to have a part in ensuring they are well compensated.

This bill provides 12 weeks of parental leave for all federal employees. A landmark policy for the U.S. government, we passed an NDAA that ensures all families can have the support they need in the crucial first month of starting or expanding their families. The US is the only industrialized nation without a national paid family leave policy, and this is a step in the right direction to ensure all families have the opportunity to work and take care of their families.

It preserves funding for critical education needs. We passed a $40 million authorization to support the schools that educate our servicemembers' children. The Impact Aid program has maintained schools in areas with small to non-existent tax bases such as Indian reservations and military bases. This funding increase ensures that every student, no matter their zip code may have equal access to an education.

The passage of the FY20 NDAA also came with crucial reforms to streamline internal processes and ensure transparency in our Defense Department.

As the sponsor of Section 1011, 1 was concerned that requiring audit firms to disclose confidential disciplinary proceedings could ultimately lead to those proceedings becoming public, contrary to the express intent of Congress. I sponsored an amendment that remedies that concern. The best way to avoid such an outcome is for the DoD to permit contracting accounting firms to provide relevant proceeding information to the Department. This preserves the confidentiality requirements of Sarbanes-Oxley while remaining consistent with the confidentiality provision included in the conference report.

In addition, I wish to make the observation that with respect to Section 1011, which amends Section 1006 of the FY 2019 NDAA, the disclosure provision covers ''associated persons'' in addition to the accounting firm because it is important for the DoD to know whether individuals that the accounting firm assigns to work on DoD audit contracts are subject to ongoing disciplinary proceedings.

This bill also addresses a major problem that has plagued our service members spouses for far too long. The Survivor Benefit Plan/ Dependency and Indemnity Compensation (SBP/DIC) offset, also known as the ''widow's tax'' unfairly asked military spouses to forfeit money owed to them. More than 60,000 surviving military spouses were negatively affected by this tax, including many in my district. The FY20 NDAA repeals this reduction over a three-year phase-in, allowing surviving families to collect both payments in full, receiving the justice they deserve.

On employment practices, I worked tirelessly to extend direct hiring authority to domestic defense industrial base facilities when hiring civilian personnel. After extensive conversations with Lieutenant General Donald E. Gene Kirkland, the Commander of the Air Force Sustainment Center, I resolved to work to stem the staffing shortages at these crucial bases. These staffing shortages are happening across the nation, and reforms are critical to meet the workforce needs of today and tomorrow. I am happy to note that direct hiring authority reform was granted for civilian personnel at domestic defense industrial base facilities and the Major Range and Test Facility bases until 2025. These necessary changes are vital to meeting our national security and readiness needs.

I am also glad to note that this legislation increased the cap for DoD sole-source contracts that can be awarded to the tribal community. The cap was raised to $100 million to ensure that our Native American businesses and contractors are given the opportunities to provide services for our military effectively.

The National Defense Authorization Act is the proud product of bipartisan policies and compromise and ensures the needs of our men and women in uniform are met on and off the battlefield. I am proud to have been a part of the process from subcommittee to passage and applaud my colleagues for achieving this reform through compromise and negotiation, to secure major accomplishments for all Americans while promoting our national security.

WELCOME ELOISE HOLST WAGNER

HON. HALEY M. STEVENS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Ms. STEVENS. Madam Speaker, I am happy to congratulate Lindsay Holst and Dan Wagner of Chicago, Illinois, on the birth of their new baby girl, Eloise Holst Wagner. Eloise Holst Wagner was born on November 25, 2019, at Northwestern Prentice Hospital in Chicago, Illinois. Eloise weighed seven pounds and four ounces and measured 20 inches long.

I would also like to congratulate Eloise's grandparents, Gregg Holst and Michele Grossman of Reading, Pennsylvania, Tom and Carol Brubaker of Perkasie, Pennsylvania, John Wagner of Birmingham, Michigan, and Terry Ryan Kane of Ann Arbor, Michigan. Congratulations to the entire family as they welcome their newest addition of pure pride and joy.

