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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC.
May 3, 2017.

I hereby appoint the Honorable LEONARD LANCE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

CONGRATULATING PAUL PACKER ON INDUCTION INTO NATIONAL WRESTLING HALL OF FAME

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I recently attended the 24th Honors Banquet for the Pennsylvania Chapter of the National Wrestling Hall of Fame. Nine new Members were inducted into the Hall's membership, including Paul Packer, a 1973 Bald Eagle Area High School graduate.

Paul was the last 95-pound State champion in 1972. He had an undefeated season that year of 23–0. He started wrestling in elementary school for Hall of Fame coach Joe Humphreys, who continued to coach Paul into junior high. At the varsity level, Paul wrestled for Hall of Famer Dick Rhoades. He was Coach Rhoades' first State champion.

After his competitive wrestling career was over, Paul became a referee. Paul was a highly respected and outstanding wrestling official. During his 37 years as a referee, Paul spent more than a dozen years officiating district and regional championships, as well as five State championships.

Paul is retired and resides in Milesburg, Pennsylvania. He is active in his community and was a coach for the Bald Eagle Wrestling Club for several years.

Mr. Speaker, from one Hall of Famer to another, congratulations, Paul, on this well-deserved honor.

PENNSYLVANIA'S FIFTH DISTRICT CONGRESSIONAL ART COMPETITION WINNERS

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to announce the winners of the Pennsylvania Fifth Congressional District Congressional Art Competition.

On Saturday, an independent panel of judges viewed 37 submissions of artwork at the Winkler Gallery of Fine Art in DuBois, Pennsylvania. Entries were at an all-time high this year, and I am so proud of all of our students who showcased their talent in this competition.

First place goes to Cassy Lester of Reynoldsville for her acrylic painting titled ''Chocolate Lab.'' Cassy is a student at Jeff Tech, a career and technology education center, and her teacher is Ms. Angela Dragich.

Congratulations, Cassy. We look forward to hosting you here in Washington, D.C., with the rest of the winners from throughout the Nation.

Proudly, Cassy's artwork will hang in the tunnel to the Capitol for 1 year.

The other runners up are Madelyn Ostermann of Fort LeBoeuf High School for her entry titled ''Eyes,'' and Alexander Spangler of Bellefonte Area High School for his entry titled ''Tracks of Ingenuity.''

We also had several honorable mentions, including ''Self Portrait'' by Megan DiNicola of Fort LeBoeuf High School, ''True Colors'' by Maggie Prutznal of Punxsutawney Area High School, ''Jungle Scene'' by Allison Copella of DuBois Area High School, ''Emmaleigh'' by Kailynn Morrison of Oil City High School, ''Wondrous Wonders'' by Willow Felver of Fort LeBoeuf High School, ''Wonderwall'' by Kassidy Hall of Fort LeBoeuf High School, and ''Thomas L. Kelly'' by Margaret Morgenstern of Fort LeBoeuf High School.

Mr. Speaker, each spring the Congressional Art Competition takes place, hosted by the Congressional Institute. The nationwide high school visual art competition recognizes and encourages artistic talent in the Nation and in each congressional district.

Since the Artistic Discovery competition began in 1982, more than 650,000 high school students have participated. The vision, talent, and creativity of our high school students always makes me so proud.

Thank you to all the students from Pennsylvania's Fifth Congressional District who shared their masterpieces this weekend, and I hope to see you again next year if you are eligible to showcase your work.

Mr. Speaker, I offer congratulations to our first-place winner, Cassy.

THE BUDGET DOES NOT HAVE MY VOTE

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

Mr. GUTIÉRREZ. Mr. Speaker, I will admit that I am pleased that the deal

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worked out between Democratic leadership and Republicans to keep the government open until October does not include funding for the President's ''tremendous'' border wall. But let's put that in perspective.

A border wall will not deport thousands of people living and working in cities across the Nation or moms and dads in my neighborhood. A border wall will not deport anyone, and I seriously doubt it would do any good keeping anyone out, either.

Building a 3,000-mile wall is a hugely expensive boondoggle to solve a policy problem many say we don't have. Border apprehensions have been going down steadily for years, and now we have people fleeing violence and persecution who are so scared of us they are deciding not to come to America and are applying for asylum somewhere else. They are not taking their legitimate claims for political asylum and safety to the Nation that is the hallmark of freedom.

So while even Donald Trump admits that border apprehensions are significantly down, he says, 75 percent, it is not necessarily for reasons we should be proud of.

But a wall? Are policy experts and pundits really discussing whether fifth century technology plays a role in modern homeland security? The Great Wall of China boosts tourism. It is not a factor in national security.

What concerns me more is the spending on deportation that is still in the bill we will be voting on today. $1.2 billion of Trump's original $3 billion request for border security and interior enforcement is still there. Any money we give those agencies at this point will find its way into funding the President's mass deportation agenda.

Now, imagine if we were applauding the approval of a budget that had $1.2 billion in new funding to roll back Roe v. Wade, additional funding from the Federal Government to restrict women's healthcare and reproductive rights. Well, I would never vote for that budget.

But what if Trump asked us for $3 billion but we only gave him $1.2 billion to undermine workplace safety laws and labor rights? I would never do that.

Let's just say it was $1.2 billion to defeat environmental regulations that protect clean air and water. Would we celebrate? I don't think so.

Would we celebrate $1.2 billion in additional money to weaken the Civil Rights and Voting Rights Acts? Would we celebrate more money to combat and weaken same-sex marriage or take away transgender rights? I wouldn't.

Adding $1.2 billion to the budget to make it easier for the U.S. Government to deport people should never be celebrated by any of us, and certainly not in the era of Trump when we know their number one policy priority is to scare immigrants into leaving or not coming in the first place.

Look, the people who will be deported with the money we are voting on are usually people with no criminal background and deep roots in their communities. They are parents, teachers, businessowners, mostly people of color, who have lived and worked here a long time and are here, in many cases, seeking refuge, as is their right under our laws and international law.

Yes, some are dangerous criminals, but don't believe the hype. The Trump administration and Attorney General Jeff Sessions are overhauling who we define as serious criminals so they can make their deportation force look benign and sometimes even beneficial.

Mr. Speaker, I will not be voting for the omnibus bill because I don't believe that it is okay to slip another billion here or there into the budget to break up and destroy families, put moms and dads in detention, and send DREAMers out of the country—the only country they have ever known.

I have looked into the eyes of children, of kids, U.S. citizens, whose parents have been deported. I have spoken to teachers in Chicago and across the country who have to deal with the fear in their students' lives every day. I have worked for decades with families who have complied—yes, for decades, I have worked with families who have complied with every order they have been given by Homeland Security and have reported to authorities like clockwork, but now when they report, they are deported from the United States of America.

I cannot turn around and bless more money for the machinery that is grinding up families. I just won't do it. And I will not turn my back on the immigrant community of the United States of America by supporting funding that will be used to detain immigrants in private jails and put them on airplanes out of the country.

Mr. Speaker, as long as we are going to shortchange health care in Puerto Rico and subsidize the deportation of families in Chicago, the budget will not have my vote.

SUPPORTING BACKBONE OF AMERICAN ECONOMY

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

Mr. LANCE. Mr. Speaker, I rise today in support of the backbone of the American economy: small business.

Whether I meet with an owner of a family restaurant that has been on the same street corner for 50 years or a programmer for a startup tech company trying to land its first big break, I am always inspired by the amount of dedication and ingenuity that goes into running a small business. These men and women work hard, and their passion can always be seen in the products and services that they produce.

The district I serve is home to so many thriving small businesses, and each one has a great story behind it. Such is the case with M.J. Neill, Incorporated, a family-owned heating company located in Bernardsville, New Jersey. This is M.J. Neill's 100th anniversary.

Business has not always been easy for M.J. Neill. The company has been overcoming obstacles since David W. Neill started it in 1917. It has had to navigate through the Great Depression, the OPEC oil crisis, and the 2008 financial crisis. It has had to make the move from coal to more efficient fuels. But through four generations, M.J. Neill has always been able to adapt and expand its business.

M.J. Neill continues to be a household name in heating in the Bernardsville area. It caters to other local small businesses and families all around Somerset and Morris Counties, and it is known for its 24/7 service and family-oriented approach. Some of its customers even date back to when the company first began, testament to the value of the honest service that M.J. Neill provides.

Today I congratulate current owner David Neill on the centennial of the company. The entrepreneurial spirit and innovation the Neill family has exhibited over the past 100 years is truly exemplary and serves as an example to all of us.

The stories we hear about successful small businesses are not the only evidence we have that they are pivotal to our economy. The statistics also prove that point.

We have over 29 million small businesses in the United States, and nearly two-thirds of the jobs created in this country come from those businesses. It is undeniable that a thriving small business sector is critical to bolstering employment in this country.

The same is true in New Jersey, which is home to 843,000 small businesses, accounting for over 99 percent of the total businesses in the State. These same small businesses employ 1.8 million people in New Jersey, more than half of our total workforce.

With so many people relying on work from our small business community, it only makes sense that Congress does everything possible to support them. That is why we must use this week, National Small Business Week, to continue to talk about the ways we can help rid small businesses of harmful regulations and equip them with the tools they need to grow and to prosper.

Last year we made great strides in the House by passing legislation such as the American Manufacturing Competitiveness Act and the Strengthening Career and Technical Education for the 21st Century Act, but we need to do more. Mr. Speaker, I urge my colleagues on both sides of the aisle to come together to support pro-small business legislation. Families like the Neills work hard their entire lives to serve their communities. It is imperative that those of us in Congress work to serve them as well.

□ 1015

AIRLINE ACCOUNTABILITY

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

Mr. TURNER. Mr. Speaker, yesterday, the CEO of United Airlines, Oscar Munoz, apologized to the House Committee on Transportation and Infrastructure for his company having dragged a passenger off of one of their aircraft. Mr. Munoz highlighted the policy changes the airline has made since the wake of the incident.

Mr. Speaker, I believe that Congress should hold the airlines accountable and ensure that the events like what happened to Dr. Dao are prevented.