HONORING GEORGE TORRIE JACKSON, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. THOMPSON of Mississippi. Madam Speaker, I rise today to honor a remarkable public servant, Lieutenant Colonel George Torrie Jackson, Jr. who is a native of Jackson, MS.

LTC Jackson holds a bachelor's degree in Political Science and master's degree in Education Administration, both from Jackson State University. LTC Jackson is a 30-year member of the U.S. Army Reserve/Mississippi Army

National Guard and veteran of Operation Iraq Freedom. He began his military career as a Petroleum Laboratory Specialist (E–3) (894th Quartermaster Company, Jackson, MS—1988 to 1992), then as a Finance Specialist (E–4) (210th Finance Battalion, Jackson, MS—1992 to 1996). LTC Jackson was commissioned through the Mississippi Military Academy (Class 38), Camp Shelby, MS in 1996. As a commissioned officer, LTC Jackson has held many duty assignments to include positions as a Subsistence Officer, (114th Area Support Group, Hattiesburg, MS—1996 to 1997), Platoon Leader (3656th Maintenance Company, Camp Shelby, MS—1997 to 1998) Detachment Commander (3656th Maintenance Company, DET 1, Waynesboro, MS—1998 to 2000), Maintenance Control Officer/Executive Officer (3656th Maintenance Company, Camp Shelby, MS—2000 to 2001), Detachment Commander/Executive Officer (3656th Maintenance Company, DET 2, Gloster, MS—2001 to 2002), S–1 Personnel Officer (298th Maintenance Battalion, Philadelphia, MS—2002 to 2003), Service and Support Officer (114th Area Support Group, Hattiesburg, MS—2003 to 2006).

During Operation Iraqi Freedom (2004) LTC Jackson served as the C4 Sustainment Battle Captain and Coalition Acquisition Review Board (CARB and Super CARB) secretary. His next successive assignments included Company Commander (1/185th—Aviation Battalion, E Company, Jackson, MS—2006 to 2008), S–3 Operations Officer (8/108th Transportation Battalion, Jackson, MS—2008 to 2012), Executive Officer (8/108th Transportation Battalion, Jackson, MS—2012 to 2014), and Materiel Readiness Branch Chief (377th Theater Sustainment Command, Belle Chasse, LA—2014 to 2016).

LTC Jackson currently serves as the Battalion Commander of the 5th Logistic Civil Augmentation Program (LOGCAP) Support Battalion, located in Sheffield, AL.

LTC Jackson's awards and commendations include the Meritorious Service Medal, Army Commendation Medal, NATO Medal, Afghanistan Campaign Medal, Army Achievement Medal, Army Reserve Component Achievement Medal, National Defense Service Medal, Global War On Terrorism Expeditionary Medal, Armed Forces Reserve Medal, Army Service Ribbon, Meritorious Unit Commendation, Overseas Service Ribbon, Humanitarian Service Medal, Armed Forces Reserve Medal, Mississippi Emergency Service Medal and the Mississippi Longevity Medal.

In his civilian capacity, LTC Jackson serves as a school administrator for the Holmes County School District Central High School, located in Lexington, MS, and holds the rank of Lieutenant with the Hinds County Sheriffs Office—Reserve Division in Jackson, MS. LTC Jackson, his wife, Dr. Debra Mays-Jackson, and two sons, Cameron and Kendall, currently live in Terry, MS.

Madam Speaker, I ask my colleagues to join me in recognizing Lieutenant Colonel George Torrie Jackson, Jr.

Daily Digest

HIGHLIGHTS

Senate agreed to the conference report to accompany S. 1790, National Defense Authorization Act.

Senate

Chamber Action

Routine Proceedings, pages S7059–S7122

Measures Introduced: Eighteen bills and one resolution were introduced, as follows: S. 3062–3079, and S. Res. 456. **Pages S7113–14**

Measures Reported:

S. 553, to direct the Secretary of Commerce to establish a working group to recommend to Congress a definition of blockchain technology, with amendments. (S. Rept. No. 116–177)

S. 1228, to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio. (S. Rept. No. 116–178)

S. 1611, to ensure appropriate prioritization, spectrum planning, and interagency coordination to support the Internet of Things, with amendments. (S. Rept. No. 116–179)

H.R. 133, to promote economic partnership and cooperation between the United States and Mexico, with an amendment in the nature of a substitute.

H.R. 617, to authorize the Department of Energy to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States.

H.R. 2744, to authorize the Administrator of the United States Agency for International Development to prescribe the manner in which programs of the agency are identified overseas, with an amendment in the nature of a substitute.

S. Res. 142, condemning the Government of the Philippines for its continued detention of Senator Leila De Lima, calling for her immediate release, with an amendment in the nature of a substitute and with an amended preamble.

S. Res. 152, expressing the importance of the United States alliance with the Republic of Korea and the contributions of Korean Americans in the United States, with an amendment in the nature of a substitute and with an amended preamble.

S. Res. 297, commending the Inter-American Foundation (IAF) on the occasion of its 50th anniversary for its significant accomplishments and contributions to the economic and social development of the Americas.

S. Res. 343, congratulating the people of the Czech Republic and the people of the Slovak Republic on the 30th anniversary of the Velvet Revolution, the 26th anniversary of the formation of the Czech Republic and the Slovak Republic, and the 101st anniversary of the declaration of independence of Czechoslovakia.

S. Res. 371, reaffirming the support of the United States for the people of the Republic of South Sudan and calling on all parties to uphold their commitments to peace and dialogue as outlined in the 2018 revitalized peace agreement, with an amendment in the nature of a substitute and with an amended preamble.

S. Res. 375, recognizing the 75th anniversary of the Warsaw Uprising, and with an amended preamble.

S. Res. 385, celebrating the 30th anniversary of the fall of the Berlin Wall, the reunification of both Germany and Europe, and the spread of democracy around the world, and with an amended preamble.

S. Res. 395, recognizing the 40th anniversary of the Iran Hostage Crisis.

S. Res. 447, expressing serious concern about widespread irregularities in Bolivia's October 20, 2019, general elections and supporting the convening of new elections in Bolivia at the earliest possible date, with an amendment in the nature of a substitute and with an amended preamble.

S. 258, to prohibit oil and gas leasing on the National Forest System land in the Ruby Mountains Ranger District located in the Humboldt-Toiyabe National Forest, Elko and White Pine Counties, Nevada, with an amendment in the nature of a substitute.

S. 298, to establish the Springfield Race Riot National Historic Monument in the State of Illinois, with an amendment in the nature of a substitute.

S. 327, to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, with an amendment in the nature of a substitute.

S. 389, to authorize the Society of the First Infantry Division to make modifications to the First Division Monument located on Federal land in Presidential Park in the District of Columbia, with an amendment in the nature of a substitute.

S. 434, to provide for a report on the maintenance of Federal land holdings under the jurisdiction of the Secretary of the Interior, with an amendment in the nature of a substitute.

S. 490, to designate a mountain ridge in the State of Montana as ''B–47 Ridge'', with an amendment in the nature of a substitute.

S. 526, to withdraw certain Bureau of Land Management land from mineral development, with an amendment in the nature of a substitute.

S. 704, to prioritize the efforts of and enhance coordination among United States agencies to encourage countries in Central and Eastern Europe to diversify their energy sources and supply routes, increase Europe's energy security, and help the United States reach its global energy security goals, with an amendment in the nature of a substitute.

S. 876, to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry, with amendments.

S. 1189, to require the Secretary of State to determine whether the Russian Federation should be designated as a state sponsor of terrorism and whether Russian-sponsored armed entities in Ukraine should be designated as foreign terrorist organizations, with an amendment in the nature of a substitute.