When United Airlines had Dr. Dao forcibly removed on April 9, the airline more than just created a disruption for him and other passengers; it sparked a national outrage. Dr. Dao was bumped from his flight by a crew member of United in line with the then-airline's policies that crews could book seats on United flights until flights departed.

An airline's lack of preparation for its own staff's travel should not result in the disruption of the lives of its paying customers. Now crew members of United are required to make must-ride bookings at least 1 hour prior to departure, and they are not able to displace customers who are already on board.

However, today, I believe that we need to go further. This still has travelers at risk. So today, I am introducing the Hands Off Passengers Act or the HOP Act. This bill requires the Secretary of Transportation to modify a regulation regarding the involuntary deplaning or the denial of boarding of a flight by any passenger on an oversold flight merely to accommodate a member of the airline flight crew or staff. In other words, it prevents an airline from bumping ticketed passengers of an overbooked flight merely for the travel of one of the airline's crews.

Airlines should be better prepared on the movement of their crew to avoid the disruption of the lives of paying customers.

OMNIBUS SPENDING BILL

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). The Chair recognizes the gentleman from Michigan (Mr. MITCHELL) for 5 minutes.

Mr. MITCHELL. Madam Speaker, I rise today to express my disappointment that, yet again, Congress needs to resort to another omnibus spending bill. We are in a bind right now, finishing fiscal business that should have been completed last year, long before I came to Congress.

At this moment, the choice is stark and binary: We can vote to shut the government down, or we can vote for this massive funding bill. Neither is a good option, but shutting down the government is reckless. It would stall military pay and send a sign of weakness to the world. At a time when North Korea is becoming increasingly aggressive, Europe is unstable, and Russia is posturing, we cannot afford to shut down.

I have always said, and I believe, that effective leadership needs to say what you mean and do what you say. If I voted ''no'' on this legislation, it would be disingenuous because I know a shutdown would be disastrous. This is a hard vote to take, but it is unavoidable at this point.

We must continue to pay our troops and other uniformed personnel. We must fund critical programs included in this omnibus. Certainly, the legislation is not perfect and doesn't accomplish everything I want as a conservative, but it does achieve some objectives. It cuts 150 Federal programs. It reduces the EPA bureaucracy to the lowest level since 1989.

The legislation also funds critical programs Republicans have been fighting for: It strengthens our military with an increase in defense spending, enabling the purchase of new warships, aircraft, and weapons. It provides a meaningful increase in salary to our uniform personnel. It provides additional funds to thwart the global war on terror and fight ISIS.

It is part of an overall $1.52 billion increase in resources for border security, meaning more agents, enhanced technology, updated infrastructure to stem the flow of illegal aliens and drug activity across our border. It includes funds to fight the opioid epidemic, funding grants, treatment, and prevention efforts. It also provides increased funds for the National Institutes of Health to continue disease research that impacts every family.

For Michigan, important programs such as the Great Lakes Restoration Initiative are fully funded. It appropriates $5.6 million to study the potential invasion of Asian carp into the Great Lakes.

While there are beneficial components in this omnibus, I want to underscore that using an omnibus is not how this body should function. We should be passing targeted, individual spending measures that address each agency, rather than a take-it-or-leave-it massive spending bill.

Going forward, we must change what has become business as usual in Washington. That is why I ran for Congress. There is no doubt, that won't be easy. I am learning every day how much our system needs significant reform. Only four times since 1977 were all appropriations enacted by the start of the fiscal year. That is four times in the last 40 years that the appropriations process has been effectively completed. Given that, it is unsurprising we find ourselves making this unfortunate choice yet again.

Madam Speaker, I stand here to say we can do better; we must do better. I urge this body to come together to address the shortcomings in our appropriations process and develop better solutions for the future. Given today's options, I am voting to keep our government open, but we must end this series of short-term funding measures. We can do better. Our constituents deserve better.

OMNIBUS SPENDING BILL

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

Mr. COMER. Madam Speaker, I rise to address the body about my position on the omnibus spending bill, which funds the government through September 30.

This spending bill does nothing to accomplish my mission to balance the Federal budget, today or any time in the future. I do not like the appropriation process and its lack of transparency in how we got to this point today. I do not like the lack of meaningful debate, nor do I like the inability to file floor amendments to the spending bill. It is inexcusable that Congress continues to wait until the last minute to perform its most important duty, which is to fund the government.

I am a freshman Member. I came to Congress to make a difference. I represent the good people of the First Congressional District of Kentucky, not a political party or any special interest. I will always put my people's best interests above politics. My objective is to fight hard for what I believe is the best for my district and then form a consensus to get things done.

Madam Speaker, I understand that I am 1 of 435 Members of the U.S. House of Representatives. And as I always mention in speeches back home in Kentucky, this is a very diverse body, diverse in ideology, diverse in geography. We all have different ideas, objectives, and goals. I respect this institution and the Constitution.

In the 5 months I have been here, I have advocated for a balanced budget and term limits; and I will continue to fight to see that those two items of my agenda become law.

I have also worked hard to see that some badly needed projects in my district receive funding. I am proud to say that the following projects are funded in this bill: $270 million for the Paducah Gaseous Diffusion Plant deactivation process, which will keep 1,200 West Kentuckians working in good-paying jobs and continue to prevent illness and environmental issues in McCracken and Ballard Counties.

I am proud to represent Fort Campbell. The bill provides a pay increase for our troops and fully funds health and benefits for them and their families while providing the funding to begin rebuilding our military; language to redesignate the Pennyrile Parkway as I–169 from south of Madisonville to Hopkinsville; funding for much-needed dredging of the Hickman-Fulton Riverport, which is located just off the Mississippi River; language which prohibits the Army Corps of Engineers

from charging the residents of Russell and Clinton Counties for water from Lake Cumberland; and a permanent fix to ensure healthcare benefits for retired coal miners.

Though I am disappointed in many parts of the overall bill and the appropriations process as a whole, I am very happy with the badly needed items successfully addressed for my district in this short-term funding bill. For that reason and because I do not ever want to see a government shutdown, I will vote ''yes'' on the short-term omnibus.

I will continue to work hard for conservative principles and fiscal discipline. I will continue to demand transparency through the appropriations process. I came here to get things done for the people of my district. I am sure I will never get 100 percent of what I want, but I will always try. At the end of the day, I will try to build consensus and do the things that Congress is supposed to get done, whether it be tax reform, healthcare reform, or to fund the government.

We have many responsibilities in this great body, and I pledge to be one Representative who works with our President and every Member of this body to make America great again.

HONORING THE MEMORY OF MIAMI-DADE LAW ENFORCEMENT OFFICERS

The SPEAKER pro tempore (Mr. MITCHELL). The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, as we approach Peace Officers Memorial Day, I would like to honor the service and the sacrifice of law enforcement officers in my south Florida community who bravely lost their lives in the line of duty. On April 29, through the project that is called Project Honoring Every Resting Officer, or Project HERO, the Miami-Dade Police Department embarked upon its annual mission to pay tribute to the memory of each fallen officer in every department.

By placing an American flag and a Blue Line flag at the resting location of these valiant men and women in uniform, we remember their sacrifices and ensure that their memories will be immortalized.

I would like to thank the director of our fine police department, Juan Perez, for spearheading this noble cause on behalf of the families, friends, and colleagues of all of our fallen officers and also for Director Perez's work in making our community a safer place in which to live.

I encourage all south Floridans to also remember the fallen and to attend the Miami-Dade Law Enforcement Officers Memorial Ceremony on May 4 at 7 p.m. at Tropical Park.

RECOGNIZING THE CONTRIBUTION OF PORTMIAMI

Ms. ROS-LEHTINEN. Mr. Speaker, I recently visited PortMiami, one of the prime economic engines in Miami-Dade County.

Located in my congressional district, PortMiami is known as the cruise capital of the world. With its exclusive geographic location, the port is accessible to many international markets. In 2016, it handled an impressive 9 million tons of cargo and close to 5 million passengers.

With such large numbers, we can already imagine the powerful impact of PortMiami. It grows our economy. It creates jobs in Miami-Dade County and, indeed, throughout our great State of Florida.

Recent investments in infrastructure have been instrumental in guaranteeing that PortMiami remains a world class cargo and cruise port.

Throughout my years in Congress, I have been a strong supporter of our port. A project to dredge the channel to accommodate megacontainer vessels was completed in 2015. Also, four gantry cranes were purchased in order to operate the higher cargo volume. The completion of a tunnel has also accelerated the port's capacity to increase the volume of trucks that travel to and from the marine terminals, further strengthening the competitiveness of PortMiami.

PortMiami is currently undergoing some additional infrastructure projects, such as a new cruise terminal, security enhancements, and cargo yard-related improvements, all very important so that PortMiami continues to be a world class cargo and cruise port.

The Port of Miami is very important to my congressional district, to our south Florida economy, and I will continue to embrace this enterprise and economic force for our residents.

LUPUS AWARENESS MONTH

Ms. ROS-LEHTINEN. Mr. Speaker, May is Lupus Awareness Month. Lupus is an autoimmune illness that has the ability to attack any part of the body and unfortunately has no cure yet.

According to the Lupus Foundation of America, more than 1.5 million Americans, including my lovely stepdaughter Katharine, are living with lupus; and millions have already sadly lost their battle with this terrible disease.

So this month, we raise awareness and educate our communities about lupus; and we also thank the researchers, doctors, and scientists who work around the clock to research, diagnose, treat, and eventually cure this disease.

I would like to highlight the wonderful work that the Sylvester Cancer Center at my alma mater, the University of Miami, is doing to get closer to finding safer and more effective treatments.

I have been honored to join forces with the Lupus Foundation and my colleagues in the Congressional Lupus Caucus to secure new Federal funding to advance lupus research, education, and awareness. These funds will help foster new scientific breakthroughs to better understand the disease and to help patients living with lupus.

Finally, I want to recognize the hard work and the dedication of caregivers and advocates who raise awareness for lupus who create a better life for those impacted by this terrible disease.

In particular, I want to highlight the Florida Chapter of the Lupus Foundation. From their local Walks to End Lupus to their tireless advocacy on behalf of patients and caregivers, they have been an instrumental source of hope, guidance, and comfort to those living who have been transformed by this disease.