S. 1310, to strengthen participation of elected national legislators in the activities of the Organization of American States and reaffirm United States support for Organization of American States human rights and anti-corruption initiatives, with an amendment in the nature of a substitute.

S. 1739, to enable projects that will aid in the development and delivery of related instruction associated with apprenticeship and preapprenticeship programs that are focused on serving the skilled technical workforce at the National Laboratories and certain facilities of the National Nuclear Security Administration.

S. 1830, to enhance the security of the United States and its allies, with an amendment in the nature of a substitute.

S. 2368, to amend the Atomic Energy Act of 1954 and the Energy Policy Act of 2005 to support licensing and relicensing of certain nuclear facilities and nuclear energy research, demonstration, and development, with an amendment in the nature of a substitute.

S. 2425, to amend the Energy Policy and Conservation Act to establish the CHP Technical Assistance Partnership Program, with amendments.

S. 2508, to require the Secretary of Energy to establish a council to conduct a survey and analysis of the employment figures and demographics in the energy, energy efficiency, and motor vehicle sectors of the United States, with an amendment.

S. 2547, to state the policy of the United States with respect to the expansion of cooperation with allies and partners in the Indo-Pacific region and Europe regarding the People's Republic of China, with an amendment in the nature of a substitute.

S. 2556, to amend the Federal Power Act to provide energy cybersecurity investment incentives, to establish a grant and technical assistance program for cybersecurity investments, with an amendment in the nature of a substitute.

S. 2657, to support innovation in advanced geothermal research and development, with an amendment in the nature of a substitute.

S. 2668, to establish a program for research, development, and demonstration of solar energy technologies, with an amendment in the nature of a substitute.

S. 2683, to establish a task force to assist States in implementing hiring requirements for child care staff members to improve child safety, with an amendment in the nature of a substitute.

S. 2688, to amend the Energy Policy Act of 2005 to establish an Office of Technology Transitions, with amendments.

S. 2695, to authorize the Secretary of Agriculture to provide for the defense of United States agriculture and food through the National Bio and Agro-Defense Facility, with amendments.

S. 2702, to require the Secretary of Energy to establish an integrated energy systems research, development, and demonstration, with an amendment in the nature of a substitute.

S. 2714, to amend the America COMPETES Act to reauthorize the ARPA–E program, with amendments.

S. 2799, to require the Secretary of Energy and the Secretary of the Interior to establish a joint Nexus of Energy and Water Sustainability Office, with an amendment.

S. 2927, to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence.

S. 2977, to extend the termination of sanctions with respect to Venezuela under the Venezuela Defense of Human Rights and Civil Society Act of 2014.

S. 2997, to revise and extend health workforce programs under title VII of the Public Health Service Act, with an amendment in the nature of a substitute.

S. 3051, to improve protections for wildlife, with an amendment in the nature of a substitute.

S. 3076, to release a federal reversionary interest in Chester County, Tennessee, to manage certain Federal land in Bath County, Virginia.

S.J. Res. 4, requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, with an amendment in the nature of a substitute.

Pages S7112–13

Measures Passed:

Debbie Smith Reauthorization Act: Senate passed H.R. 777, to reauthorize programs authorized under the Debbie Smith Act of 2004. **Pages S7083–84**

Veteran Treatment Court Coordination Act: Committee on the Judiciary was discharged from further consideration of S. 2774, to direct the Attorney General to establish and carry out a Veteran Treatment Court Program, and the bill was then passed. **Pages S7120–21**

200th Anniversary of Alabama into the Union: Senate agreed to S. Res. 456, recognizing and celebrating the 200th anniversary of the entry of Alabama into the Union as the 22d State. **Page S7121**

Conference Reports:

National Defense Authorization Act: By 86 yeas to 8 nays (Vote No. 400), Senate agreed to the conference report to accompany S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. **Pages S7061–70, S7089**

During consideration of this measure today, Senate also took the following action:

By 82 yeas to 12 nays (Vote No. 399), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions with respect to the conference report to accompany the bill. Subsequently, the point of order that the bill was in violation of section 3101 of S. Con. Res. 11, setting forth the congressional budget for the United States Government for fiscal year 2016 and setting forth the appropriate budgetary levels for fiscal years 2017 through 2025, was not sustained, and thus the point of order fell. **Pages S7069–70**

House Messages:

National Law Enforcement Museum Commemorative Coin Act—Cloture: Senate began consideration of the amendment of the House to the amendment of the Senate to H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, taking action on the following motions and amendments proposed thereto: **Pages S7087–88**

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Page S7087**

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 1258 (to the House amendment to the Senate amendment), to change the enactment date. **Page S7087**

McConnell Amendment No. 1259 (to Amendment No. 1258), of a perfecting nature.

Pages S7087–88

McConnell motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, McConnell Amendment No. 1260, to change the enactment date. **Page S7088**

McConnell Amendment No. 1261 (the instructions (Amendment No. 1260) of the motion to refer), of a perfecting nature. **Page S7088**

McConnell Amendment No. 1262 (to Amendment No. 1261), of a perfecting nature. **Page S7088**

A motion was entered to close further debate on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Stephanie Dawkins Davis, of Michigan, to be United States District Judge for the Eastern District of Michigan. **Page S7089**

DHS Cyber Hunt and Incident Response Teams Act—Cloture: Senate began consideration of the amendment of the House to the amendment of the

Senate to H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, taking action on the following motions and amendments proposed thereto: **Page S7088**

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Page S7088**

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 1263 (to the House amendment to the Senate amendment), to change the enactment date. **Page S7088**

McConnell Amendment No. 1264 (to Amendment No. 1263), of a perfecting nature. **Page S7088**

McConnell motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, McConnell Amendment No. 1265, to change the enactment date. **Page S7088**

McConnell Amendment No. 1266 (the instructions (Amendment No. 1265) of the motion to refer), of a perfecting nature. **Page S7088**

McConnell Amendment No. 1267 (to Amendment No. 1266), of a perfecting nature. **Page S7088**

A motion was entered to close further debate on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of McConnell motion to concur in the amendment of the House to the amendment of the Senate to H.R. 1865, to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia. **Page S7089**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that Senators Thune and Blackburn be authorized to sign duly enrolled bills or joint resolutions during today's session of the Senate. **Page S7077**

Biegun Nomination—Cloture: Senate began consideration of the nomination of Stephen E. Biegun, of Michigan, to be Deputy Secretary of State. **Page S7089**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the motion to concur in the House amendment to the Senate amendment to H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security. **Pages S7088–89**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7089**

McFarland Nomination—Cloture: A unanimous-consent agreement was reached providing that at approximately 9:30 a.m., on Wednesday, December 18, 2019, Senate resume consideration of the nomination of Matthew Walden McFarland, of Ohio, to be United States District Judge for the Southern District of Ohio. **Page S7121**

Messages from the House: **Pages S7108–09**

Measures Referred: **Page S7109**

Measures Placed on the Calendar: **Page S7109**

Executive Communications: **Pages S7109–12**

Executive Reports of Committees: **Pages S7112–13**

Additional Cosponsors: **Pages S7114–16**

Statements on Introduced Bills/Resolutions: **Pages S7116–19**

Additional Statements: **Pages S7107–08**

Amendments Submitted: **Pages S7119–20**

Authorities for Committees to Meet: **Page S7120**

Privileges of the Floor: **Page S7120**

Record Votes: Two record votes were taken today. (Total—400) **Pages S7069–70**

Adjournment: Senate convened at 10 a.m. and adjourned at 5:59 p.m., until 9:30 a.m. on Wednesday, December 18, 2019. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7122.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported the following business items:

S. 2695, to authorize the Secretary of Agriculture to provide for the defense of United States agriculture and food through the National Bio and Agro-Defense Facility, with an amendment; and