So I invite our entire south Florida community to join them and the Miami Marlins on May 10 at Marlins Park for Lupus Awareness Night.

Mr. Speaker, this month, let us remember those who we have lost and those who are currently impacted by this terrible disease. Let us thank the advocates and caregivers, empower researchers, and, most importantly, let us work together for the day when no one will be diagnosed with lupus.

□ 1030

VENEZUELA REFUGEE ASSISTANCE

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

Mr. CURBELO of Florida. Mr. Speaker, for over a decade, thousands of Venezuelans were forced to flee the brutal Chavez dictatorship, and the situation has only worsened under his handpicked successor, Nicolas Maduro.

Over the last several years, the people of Venezuela have increasingly spoken out against the Maduro regime, and time and time again he has attempted to silence them. In the last few weeks alone, the world has seen countless examples of the regime's thuggish tactics, unethical behavior, and lethal force against innocent civilians.

Top opposition leaders like Leopoldo Lopez remain locked up in Maduro's prisons, while the dictator continues to stop at nothing to try and control all branches of government. Thousands of opposition protesters have been arrested and dozens have been left for dead or killed.

So in response to this continued political crisis, I have joined with my colleagues DARREN SOTO, ILEANA ROS-LEHTINEN, and DEBBIE WASSERMAN SCHULTZ to introduce bipartisan legislation allowing Venezuelan nationals who have made a new home in the United States to remain here if they choose to do so, since it is too dangerous to return to their home country.

Instead of returning to the instability and uncertainty in Venezuela, these individuals would be granted legal permanent residency, so long as they do not have a criminal record and have never been involved in the persecution of others, eliminating any possibility of human rights violators or

Chavista thugs accessing our legal immigration system.

The people of Venezuela deserve the American people's support and admiration for their continued fight against the brutal Maduro anti-American regime. Honest and hardworking Venezuelans who would be persecuted or imprisoned unjustly should they return to their country should be allowed the opportunity to take refuge here in the United States.

FLOOD INSURANCE REAUTHORIZATION

Mr. CURBELO of Florida. Mr. Speaker, I rise today to discuss the critical issue of reforming and reauthorizing the National Flood Insurance Program. For my constituents in south Florida and the Florida Keys, and for coastal communities across the country, flood insurance is an absolute necessity to protect against natural disasters. But the program is flawed and saddled with $23 billion of debt.

We have a unique opportunity in the coming months to address the issues that matter most to our constituents, providing for optimal coverage at rates that are affordable to policyholders and based on accurate flood maps. There are numerous solutions I am studying, such as expanding the use of Write Your Own policies and growing the private insurance market, as long as strict oversight protocols are established and a Federal backstop is in place.

We should also promote stronger building standards for new construction projects that will better withstand flooding and strong winds. In Florida, we are a payee State, a donor State into the NFIP, but have also adopted strong building standards to reduce cleanup costs after the damage of a natural disaster has been done.

As Congress works to reform the NFIP, I will find commonsense solutions with my colleagues on both sides of the aisle to ensure our constituents have access to reliable coverage at fair and appropriate rates.

MIAMI-DADE COUNTY PUBLIC SCHOOLS

Mr. CURBELO of Florida. Mr. Speaker, I rise today to congratulate the seven Miami-Dade County schools that were recently named to the USA Today's top 100 public schools in the country, including Archimedean Upper Conservatory Charter School in my own district.

The rankings are based on graduation rates, reading, and math scores on State standardized tests, including how low-income and minority students fared in comparison to the State average, and the number of students taking college-level advanced placement courses and scoring well on the corresponding tests.

As a former Miami-Dade County Public School Board member, I am incredibly proud to see the tremendous growth and success of these schools in south Florida. MDCPS was in the midst of a financial and moral recovery when I was on the board just a few years ago; and during my time there, we improved the quality of education and put students and teachers first, resulting in major gains in student performance and graduation rates.

Today, Superintendent Carvalho and the board continue to make great progress. The teachers, staff, administrators, and parents at these schools are working to ensure our students have the best education possible.

Congratulations on this honor. I look forward to visiting the Archimedean Owls back home in the very near future.

NEW DETAILS ON IRAN DEAL PRISONER SWAP

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

Mr. PAULSEN. Mr. Speaker, we recently learned troubling details surrounding the terms of the Obama administration's nuclear deal with Iran from early last year. As I have said before, the more details we learn about this deal, the more apparent it is that it was neither prudent nor transparent.

The safety and security of the American people and our allies around the world should remain a top priority for the United States. But we are learning, according to reports, as part of this prisoner swap with Iran in 2016, the Obama administration released seven prisoners and dropped charges and international arrest warrants of 14 fugitives, many of whom had been directly involved in supplying Iran with U.S.-built equipment or sensitive information that could be used for military systems, primarily Iran's nuclear program.

The administration downplayed the security threat that these men posed. In a variety of ways, these individuals deliberately worked to undermine the United States and smuggle American military technology to Tehran.

In one instance, a man was allegedly part of a conspiracy to steal sensitive software information from a defense contractor in Vermont. Another one of the men was in the middle of serving an 8-year prison sentence on charges related to a separate conspiracy to provide satellite technology and hardware to Iran.

Three of the fugitives were allegedly working to lease an aircraft from Boeing for an Iranian airline that authorities say supported Hezbollah, which the United States, of course, has designated as a terrorist organization.

And the list goes on as these are just a few of the cases. All of this poses a serious threat to our national security as sensitive military information and technology could be used to bolster Iran's weapons programs.

As you may recall, this comes after we learned last fall that, as a part of the deal, the United States paid $400 million that was contingent on Iran releasing four American hostages. This broke from longstanding United States policy to not pay ransoms to rogue nations because it encourages bad actors like Iran to take more hostages. Again, this was not made known to Congress or the American public. We only learned about it nearly a year after the deal was finalized.

What makes this most concerning or more disconcerting is the Obama administration's lack of transparency on the backgrounds of these prisoners. These are not merely civilians or businessmen, as the President and his officials referred to them on multiple occasions. The administration left the impression that these individuals were nothing more than violators of sanctions and not as dangerous as they truly were. Each of these men pose very real threats that the administration hid from the American people.

This isn't a partisan talking point, Mr. Speaker. Even President Obama's own Justice Department had accused many of these men of being involved in terrorist activities.

I support diplomatic efforts with Iran, and I am hopeful that we can continue to engage in diplomacy and secure a good deal at some point, but this latest news continues to exemplify why both Republicans and Democrats could not and did not support this deal.

Iran continues to push every boundary, exploit every loophole, and avoid as much oversight as possible, all while it is antagonizing the rest of the world. It continues to reap the benefits of this deal at the expense of our national security and that of our allies, such as Israel.

We continue to learn something new and bad about this deal that wasn't shared with Congress or the public. Our national security is too important to put at risk, and no President's legacy is worth taking that risk. This new information validates many of the concerns that led to the bipartisan opposition to the nuclear deal.

RECOGNIZING THE DISTINGUISHED SERVICE OF GRETA JOYNES AND CHRIS SARLEY

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

Mr. SHIMKUS. Mr. Speaker, I wanted to come down to the floor to recognize and thank two of my major staffers in my office who are leaving to pursue other opportunities. The first one is Greta Joynes.

Greta recently left as my legislative director; and as you know, Mr. Speaker, that is your top adviser in the legislative field. So not only running the legislative office, she also had some personal expertise in the telecommunications regions.

But Greta is from northern Illinois, north of I–80, originally from the Chicagoland area, and is a graduate of Northern Illinois University, NIU. She started as a staff assistant in 2003 and worked her way up through the ranks, as I said, becoming legislative director

in 2011, and then served as deputy chief of staff from 2013 until she left recently in March.

She focused on telecommunications as her expertise, and we primarily in our office dealt with 911 issues, especially the Next Generation 911 Advancement Act. She also spearheaded the Next Generation 911 Caucus in my office.

She is married to Bob and has two children, Gavin and Hadley. We already miss her activity and work in the office, and we pass on best wishes.

Next is Mr. Chris Sarley, who has a 14-year career on Capitol Hill. This is his tenth year with me, and I think it is uncommon in many offices for people to stay that long. I think it is a tribute to my chief of staff, Craig Roberts, and the fact that I don't meddle too much how they manage the office and get their job done.

Chris has served 10 years with me. In addition to handling health care and energy policy in my office, Chris has served the committee under Chairman WALDEN and Chairman Emeritus UPTON as policy coordinator for the Subcommittee on Environment since 2011.

Chris has been an invaluable member of my team, and some of his achievements include:

Before he came to my office, he worked on the Medicare part D rollout.

Under my office, he advanced several medical device titles in the 21st Century Cures Act.

He worked on what we call the ADAPT Act and the GAIN Act, which target the antibiotic threats that hopefully will not occur in our country, but we need to be ready to respond.

He was very involved in ADUFA, Animal Drug User Fee Act, and enabling the FDA to approve drugs used for pets and livestock.

But for all of us on the Energy and Commerce Committee, he was one of our primary House negotiators during the first major rewrite of a United States environmental protection law in over 2 decades, and facilitated passage of the Chemical Safety for the 21st Century Act, which amends the Toxic Substances Control Act, which is the Nation's primary chemical regulation law.

I think the public really would appreciate if they knew the work that our staff members do on long hours and over the weekends. We mention it all the time, especially when we are fighting across the aisle, because it is primarily the staff that is trying to get to the point where they can share language where we can then give a thumbs up or thumbs down, and it is very seldom that we say thanks for those. A Member is only as good as the folks he has who work for him and who he or she surrounds himself with.

I wanted to take this time, Mr. Speaker, to call out two great government employees who served their Nation well and served me well. And it also sends a signal about all our other staff members who do tremendous work under great stress to serve this country.

RECESS

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

Accordingly (at 10 o'clock and 44 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Rabbi Richard Boruch Rabinowitz, Aish International, New York, New York, offered the following prayer:

May we humbly ask You, God Almighty, to help us focus on the beauty and good of this great country.