An original bill to release a federal reversionary interest in Chester County, Tennessee, to manage certain Federal land in Bath County, Virginia.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of Lanny Erdos, of Ohio, to be Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, after the nominee, who

was introduced by Representative Bill Johnson, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 3051, to improve protections for wildlife, with an amendment in the nature of a substitute;

The nomination of Robert J. Feitel, of Maryland, to be Inspector General, Nuclear Regulatory Commission; and

19 General Services Administration resolutions.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of John Hennessey-Niland, of Illinois, to be Ambassador to the Republic of Palau, Dorothy Shea, of North Carolina, to be Ambassador to the Lebanese Republic, Todd C. Chapman, of Texas, to be Ambassador to the Federative Republic of Brazil, and Donald Wright, of Virginia, to be Ambassador to the United Republic of Tanzania, all of the Department of State, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nomination of Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

OPIOID CRISIS

Committee on the Judiciary: Committee concluded a hearing to examine tackling the opioid crisis, focusing on a whole-of-government approach, after receiving testimony from Kemp L. Chester, Assistant Director of the National Opioids and Synthetics Coordination Group, Office of National Drug Control Policy; Amanda Liskamm, Director, Opioid Enforcement and Prevention Efforts, Office of the Deputy Attorney General, and Tim McDermott, Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, both of the Department of Justice; Neeraj Gandotra, Chief Medical Officer, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; Bradley D. Stein, RAND Corporation, Pittsburgh, Pennsylvania; Patrick M. Kelly, Healthcare Distribution Alliance, Arlington, Virginia; and Ronna B. Hauser, National Community Pharmacists Association, and Sue R. Thau, Community Anti-Drug Coalitions of America, both of Alexandria, Virginia.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 27 public bills, H.R. 5444–5470; and 5 resolutions, H. Con. Res. 81 and 82; and H. Res. 766, 768, and 769, were introduced. **Pages H10608–09**

Additional Cosponsors: **Pages H10610–11**

Reports Filed: Reports were filed today as follows:

H.R. 5140, to amend title 17, United States Code, to narrow the category of households eligible to receive signals under a distant-signal satellite license, and for other purposes, with an amendment (H. Rept. 116–354); and

H. Res. 767, providing for consideration of the resolution (H. Res. 755) impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors (H. Rept. 116–355). **Page H10608**

Recess: The House recessed at 9:31 a.m. and reconvened at 10 a.m. **Page H10312**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures. Consideration began Monday, December 16th.

Identifying Barriers and Best Practices Study Act: H.R. 4183, amended, to direct the Comptroller General of the United States to conduct a study on disability and pension benefits provided to members of the National Guard and members of reserve components of the Armed Forces by the Department of Veterans Affairs, by a ⅔ yea-and-nay vote of 408 yeas to 1 nay, Roll No. 685; **Page H10314**

Improving Confidence in Veterans' Care Act: H.R. 3530, amended, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to enforce the licensure requirement for medical providers of the Department of Veterans Affairs, by

a ⅔ yea-and-nay vote of 409 yeas to 1 nay, Roll No. 686; **Pages H10314–15**

Miracle Mountain Designation Act: H.R. 722, to designate a mountain in the State of Utah as "Miracle Mountain", by a ⅔ yea-and-nay vote of 410 yeas with none voting "nay", Roll No. 687; **Pages H10315–16**

Hazard Eligibility and Local Projects Act: H.R. 2548, amended, to modify eligibility requirements for certain hazard mitigation assistance programs, by a ⅔ yea-and-nay vote of 409 yeas to 7 nays, Roll No. 688; **Page H10600**

Funding Instruction for Safety, Health, and Security Avoids Fishing Emergencies Act: H.R. 4719, amended, to amend the Federal share of the fishing safety standards grants; and **Page H10602**

Banning Smoking on Amtrak Act of 2019: H.R. 2726, to amend title 49, United States Code, to prohibit smoking on Amtrak trains. **Page H10602**

National Law Enforcement Museum Commemorative Coin Act: The House concurred in the Senate amendment to the bill (H.R. 1865) to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, with an amendment consisting of the text of Rules Committee Print 116–44 modified by the amendment printed in H. Rept. 116–353, by a yea-and-nay vote of 297 yeas to 120 nays, Roll No. 689. **Pages H10386–H10601**

H. Res. 765, the rule providing for consideration of the Senate amendment to the bill (H.R. 1158), providing for consideration of the Senate amendment to the bill (H.R. 1865), and providing for the adoption of the resolution (H. Res. 761) was agreed to by a yea-and-nay vote of 219 yeas to 189 nays, Roll No. 684, after the previous question was ordered by a yea-and-nay vote of 220 yeas to 192 nays, Roll No. 683. Pursuant to section 4 of H. Res. 765, H. Res. 761 is considered adopted. **Pages H10312–14**

DHS Cyber Incident Response Teams Act of 2019: The House concurred in the Senate amendment to the bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, with an amendment consisting of the text of Rules Committee Print 116–43, by a yea-and-nay vote of 280 yeas to 138 nays, Roll No. 690. **Pages H10316–86, H10601–02**

H. Res. 765, the rule providing for consideration of the Senate amendment to the bill (H.R. 1158), providing for consideration of the Senate amendment to the bill (H.R. 1865), and providing for the adoption of the resolution (H. Res. 761) was agreed to by a yea-and-nay vote of 219 yeas to 189 nays, Roll No. 684, after the previous question was ordered by a yea-and-nay vote of 220 yeas to 192 nays, Roll No. 683. Pursuant to section 4 of H. Res. 765, H. Res. 761 is considered adopted. **Pages H10312–14**

Directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1158: The House agreed to H. Con. Res. 81, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1158. **Page H10602**

Directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1865: The House agreed to H. Con. Res. 82, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1865. **Page H10602**

Recess: The House recessed at 2:48 p.m. and reconvened at 9:36 p.m. **Page H10606**

Senate Referrals: S. 457 was held at the desk. S. 2824 was referred to the Committee on the Judiciary. **Page H10607**

Senate Message: Message received from the Senate today appears on page H10601.

Quorum Calls—Votes: Eight yea-and-nay votes developed during the proceedings of today and appear on pages H10312–13, H10313–14, H10314, H10314–15, H10315–16, H10600, H10600–01, and H10601–02. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 9:36 p.m.

Committee Meetings

ACCESS TO CONSERVATION PROGRAMS BY HISTORICALLY UNDERSERVED FARMERS AND RANCHERS

Committee on Agriculture: Subcommittee on Conservation and Forestry held a hearing entitled "Access to Conservation Programs by Historically Underserved Farmers and Ranchers". Testimony was heard from public witnesses.

U.S. COUNTERTERRORISM PRIORITIES AND CHALLENGES IN AFRICA

Committee on Oversight and Reform: Subcommittee on National Security held a hearing entitled "U.S. Counterterrorism Priorities and Challenges in Africa". Testimony was heard from Alexis Arieff, Specialist in African Affairs, Congressional Research Service, Library of Congress; and public witnesses.