God, we thank You for giving wisdom to Presidents George W. Bush, Barack Obama, and Donald J. Trump for proclaiming May as Jewish Heritage Month.

The Jewish people of this country are grateful and indebted to You, God, for the opportunity to contribute in making the United States a great nation.

Aish founder, Rabbi Noah Weinberg, of blessed memory, would say to young people: ''When older people see your idealism, they might say, 'you'll grow up,' but what they really mean is 'you'll give up.' ''

Rabbi Weinberg would say: ''Never give up—get tougher instead.''

Let us pray for the Members of Congress and this great Nation: God, please grant us clarity and courage to always do right and never give up on our principles.

God bless the United States of America.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Nebraska (Mr. SMITH) come forward and lead the House in the Pledge of Allegiance.

Mr. SMITH of Nebraska 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.

HONORING LYDIA STRUNK

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

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today because this is Lydia Strunk's last week working on the House floor.

Before I talk about Lydia, I want to talk about the work that she and all the people here on the floor do for us, for the people's House, on both sides of the aisle. They are the ones who keep the floor running on time on a day-to-day basis. They make sure that the votes are counted and conducted impartially. They make sure that every Member, majority and minority, is treated fairly. And though the hours are long and unpredictable, they always set a fantastic tone of decorum.

No one better exemplifies this professionalism than Lydia Strunk. She has been a part of this institution since 2008, when she started out in the Republican Cloakroom. We all knew her so well then and enjoyed watching her rise to these great responsibilities that she now holds.

For more than 4 years now, Lydia has served as the Speaker's deputy floor director. As it turns out, she accepted this job on the night of her wedding. How is that for commitment?

Lydia's quiet dedication to the people's House comes through in almost everything that she does; and because she does her job so well, almost no one ever notices. Think about it. If you ever wondered how a joint meeting with a foreign leader or a State of the Union goes off without a hitch, it is because of Lydia's doing.

One of her jobs, of course, is to keep us on schedule. So I will make one last point before she tells me to wrap this up, because I assume that is what she will be doing in a minute.

I want to thank Lydia's family. I want to thank Lydia's husband, Jeff, and I want to thank, in particular, her children.

Graham and Evie, I want you to know that your mother is an incredible public servant. She has done so much for us, for this country and this institution, and we are grateful to you for sharing your mom—and your wife—with us. This whole House is in her debt.

HONORING LYDIA STRUNK

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

Mr. HOYER. Mr. Speaker, I agree with almost everything the Speaker just had to say, and I may repeat some of it. What I do not agree with, however, Mr. Speaker, is that we didn't notice. I noticed. My staff has noticed. My staff has not only noticed, but appreciated the extraordinary work that Lydia has done for this House—yes, for your office, yes, for the Republican side of the aisle, but for this House and for the American people.

Lydia and I have a great relationship, but probably more importantly, she has a great relationship with Shuwanza Goff, who runs the floor on our side of the aisle.

What a privilege it is to rise and say to Lydia, thank you—not as a Democrat, not as a Republican, but as an American who appreciates the role that you have played, Lydia, in making a difference. I always say that, when the House runs well, it is the staff's work. When it doesn't do so well, it is the Members' responsibility and fault. So you have been absolutely terrific.

And Jeff and Graham and Evie, I join with Speaker RYAN in saying that your mom is a great American, a wonderful human being. You know that personally. You see it every day in your own lives. But for the past 9 years, Lydia has been a presence on this floor first in the Republican Cloakroom as an assistant, later as a staffer with the Rules Committee, and then, as the Speaker just pointed out, deputy floor director for the Republican side of the aisle.

They are the majority party, so Lydia's responsibility really is institutional—not partisan, but institutional—and she has performed that in the best traditions of the best of this House.

It is a testament to Lydia's skill and professionalism that she has earned the respect not only of her own colleagues on the Republican side, but also those who work on my staff and the Democratic leader's staff on this side of the aisle. That is why, Lydia, I said we have noticed, we have appreciated it.

In many ways, Mr. Speaker, public service is a family affair for Lydia Strunk. She grew up around it when her father worked in the George H.W. Bush White House handling legislative affairs. Her dad is a good friend of mine, so perhaps I am not objective. I am also the father of three daughters, so perhaps I am not objective.

Nick Calio is one of the great people with whom I have served through the years. I think he is here in the gallery somewhere with his wife.

Thank you, Nick, for your service, and thank you for being such a wonderful example for your daughter. She has brought that same kind of cooperative, collegial, inclusive spirit to her work that you brought to yours not only working in the public sector, but also in the private sector.

Let me end. She grew up in a great State: Maryland. Again, perhaps making me more subjective than I otherwise would be.

After she began as a Cloakroom assistant, she met and later married Jeff Strunk, who then worked on Speaker John Boehner's floor staff, also very effectively and productively. And when Jeff left Capitol Hill in 2013, Lydia was promoted to take his place, a somewhat incestuous operation, but it worked extraordinarily well, Mr. Speaker.

I am grateful. We ought to all be grateful. The American people ought to be grateful for her efforts, her know-how, and the dedication she brings to the task of ensuring that our work, Americans' work, the American people's work here on this floor and on behalf of all of us can continue smoothly each day.

Lydia, thank you. We wish you the very best. We know that whatever you do, you will be extraordinarily successful in doing, and that you will be perceived by your colleagues and by those with whom you work in the same very positive and very appreciative way that we view you today. Godspeed.

CONGRATULATIONS TO GERING HIGH SCHOOL

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

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to congratulate Gering High School, one of three national winners of the 2017 Samsung Solve for Tomorrow contest. The team of 19 Gering students took top honors out of thousands of entries and 10 national finalists.

It is exciting to see young innovators from western Nebraska, especially my alma mater, recognized nationally for their ideas on how to advance agriculture. The students designed a drone-powered system to reduce herbicide quantity by allowing farmers to directly target specific areas rather than spraying entire fields. I applaud each of them for their hard work and the dedication they put into their winning project.

Congratulations go to Curtis Anderson, Jonathan Blanco, Dakota Boles, Blake Brunner, Gabriele Castro, Cody Catron, Eric Crane, Jeremy Forella, Michael Haworth, Xavier Horst, Elexus Johnson, Kaiden Reinmuth, Trevor Satur, Tyler Smith, Joel Torres, Carson Wallace, Skylier Ward, Payton Welfl, Joshua Wilson, and their teacher, Mr. Justin Reinmuth.

TODAY IS WORLD PRESS FREEDOM DAY

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

Mr. QUIGLEY. Mr. Speaker, today is World Press Freedom Day, a day that deserves commemoration now more than ever.

Undermining the credibility of the free press and attempting to turn the American people against the media is reminiscent of authoritarian tactics, not the conduct of the leader of the free world. Yet the President has referred to the press as the ''enemy of the people'' for simply doing their job: reporting the facts and holding all of us accountable.

He has also dismissed distinguished publications as fake news, again, for simply doing their job and has threatened to change libel laws that will weaken the First Amendment, making it easier for him to attack and sue the press.

This antagonistic relationship between the President and the press is not only beneath the dignity of the office, it is also dangerous for our democracy. We have seen strongmen and autocratic countries suppress the media through intimidation and by discrediting the integrity of the very institution of journalism.

It is hard to believe that I have to say this in this country at this point in our history, but as Thomas Jefferson said: ''Our liberty cannot be guarded but by the freedom of the press, nor that be limited without danger of losing it.''

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

MATKINS FLOWERS AND GREENHOUSE CELEBRATES 90 YEARS IN BUSINESS

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

Mr. WOMACK. Mr. Speaker, I rise today to honor a small business in my district that is celebrating its 90th anniversary this week.

Matkins Flowers and Greenhouse in Bentonville, Arkansas, has served the northwest Arkansas region since 1927, when Henry Lenny Matkins, Sr., founded the company. Throughout the last nine decades, this Arkansas small business has persevered in good times and bad, and it serves as an example of how you make a small business sustainable with integrity, accountability, and hard work.

Working through the Great Depression, World War II, and the modern era, the Matkins family has continuously exhibited the importance of the family-owned small business to the American economy. Now in its fourth generation of leadership with Jim and his son Jeff, it is worth celebrating this important milestone.

Mr. Speaker, I am honored to represent this outstanding family and offer my thanks and admiration for the success of Matkins Flowers and Greenhouse.

□ 1215

HEALTHCARE SCAM

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

Mr. HIGGINS of New York. Mr. Speaker, for the third time in 90 days, Republicans are trying to take away patient protections for Americans with preexisting medical conditions. Fifty percent of all Americans and 86 percent of Americans ages 55 through 64 have preexisting conditions. There is a genetic influence in many people who have preexisting conditions, meaning that tens of millions of Americans are born into a predisposition for certain diseases like cancer, Alzheimer's, and heart disease.

The Republican healthcare scam would obliterate protections for preexisting conditions. For example, if you have a dad with a kid who is stuck with childhood cancer, the dad could buy a policy, but that policy would not have to cover his kid's cancer treatments. That, Mr. Speaker, is a deliberate intent to deceive the American people.

TEACHER APPRECIATION WEEK

(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, next week marks Teacher Appreciation Week, which recognizes the special role educators make for American families.

As the husband of a retired schoolteacher and a grateful dad of four sons with eight grandchildren, I know firsthand the positive impact educators have for students.

South Carolina's Second Congressional District is filled with dedicated and talented teachers and administrators, and it is always a pleasure to visit with them at their school or when their classes visit Washington.

I would also like to recognize the 2017 Teacher of the Year, Jennifer Wise, of Hand Middle School of Columbia, which my mother attended. As a math teacher, Jennifer motivates her students for mathematics to energize their lives outside of the classroom.

The success of our teachers is amplified by the leadership of State Superintendent of Education Molly Spearman, working with Education Secretary Betsy DeVos, and the parents, teachers, administrators, and locally elected school boards who are making a difference for the students of South Carolina for job opportunities and meaningful lives.

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

VIETNAMESE BLACK APRIL

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

Mr. CORREA. Mr. Speaker, on Sunday we commemorated the 42nd anniversary of Black April and the fall of Saigon. On this day, we are reminded of the pain of losing your homeland and of the sacrifices made in search for freedom.