IMPEACHING DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES, FOR HIGH CRIMES AND MISDEMEANORS

Committee on Rules: Full Committee held a hearing on H. Res. 755, Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors. The Committee granted, by record vote of 9–4, a closed rule providing for consideration of the H. Res. 755, Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors. The rule provides that immediately upon adoption of this resolution, without intervention of any point of order, the House shall proceed to the consideration of H. Res. 755. The rule provides six hours of debate on the resolution equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the resolution shall be considered as adopted. The rule provides that the question of adoption of the resolution, as amended, shall be divided between the two articles. The rule provides that during consideration of H. Res. 755, only the following persons shall be admitted to the Hall of the House or rooms leading thereto: (a) Members of Congress. (b) The Delegates and the Resident Commissioner. (c) The President and Vice President of the United States. (d) Other persons as designated by the Speaker. Section 3 provides, after adoption of H. Res. 755, for consideration of a resolution appointing and authorizing managers for the impeachment trial of Donald John Trump, President of the United States, if offered by the chair of the Committee on the Judiciary or his designee. The rule provides 10 minutes of debate on the resolution specified in section 3 equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the resolution specified in section 3. The rule provides that no other resolution incidental to impeachment relating to H. Res. 755 shall be privileged during the remainder of the 116th Congress. The rule provides that the chair of the Committee on the Judiciary may insert in the Congressional Record such material as he may deem explanatory of H. Res. 755 and the resolution specified in section 3, not later than the date that is 5 legislative days after adoption of each respective resolution. Testimony was heard from Representatives Raskin and Collins of Georgia.

MISCELLANEOUS MEASURES

Committee on Ways and Means: Full Committee held a markup on H. Res. 746, a Resolution to Support and Reform the World Trade Organization (WTO); and H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement. H. Res. 746 was ordered reported, as amended. H.R. 5430 was ordered reported, without amendment.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, DECEMBER 18, 2019

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: business meeting to consider S. 482, to strengthen the North Atlantic Treaty Organization, to combat international cybercrime, and to impose additional sanctions with respect to the Russian Federation, and other pending calendar business, 9:30 a.m., S–116, Capitol.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the Department of Justice Office of the Inspector General Foreign Intelligence Surveillance Act report, focusing on methodology, scope, and findings, 10 a.m., SD–342.

Committee on Small Business and Entrepreneurship: business meeting to consider the nomination of Jovita Carranza, of Illinois, to be Administrator of the Small Business Administration, 10:30 a.m., Room to be announced.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 10 a.m., SH–219.

House

Committee on Education and Labor, Subcommittee on Higher Education and Workforce Investment, hearing entitled ''The Future of Work: Ensuring Workers are Competitive in a Rapidly Changing Economy'', 10:15 a.m., 2175 Rayburn.

Committee on Foreign Affairs, Full Committee, markup on H.R. 3373, the ''Office of International Disability Rights Act''; H.R. 5338, the ''Global Hope Act''; S. 1340, the ''Ebola Eradication Act of 2019''; H.R. 4864, the ''Global Child Thrive Act of 2019''; H.R. 4508, the ''Malala Yousafzai Scholarship Act''; H. Res. 752, supporting the rights of the people of Iran to free expression, condemning the Iranian regime for its crackdown on legitimate protests, and for other purposes; H.R. 2343, the ''Peace and Tolerance in Palestinian Education Act''; H. Res. 754, expressing the sense of the House of Representatives that the United States should continue to support the people of Nicaragua in their peaceful efforts to promote democracy and human rights, and use the tools under United States law to increase political and financial pressure on the government of Daniel Ortega; H.R. 630, the ''Counterterrorism Screening and Assistance Act of 2019''; H.R. 3843, the ''Countering Russian and Other Overseas Kleptocracy Act''; H.R. 2529, the ''Richard G. Lugar and Ellen O. Tauscher Act to Maintain Limits on Russian Nuclear Forces''; H.R. 2444, the ''Eastern European Security Act''; H.R. 4331, the ''Tibetan Policy and Support Act of 2019''; and H.R. 3571, the ''City and State Diplomacy Act'', 10 a.m., 2172 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, December 18

Senate Chamber

Program for Wednesday: Senate will resume consideration of the nomination of Matthew Walden McFarland, of Ohio, to be United States District Judge for the Southern District of Ohio, with a vote on the motion to invoke cloture thereon. Senators should expect roll call votes throughout the day.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Wednesday, December 18

House Chamber

Program for Wednesday: Consideration of H. Res. 755—Impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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Collins, Doug, Ga., E1597
Connolly, Gerald E., Va., E1600
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