When Saigon fell in 1975, thousands of families were forced to flee their home, and many came to America with nothing but hope and their dreams to keep them alive.

Today I am proud to have represented Little Saigon, the largest concentration of Vietnamese outside of Vietnam. Each and every one of them has a personal connection to the sacrifices that their families have made and to the loss of their homes. This shared experience has made the Vietnamese community and culture thrive in Orange County, California.

I am honored to represent this community and mourn alongside with them. I am proud that America gave them shelter in their time of need.

The U.S. must always be a beacon of hope to those without hope. We must continue to stand up for human rights and religious freedom.

HONORING THE MEMORY OF MATTHEW McCLANAHAN

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

Mr. HARPER. Mr. Speaker, I rise today to honor the memory of Matthew McClanahan.

Matthew was a loving and devoted family man, a friend to so many, a respected employee who worked among our congressional community for the Office of the Architect of the Capitol. Born in Annapolis, Maryland, Matthew made his home in Glen Burnie, Maryland. As part of the maintenance division team of the Capitol Grounds, he was only 30 years young when he passed away.

Respected by his colleagues and exemplifying hard work and dedication to his trade, he was known as being good-humored and someone always ready to lend a helping hand. Our entire congressional community mourns the loss of one of our own, following the terrible accident that took place last month on April 18.

Later today, I will stand with my House colleagues in a moment of silence to honor and remember Matthew McClanahan. My entire staff and I join with the Architect of the Capitol team in offering his family, especially his wife, Lauren, and children, Evie and Matthew, our prayers and deepest sympathies.

TERRIBLE HEALTHCARE PLAN

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

Mr. KILDEE. Mr. Speaker, Republicans in Congress and now President Trump are twisting arms and trying to make a deal to get their terrible healthcare bill through this House of Representatives.

It is so interesting to note that they are working really hard to make sure they can have a vote, if they can, before Members have to go home and speak to the people that they work for.

Why would that be? Why would they be so fearful of having to go back and explain what is happening?

They would rather go back and say: It is too late. I already voted for it. Sorry.

They do that because they know this is a bad piece of legislation. Don't just take it from me. Other Republican Members have said things like: This legislation provides health care in name only or it torpedoes protections for people with preexisting conditions.

No one should be fooled by this last-minute ditch effort to put some money on the table as if it is enough to provide support for preexisting conditions.

Let's be clear, this change eliminates the guarantee that you can get coverage if you have any sort of preexisting condition. We should reject it.

MINNESOTA NATIONAL GUARD AWARDED UNIT OF THE YEAR

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

Mr. EMMER. Mr. Speaker, I rise today to recognize a Minnesota National Guard unit for recently receiving the prestigious John J. Stanko Army National Guard Unit of the Year Award.

During their deployment, which included soldiers spread across multiple locations, the Bravo Company 2 of the 211th General Support Aviation Battalion completed more than 300 missions across Afghanistan, enduring some of the most difficult and dangerous environments imaginable. Additionally, they moved an incredible 1 million pounds of cargo and participated in high-risk missions and deliberate operations to support forces on the ground.

Due to their overall excellent performance, the Bravo Company soldiers have been awarded three Bronze Stars, several Air Medals, eight Combat Action Badges, three Meritorious Service Medals, five Army Commendation Medals, and 14 Army Achievement Medals.

The Bravo Company's achievements have earned them the reputation as one of the best Army aviation units serving in Afghanistan. We are proud to know that these soldiers call Minnesota their home.

I want to thank these soldiers for their brave service to our Nation, their unwavering dedication to their unit, and the honorable way in which they have served. You are the reason the United States Armed Forces are the best in the world.

USPS FOOD DRIVE

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

Ms. SPEIER. Mr. Speaker, in advance of the 20th annual Letter Carriers' Stamp Out Hunger Food Drive next Saturday, let us recognize the unsung heroes within our communities: our letter carriers.

Take David Crestik from San Diego, who carried an injured elderly woman out of a burning mobile home, called 911, and then finished his route; or Shawn Kang from Stockton, who rescued a person trapped underneath his car.

On May 13, letter carriers will stock struggling food pantries across our country through the Stamp Out Hunger Food Drive. Last year, they collected over 80 million pounds of nonperishable canned goods, a record. Let's remember, one in six Americans don't know where their next meal is coming from. So let's honor and recognize the tremendous leadership, compassion, and dedication of our letter carriers. They serve our communities and they are a vital part of them.

SMALL BUSINESS WEEK

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

Mr. PERRY. Mr. Speaker, I rise to recognize the first week in May as Small Business Week in the United States and to applaud the contributions of the 1 million small-business owners from across the Commonwealth of Pennsylvania.

The entrepreneurs at the helm of these businesses take on great risk. As a former small-business owner myself, I fully understand that risk as well as the colossal responsibility associated with signing the front side of a paycheck.

Small business is the backbone of the Commonwealth of Pennsylvania, employing millions of people, roughly half of the private sector workforce in our Commonwealth. Their success is our success. We thank them for all they do to drive innovation forward and create and sustain careers of tomorrow.

MOMENT OF SILENCE HONORING SERGEANT JOSHUA RODGERS

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

Mr. LAHOOD. Mr. Speaker, I rise today with a heavy heart to honor Sergeant Joshua Rodgers, who made the ultimate sacrifice last Wednesday night in Afghanistan. Sergeant Rodgers was a native of Bloomington, Illinois, in my congressional district, and was one of two American soldiers killed during a raid targeting an ISIS prison last week.

Sergeant Rodgers graduated from Normal Community High School in 2013, where he competed on the track and football teams. His teammates and coaches remember him as a hard worker and a great leader. He had a true sense of duty and believed it necessary to serve his country.

After graduation from high school, he enlisted in the Army, achieving the position of Army Ranger. In his short career, he did three tours in Afghanistan. He would go on to receive numerous medals for his service, such as the Army Achievement Medal and the Global War on Terrorism Service Medal.

Sergeant Joshua Rodgers was a man of courage, and he gave his life on the battlefield fighting against the evil of ISIS and terrorism. His bravery and sacrifice in the name of liberty and freedom will not be forgotten. My thoughts and prayers are with Joshua's family during this difficult period.

Mr. Speaker, at this time, I would ask that the House rise and take a moment of silence to pay tribute to Sergeant Joshua Rodgers for his service and sacrifice for our country and for free people everywhere.

THANKING AMERICA'S TEACHERS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, Sunday marks the start of Teacher Appreciation Week nationwide. The National Education Association and the National PTA have teamed up to celebrate America's hardworking, dedicated, and passionate teachers.

Tuesday, May 9, is the official Teacher Day.

Mr. Speaker, I think every Member of this House can think of a teacher who had a positive influence on not only their education, but their life. Our teachers push students to achieve their best and they show students how to realize their full potential.

Teachers are often the most underrated, yet powerful professionals in the entire world. They truly do shape young minds. Teachers lend a caring hand and extend a loving heart. They make differences in the lives of our students academically, emotionally, and physically.

So to every teacher in America, I say to you: Thank you for the job that you do, for the hours that you work, for the patience you show, and for the impact you have on so many lives. Happy National Teachers Week. This Nation would be lost without you.

□ 1230

SMALL BUSINESS WEEK

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

Mr. MARSHALL. Mr. Speaker, today, as we celebrate Small Business Week, I rise to recognize, commend, and stress the importance of small businesses of this country.

I have the honor of serving on the House Small Business Committee every day, and I am reminded that small businesses are the pillars and the cornerstones of the American economy.

The National Small Business Association recently met in our Nation's Capital. They communicated to me their biggest concerns were health care and government overregulation. That is why we believe doing nothing with health care is not an option. That is why this Congress must strive to end the overburdensome regulation this government does to kill jobs.

All across Kansas, and this country, small businesses are driving economic opportunity, innovation, and growth. This week, and every week, we must keep their contributions at the forefront of our decisionmaking.

SMALL BUSINESS WEEK

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

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today in honor of Small Business Week.

Small businesses are the backbone of the American economy and the main driver of our local communities. In fact, two-thirds of all new jobs in the United States are created by small businesses. It is crucial that our entrepreneurs and small-business owners have the support that they need; and as legislators, it is incumbent upon us to create an environment that allows them to succeed.

I am proud to be a member of the Financial Services Committee as we mark up a bill today that will give our small businesses the boost that they need.

The previous administration enacted rules and regulations that helped some big companies and some big cities but slowed growth for our small businesses in rural communities. The Financial CHOICE Act will repeal Dodd-Frank's one-size-fits-all regulations and finally allow small businesses to access the capital they need to grow and to prosper.

I am grateful for this opportunity to celebrate the remarkable small businesses in the Eighth Congressional District of Tennessee, and I look forward to working with my colleagues to pass financial regulatory reform that will revive our economy.

NATIONAL TRAVEL AND TOURISM WEEK

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to recognize National Travel and

Tourism Week, which runs from May 7 to May 13.

I grew up in Tarpon Springs, Florida, where our historic sponge docks, authentic Greek communities, and beautiful waterways draw visitors from around the State, country, and the world.

As a young kid, I worked in my grandfather's bakery in Tarpon Springs, Florida. Many of our customers were tourists coming to sample Greek pastries on their visit to Tarpon Springs.

Today, tourism remains important to businesses in our community. And in 2015, both business and leisure travelers spent $2 billion in Florida's 12th Congressional District.

Travel and tourism is one of the largest industries in the United States. Last year alone, it generated more than $2.3 trillion in economic output, and it is responsible for 15.3 million jobs nationwide.

In honor of National Travel and Tourism Week, I thank the people who work each day to welcome travelers and keep this important industry strong.

REPEAL AND REPLACE THE AFFORDABLE CARE ACT

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

Mr. HARRIS. Mr. Speaker, I hope that tomorrow the House has the opportunity to deliver on the promise that the President made and Republicans made to finally repeal and replace the Affordable Care Act which is crumbling around us.

Mr. Speaker, we do everything we said we would do. Maintain coverage for preexisting conditions and guarantee it, check. In fact, with the MacArthur amendment and the Palmer amendment, we establish high-risk pools that will actually bring down the premium costs for people with preexisting conditions, as it will for all Americans.

Guarantee coverage and renewability, check. Coverage for people up to age 26 on their parents' plan, check. No discrimination based on gender, check.

And most importantly, in the Medicaid program, we not only preserve but strengthen coverage for our elderly, sick, disabled, and pregnant women on that plan.

Mr. Speaker, it is about time we repeal and replace the Affordable Care Act.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 3, 2017, at 9:19 a.m.:

That the Senate passed S. 141.

That the Senate passed without amendment H.R. 274.

That the Senate passed with amendments H.R. 366.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 244, HONORING INVESTMENTS IN RECRUITING AND EMPLOYING AMERICAN MILITARY VETERANS ACT OF 2017

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 305 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 305

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 244) to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order, a single motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendments numbered 2 and 3, and that the House concur in the Senate amendment numbered 1 with an amendment consisting of the text of Rules Committee Print 115-16 modified by the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendments 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 final adoption without intervening motion or demand for division of the question.

SEC. 2. The chair of the Committee on Appropriations may insert in the Congressional Record not later than May 3, 2017, such material as he may deem explanatory of the Senate amendments and the motion specified in the first section of this resolution.

SEC. 3. The chair of the Permanent Select Committee on Intelligence may insert in the Congressional Record not later than May 3, 2017, such material as he may deem explanatory of intelligence authorization measures for the fiscal year 2017.

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

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), my friend, 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.

GENERAL LEAVE

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

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

There was no objection.

Mr. COLE. Mr. Speaker, yesterday the Rules Committee met and reported a rule for consideration of two very important measures. First, the resolution provides for consideration of Senate amendments to H.R. 244, the Consolidated Appropriations Act of 2017.

The rule provides for 1 hour of debate, equally divided and controlled by the chair and ranking member of the Appropriations Committee. In addition, the resolution provides for consideration of the FY 2017 Intelligence Authorization Act as an amendment to the underlying bill.

Mr. Speaker, the appropriations package in front of us is the first successful bicameral, bipartisan negotiation of the Trump administration. It has broad bipartisan support in both Houses of Congress. All Members can feel good about the work of the Appropriations Committee, especially our chairman, Mr. FRELINGHUYSEN of New Jersey, and our Ranking Member, Mrs. LOWEY of New York. In the House, the work must continue today but, hopefully, will be concluded today.

The package in front of us not only keeps the government open and operating through the end of the fiscal year, but it also represents a successful completion of key member priorities on both sides of the aisle.

This bill provides for a $25.7 billion increase in defense spending, notably including an additional $7.3 billion for Department of Defense readiness and training, as well as the largest pay raise our troops have received in 6 years. These funds will help us enhance our military readiness and marks an end to the erosion of our national military strength.

Importantly, we accomplished this without a dollar-for-dollar increase in nondefense discretionary spending, a practice which was imposed upon us by the previous administration. That practice threatened to drive our national deficit even higher. I am pleased that we broke that connection, for we should never operate under such a formula in the future.

This measure also provides for an increase of $1.5 billion in funding for border security. $772 million is available for key administration priorities like border security technology enhancements and infrastructure improvements. It also increases funding for Customs and Border Patrol to improve operational effectiveness. And, I note, the President has wide authority and latitude to deploy these dollars where

they should do the most good. This is the largest increase in border security funding in almost a decade.

Domestically, this bill funds hundreds, if not thousands, of Member priorities. We reached a bipartisan agreement on opioid funding, redirecting over $500 million to combat this epidemic affecting every district in the Nation. We funded health care for miners, a key priority for many of our Members.

We secured the second consecutive $2 billion increase for the National Institutes of Health, the Nation's lead biomedical research organization and a key driver of the hope of treating new diseases, saving countless lives, and, incidentally, driving down healthcare costs.

We also secured an increase for the Centers for Disease Control and Prevention, which will help enhance our readiness to combat pandemics and respond to public health crises.

We increased funding for GEAR UP and TRIO, two essential programs that help first-generation college students actually go to college, and increased funding for Head Start by $90 million. Every Member of this House has a victory someplace in this bill, and this was done, Mr. Speaker, by cutting spending in other less essential areas and making tough choices.

In the Labor-H provisions of this bill, for instance, we actually spend $2.8 billion less than President Obama requested, and $1 billion less than we actually spent last year.

Finally, and most importantly, this bill is the product of a successful bipartisan, bicameral negotiation. This shows all of us that we have the ability for the President, the Republicans in the House and the Senate, and the Democrats in the House and the Senate to sit down and work together on important issues. I am heartened by this success, and I believe it suggests our ability to work together in the future on other crucially important pieces of legislation like tax reform and infrastructure improvements.

Mr. Speaker, I urge support for the rule and the underlying legislation, and I reserve the balance of my time.

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

I thank my good friend, the gentleman from Oklahoma (Mr. COLE), for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise today to debate the rule for consideration of the Consolidated Appropriations Act for fiscal year 2017. As you know, this $1 trillion omnibus will provide discretionary funding for most of the Federal Government for the remaining 5 months of fiscal year 2017.

Before moving to the specifics of the legislation, we need to get a few things straight. It bears repeating that the appropriations measures contained in this bill should have been passed months ago. While I am glad that we have arrived at this compromise, and the words of my good friend from Oklahoma, I certainly support with regard to the extraordinary work of the chairman and the ranking member, and their respective staffs, as well as all the appropriators, generally, and their staffs, they have done a good job with reference to the measure, as far as compromise is concerned.

But the fact remains that the bill is 7 months late. The House Committee on Appropriations is already hard at work for fiscal year 2018, and yet this body is still trying to fund programs for the current fiscal year. The root cause of this disarray does not lie with the Appropriations Committee but with the majority's leadership, or lack thereof, in this Congress and in the White House.

□ 1245

I also need to level another critique at my friends across the aisle who have time and again brought us to the brink of a government shutdown. We needed months of negotiations and three continuing resolutions to keep the government funded. Much of the time, poison pill riders gummed up the works. Among other things, the majority continuously tries to strip funding from women's healthcare organizations, slash environmental protections, and end protections for Federal employees through the appropriations process.

Well, here we are, Mr. Speaker, 7 months later, with a bill that does none of these things. Yet we do it again and again, lurching from manufactured crisis to manufactured crisis. I said yesterday or the day before in the Rules Committee that we will be back here with a stopgap measure and repeat this same crisis routine that we have done for many of the years that I have had the privilege of serving in this body. Mr. Speaker, maybe next time we will skip the grandstanding and start off with a commonsense measure from the get-go.

This brings me to the bill itself. The measure includes $1.07 trillion in base discretionary budget authority, including $551 billion in base defense spending, $518.5 billion in base nondefense spending, $62.1 billion in overseas contingency operations defense spending, and $16.5 billion in overseas contingency operations nondefense spending. More than 160 partisan toxic riders were floated but kept out of the legislation.

Despite Donald John Trump's insistence on draconian cuts, the omnibus includes $1.2 billion in additional nondefense budget authority. It provides funding to alleviate Puerto Rico's emergency budget shortfall and their underfunded Medicaid program. It increases funding for the National Institutes of Health by $2 billion. It provides $1.1 billion in disaster assistance for regions affected by storms and flooding in 2015 and 2016, and it includes $900 million in humanitarian assistance to alleviate international famine.

Toward that end, with reference to famine in the world, we are witnessing a rising number of countries that are experiencing famine. Without identifying them all, it is estimated that some 20 million people in the world are at risk of dying from starvation. In this country, too many people are in a position of being hungry during the course of a day. In the land of plenty, we can do better.

In this vein, I was pleased to see the inclusion of language that will positively impact the district that I serve and every other district that faces the threat of natural disasters. Toward that end, my good friend from Oklahoma is absolutely correct. In the compromise measure, there are some things that will impact all of our districts, and that is, in my judgment, as it should be.

Additionally, I am one of few Members around here who continuously argues that Members should have earmark responsibilities so that they can be held accountable for things that are vital in their districts rather than allowing the bureaucracy to dominate that sphere.

The language clarifies a provision of the Fair Labor Standards Act, codifying the Department of Labor's views on lifting the work restrictions on insurance claims adjusters responding to disasters. When a natural disaster strikes, like a hurricane or a wildfire, insurance adjusters are there to help those affected piece their lives back together and get back on their feet. By ensuring that adjusters can quickly and readily respond to disasters, this codification helps them complete their important work.

I did say in the Rules Committee, and I have said for 20 years here, that this Congress needs a disaster relief committee that is constituted of all of the chairs of the committees of jurisdiction. It is not complicated. It is something that is done in other countries so that when these disasters occur—be they fire, flood, hurricane, tornado, or any disaster—we can respond more quickly than we do now, rather than allowing for the residual remains of the kinds of disasters that we experience in this country.

Just this past weekend, at least 16 lives were lost and many people were injured in tornadic activity in the States of Alabama, Mississippi, and Arkansas and floods in Missouri, and we need to respond to those.

Additionally, something else that I want to say that I consider to be important are the responsibilities of FEMA. While I believe they do an extraordinary job with what they are allowed to work with, I don't know what it takes to get across to people that FEMA can only react when there are a certain number of people that have lost their homes. Please know this: when 1 person loses their home to a natural disaster, it is just as important as if 1,000 or 100,000 lost their home; and we,

this Congress, need to be able to respond to that 1 the same way we do to 1,000.

Furthermore, I was glad to see that the bill includes year-round Pell grants to provide 1 million students in this country with an additional average award of $1,650, and it permanently extends health insurance benefits for retired mineworkers.

I might add that that has been and will continue to be a bipartisan effort to provide for the health of those mineworkers. Hopefully, in spite of all the talk coming out of the White House, we may, one day, find a way to help those that have lost their jobs because of the industrial changes transition to good jobs.

But what is included in this bill is just as important as what is not. In his first major budget negotiation, Donald John Trump made many demands that were defeated. He requested $30 billion in additional defense spending and $3 billion to fund construction of a U.S.-Mexico border wall and is around crowing that there is money in this bill to do something about the wall, and there is not.

The President wanted policy riders to restrict sanctuary cities from receiving Federal grants. He wanted to defund Planned Parenthood and undermine health care. As I have already said, there were 160 riders that were floated here in this measure but are not included.

Rather than governing responsibly, Donald John Trump and the House Freedom Caucus have spent a good deal of time and energy pushing partisan interests, from repealing health care to gutting the Corporation for Public Broadcasting, the National Endowment for the Arts, the National Endowment for the Humanities, and successful programs like community development block grants. All of these programs are fully funded in this measure.

As the President gets cozy with authoritarian strongmen around the world and revisits the history of the Civil War—and for your information, Donald Trump, it was slavery that caused the war—Congress has stepped up and asserted itself, and I am glad.

I have said repeatedly that the legislative branch has given too much authority not to this President but to the one before him, the one before him, and the one before that one. We have continuously ceded our authority. So it is understood by virtue of this action and, I hope, future action that the legislature is an equal branch of our government, and we need to act like it.

Funding the government is one of the most important responsibilities Congress has. There are, undeniably, differences in policy priorities between Members in this body, Democrats and Republicans, and differences between Democrats and differences between Republicans in this body, but holding the Federal budget hostage is not the way to work through these problems. This measure is a responsible compromise that serves the interests of the American public, and that is what we came here to do.

My good friend from Oklahoma, last night in the Rules Committee, said that the people that win in this measure are the American people, and I agree with him. That is why I was even dismayed and, quite frankly, disturbed at the irresponsible comment that Donald John Trump tweeted yesterday morning that what this country needs is ''a good shutdown'' in September.

I made it a point, when we were in the Rules Committee, to ask the fine young gentleman that works with me to learn the context because I just can't believe that this man comes out and says that this institution needs to have ''a good shutdown.''

Donald John Trump, there is no such thing as a good shutdown.

The President champions a government shutdown not only to his but to his party's peril. The hardworking and working poor Americans are at peril with that kind of undertaking. He does so to the peril of our men and women fighting overseas, to the peril of working families and their health care, to education, and to safe, clean, and secure communities.

Donald John Trump may think he can run the country on Twitter while daydreaming of taxpayer-funded jaunts to his private golf club, but he needs to wise up. We don't need a good shutdown. We need a good leader. If he continues and isn't prepared to get serious, then he needs to get out of the way.

As my colleague Congressman MCGOVERN said yesterday, rather than a shutdown, the President ought to shut his mouth. I will put it another way from the vernacular: zip his lip, put that Twitter off somewhere on the side and let birds tweet while he talks sensibly to the American people.

Maybe the President thinks that if the government shuts down people suddenly don't need to pay taxes and that national parks become free. Maybe he thinks that if the government shuts down—if we have a good government shutdown—every regulation suddenly stops and corporations are free to run wild without complying to clean water or clean air standards.

I don't know what he is thinking. I don't think anybody else around here knows what he is thinking. I am not even certain he knows what he is thinking. And to be honest, I would be afraid to see what is going on in his head.

But here is what I do know. According to the financial ratings agency Standard & Poor's, the 2013 government shutdown cost the United States—the American people—$24 billion. According to a report from the Council of Economic Advisers, it sidetracked the creation of as many as 120,000 jobs.

I hope you are listening, Donald John Trump, because these aren't alternative facts.

The furloughs amounted to more than 5.5 million days' worth of Federal employment lost spread across dozens of agencies. Businesses that relied on tourism lost out on more than a half-billion dollars. The Small Business Administration couldn't process some 700 applications for $140 million in small businesses loans.

□ 1300

According to the U.S. Travel Association, the 16-day shutdown cost $152 million per day in lost travel spending. According to CNBC, 2 weeks into the latest shutdown, the Internal Revenue Service reported a backlog of 1.2 million verification requests that could not be processed.

Mr. Speaker, we don't need a good government shutdown. We don't need a shutdown at all. We just got through a 7-month negotiation to keep the government open.

Naturally, the media picked up on the fact that Donald John Trump got virtually none of his priorities. When the report started to air, he threw a political temper tantrum and took to Twitter to undermine the compromise.

I will be honest at this point: it is nothing new, so it shouldn't surprise anyone; nor should the backlash that ensued or his sudden change of heart. In just a few hours, Donald John Trump went from condemning the deal and whining about the rules of the Senate to hailing it as a great compromise. I must have missed that chapter in his ''The Art of the Deal.''

So let's leave it at this: we need to do more, not less, to strengthen our communities and help working families. I urge President Donald John Trump to move past the campaign rhetoric and get serious.

I hope you are listening, sir, because you can put that in a tweet.

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

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

Also, Members are reminded to refrain from engaging in personalities toward the President.

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

To respond to a few of my friend's points, Mr. Speaker, I want to begin by agreeing with my friend, actually.

As he knows, I agree with his point that this should have been done many months ago, and could have been done, in my view, many months ago. We should have done this in December. I don't think we did the country or ourselves or the President any favors by delaying that. So my friend is right about that decision, and I hope we all learn a lesson from it.

I also agree with my friend that, because we delayed, the 2018 appropriations process will be extremely difficult and truncated. It will make work harder. We may find ourselves back here in a number of months asking for

some brief extension as we continue to work through our problems. I hope not, but my friend's observation on that point I agree with.

I want to disagree with my friend pretty strongly about his observation about the 160 riders that we decided in the negotiation not to press, and I want to explain why we decided not to press them.

Frankly, we don't need to press them anymore. Almost 160 of those were designed to limit or reverse rulings of the last administration—either rules or executive decisions. Well, Mr. Trump is now the President of the United States and he is going to have the ability to do almost all of those things on his own. He doesn't need legislative instruction from us. He will certainly get support as he works through that list with the executive branch, which he runs.

I also want to add, just to clarify, it is important to note that there is nothing in this bill that funds Planned Parenthood in any way, shape, or form. As a matter of fact, there is a family planning title and grants are awarded out of that title by the Department of Health and Human Services.

Sometimes in the past, Planned Parenthood has received money in those grants. Now there is new management at the Department of Health and Human Services, so we will see how this goes. This Congress has never appropriated money directly to Planned Parenthood and, frankly, I suspect never will.

Finally, in defense of the President, I want to point out that we are adding billions of dollars to defense of this country, which is desperately needed because, frankly, his predecessor had allowed it to erode. That is because of the President's leadership.

We are making the most substantial investments in border security in a decade. That is because of the President's leadership.

Finally, we have broken this terrible one-for-one formula that the last administration imposed on us. In other words, to defend the United States of America, we had to spend more money domestically, whether we needed to or not, whether we could afford it or not. If it weren't for President Trump, that formula would still be in existence and we would be frittering away money in places where we don't need it and denying support to our troops and our forces in the field when they desperately need it. I am very grateful to the President for making that possible. Again, with his leadership, it could not have occurred.

Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BYRNE), my good friend, a fellow Rules Committee member, and also a distinguished member of the House Armed Services Committee.

Mr. BYRNE. Mr. Speaker, I thank my colleague for yielding. I appreciate his leadership to get us here both on the Rules Committee and the Appropriations Committee.

Mr. Speaker, despite what you may hear in the media, this funding bill is a positive step forward for the American people and a big win for the Trump administration. I want to highlight a few reasons why.

First, delivering on President Trump's promise, this bill makes long overdue and much-needed investments in our military. The bill boosts military spending by $21 billion, which will help boost military readiness and fund the largest pay raise for our troops in 6 years.

Importantly, the bill finally rejects demands of Democrats to only increase defense spending if all other spending is also increased. This bill ends that harmful precedent.

The bill devotes important new funding for border security. In fact, it contains the biggest increase in border security funding in almost a decade. This will allow us to make improvements to the wall at the border, put more Customs and Border Protection agents on the ground, and end the disastrous practice of ''catch and release.''

The bill includes important pro-life protections to ensure taxpayer money is not used to fund abortions. Just as important, the bill does not contain a penny of funding for Planned Parenthood. I am going to say it again: there is not a penny in here for Planned Parenthood.

The bill includes important Second Amendment protections, increases funding to help fight crime, supports funding for Israel, provides money for missile defense, and sets aside additional resources to defeat ISIS.

Even more, the bill cuts funding to the EPA, freezes funding for the IRS, and reduces the Federal Government's role in education.

Finally, the bill makes progress and priorities important to my folks in southwest Alabama. For example, the bill fully funds three littoral combat ships, which are built, in part, by Austal USA in Mobile. These ships are critical to the United States Navy and are necessary if we are to reach the 355-ship fleet that President Trump wants. This funding bill will ensure we continue to build these first class vessels in Mobile.

The bill also includes a provision important to our red snapper fishermen. With the help of Senator RICHARD SHELBY, we were able to secure a permanent expansion of State waters out to nine nautical miles.

Mr. Speaker, this bill is not perfect—no compromise ever is—but I commend President Trump in negotiating a good bill to begin the process of implementing the priorities the American people sent him and us to Washington to accomplish.

President Trump has called on Congress to pass this funding bill while we work to make even more progress in the upcoming fiscal year 2018 funding negotiations. I intend to do just that, and I call on my colleagues to do the same.

I am glad to support President Trump, this rule, and the underlying bill.

Mr. HASTINGS. Mr. Speaker, would you be kind enough to advise how much time remains?

The SPEAKER pro tempore. The gentleman from Florida has 11 minutes remaining. The gentleman from Oklahoma has 19½ minutes remaining.

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

Mr. Speaker, news flash here for those that might have been trying to make plans for leaving here tomorrow morning: it appears that House Republicans are intent on trying to bring TrumpCare back to life.

The Republican healthcare bill was bad the first time, bad the second time, and its latest iteration is even worse. In addition to kicking 24 million people off their health coverage, gutting Medicaid in order to give a trillion-dollar tax cut—mostly to the richest Americans—and dismantling the requirement to provide the essential health benefits, the latest proposal completely guts protections for people with preexisting conditions and imposes an unlimited age tax on older Americans.

Now we see in the press that the Republican leadership is trying to cut yet another backroom deal on expensive, high-risk pools to try and muster enough votes to pass this monstrosity.

Mr. Speaker, this bill has not gone through regular order from the start. There have been no hearings. There is no CBO score. We are reading in the press that even more changes are on the horizon.

I wish I could start reading in the press or looking at television and just have people that have the responsibility and leadership to inform those of us that are in the minority just what the plan really constitutes and when it will be put forward. Every single Member in this institution should be as outraged as I am, regardless of party. This is a bill that will affect every American.

Therefore, if we defeat the previous question, I am going to offer an amendment to the rule that would change the rules of the House to prevent any healthcare-related legislation from being considered if it does not have a CBO cost estimate; or if it would deny health coverage or require higher premiums due to preexisting conditions; impose lifetime limits on health coverage; prevent individuals under age 26 from being covered under their parents' plans; reduce the number of people receiving health care under the Affordable Care Act; increase costs to seniors by reopening the doughnut hole and raising prescription drug costs; require people to pay for preventive services, including cancer screening; reduce Medicare solvency or change the Medicare guarantee; or reduce Federal taxes on the 1 percent of the population with the highest incomes or increase taxes on the 80 percent of hardworking Americans earning moderate to low income.

Every American deserves affordable, high-quality health care. This amendment would ensure that the Republican bill can't sacrifice that goal in favor of giving tax cuts to the wealthy.

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 Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL), the ranking member of the Committee on Ways and Means, to discuss the proposal.

Mr. NEAL. Mr. Speaker, I thank Judge HASTINGS for yielding.

The previous question I offer with Congresswoman SLAUGHTER would prevent any legislation from being considered if the legislation would deny coverage or require higher premiums for preexisting conditions, increase costs for seniors for prescription drugs, or reduce Medicare solvency.

I have listened to the previous three speakers on the Republican side talk about national defense. That is understandable, but might we, for the purpose of this discussion, also acknowledge the following: real national defense also means providing health security for members of American families. That is part of the balance that we should be recognizing.

The priorities on the other side are the following: they are going to turn the issue of preexisting condition back to a voluntary nature at the State level.

As one who comes from local government, we should recognize the following: every time there is an economic downturn, you can be certain that Governors are going to use the money that was intended for health care to balance the budgets, and they are going to call it good management.

They are undermining the health security of the American people with their proposal on TrumpCare.

□ 1315

They have been threatening to eliminate coverage for millions of Americans for years, and now they are telling us they are on the eve of accomplishing just that.

But what does it mean for the American family? They want to go back to the days when you could be denied routine health insurance because you might have been born with diabetes, you might have had a liver transplant in midlife, you might have had a diagnosis of cancer in midlife, and you can no longer be insured despite the fact that you have spent a lifetime paying those premiums? And we are going to make this an option of the States to decide? This is going backwards on the issue of health security.

But that is not enough, as we know. They also are going to ask you to pay more for hospital care, more for prescription drugs, more for mental health and substance abuse treatment, more for pediatric care, and certainly more for cancer care. And they are going to call this an improvement in health care delivery?

Well, their recent improvements have made it clear. Let's not forget the previous bill had an underlying $1 trillion tax giveaway that would drain $75 billion from the Medicare trust fund and cut $840 billion from Medicaid, all for the purpose of providing a $1 trillion tax cut to the people at the very top.

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

Mr. HASTINGS. Mr. Speaker, I yield the gentleman from Massachusetts an additional 2 minutes.

Mr. NEAL. Fewer covered, higher costs, and fewer protections for the American family. The previous question that LOUISE SLAUGHTER and I are going to offer is the following:

We would prevent any of this legislation that is proposed that would be considered harmful to the consumers, as the Republican bill is. Americans need assurance about health care and, by the way, some predictability.

During my time of service here, I have seen how difficult it is to do health insurance. I think there is only one person in Washington, by the way, who said: Who knew health insurance could be this complicated?

Well, for those of us who have served here for any extended period of time, I can assure you, we all knew that health care was complicated in terms of delivery and economic consequence. But that is not enough for our friends today. They want to change the basic tenet of the guarantee of ending preexisting conditions.

I had a Republican friend I talked to yesterday. He said: I wish I was still back in the House because I would vote against that bill. He said: My daughter had a liver transplant, and now they are saying, with preexisting conditions, it is going to be up to the Governor of a State to decide whether or not she can continue to get care? We need the guarantee of Medicare coupled with the expansion of Medicaid, which has now offered insurance to 24 million Americans that didn't have insurance prior to the Affordable Care Act.

I would say this as well. And remember, half of that number, that is private insurance. We kept the private sector alive for the purpose of offering discipline to price. It has accomplished that. Healthcare spending in America has plateaued.

But, again, on this occasion, we won't let the facts get in the way of a rigid ideology that says we need to change the Affordable Care Act because Barack Obama offered it. That is what the test is now for the American people: Who sponsored legislation?

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

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

Mr. NEAL. We have debated health care since Harry Truman was President. We have debated health care since Lyndon Johnson offered Medicare and Medicaid. Bob Dole and Mitt Romney and Richard Nixon all understood you needed the mandate to provide health care to all members of the American family. They are going to shun that today and tomorrow by turning their backs on preexisting conditions. Remember, real national defense also means providing health care for members of the American family.

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

Before I go to my next speaker, I want to take a moment to respond to my friends.

Mr. Speaker, I actually came here to debate the appropriations bill, which is a great bipartisan compromise, but I am always happy to engage in the healthcare debate as well, if that is what my friends choose to do. I am happy to do it because I remember the conditions under which ObamaCare was passed.

I remember the promises that we would save $2,500 a family—not true.

I remember, if you liked your plan, you could keep it—not true.

I remember, if you liked your doctor, you could keep that individual—not true.

This was sold, frankly, on a tissue of fabrications and some predictions that were outlandishly false.

Those people who say this is a good system, come to my State. We are down to a single provider—one. That provider, by the way, I always say thank God for them, because they are losing money. We are down to one. Our rates are going up 69 percent.

So anybody who thinks this is a successful system should go look at it. If it were successful, my friends would probably still be in the majority instead of the minority. It has not been successful. The American people have, in election after election, rendered a verdict that this particular system is not meeting their needs, and it badly needs to be overhauled and changed, if not rooted out completely.

Frankly, again, as, I think, through the President's actions and what my colleagues in the leadership of my party are doing, I am very glad they are working overtime right now to try and make sure that we have something better for the American people than my friends delivered on the other side of the aisle when they had the opportunity to do so. It is not working.

I hope very much we have to cancel travel plans so the next day or two we can actually vote on this. I would be ecstatic to do that. So, again, I would be happy to debate that. When the time comes, we will. But I look forward to engaging in that debate because I am absolutely convinced we can do a lot better for the American people than we

did when ObamaCare was passed, and we can implement something a lot better for the American people than we did when it was rolled out. And we certainly can avoid some of the catastrophic consequences.

As for my friend's concerns about preexisting conditions, frankly, they are not going to be reversed, but I happen to live in a State where I trust my Governor and my legislature to make smart decisions. Frankly, I trust them a lot more than I do anybody in Washington, D.C., to understand what is going on in my State. I suspect most people in here actually trust their Governors and their legislature to be more in touch with the needs of their people than anybody in Washington, D.C., happens to be, so I am happy to see a devolution of decisionmaking from Washington to other parts of the country. As I read the Constitution, we call that federalism. It has worked very well for the American people for almost 240 years.

Mr. Speaker, I yield 2 minutes to the gentleman from the Fourth District of Michigan (Mr. MOOLENAAR), my good friend in his second term, but a new member of the Committee on Appropriations. I am very glad to have him on my Subcommittee on Labor, Health and Human Services, Education, and Related Agencies.

Mr. MOOLENAAR. Mr. Speaker, I thank Chairman COLE, Chairman FRELINGHUYSEN, and the entire Committee on Appropriations, as well as the President and congressional leaders in both the House and the Senate for their work on this bipartisan appropriations bill.

This legislation is not perfect, but it addresses many priorities for the people of Michigan and the United States. It funds the Great Lakes Restoration Initiative, which protects the Great Lakes. It instructs the Army Corps of Engineers to turn over its report on stopping Asian carp from invading the Great Lakes.

It funds important scientific research at Michigan State University, and it continues support for vaccines against emerging threats. It also commits funding for cures research at the National Institutes of Health, including the fight against Alzheimer's, so we can work on stopping this nefarious disease that steals golden years from our seniors.

For the rural communities in my district, this legislation increases funding for rural development grants and the Farm Service Agency.

This legislation promotes border security and integrity, providing more money for Customs and Border Patrol and increasing the number of Border Patrol agents hired.

This legislation will ensure that our men and women in uniform have the resources they need to keep us safe from threats, including North Korea, Russia, Iran, and ISIS.

This legislation makes important cuts, including eliminating wasteful funding for U.N. programs that overreach and run counter to the ideals of our country.

Finally, this legislation extends prohibitions on funding for abortion that have been in place for years.

This legislation addresses many important priorities for the people of Michigan and our entire Nation, and I urge my colleagues to support it.

Mr. HASTINGS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Rhode Island (Mr. LANGEVIN), my friend.

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of the omnibus spending agreement that is before us today, which will finally fund the government for the remainder of fiscal year 2017. The bill before us is not a perfect bill, but it represents a good bipartisan compromise.

Mr. Speaker, we need to engage in good faith discussions about our values and priorities, not participate in posturing to social media. It is my hope that my congressional colleagues on both sides of the aisle will continue the constructive tone that this agreement represents.

This fiscal year 2017 agreement delivers on many priorities important to Rhode Island. It restores the year-round Pell Grant Program or summer Pell eligibility, allowing summer students to receive Pell grant funds to help them finish their degrees on time.

Rather than slash funding as the President had requested, this compromise also adds $2 billion in funding to the National Institutes of Health, which conducts vital research in our efforts to treat and cure catastrophic diseases and drives innovative economic development.

On the defense side, this agreement funds vital national security programs, including the continued procurement of Virginia class submarines and ongoing development of the new Columbia class, work that I am proud to say happens at Quonset Point in my district.

I want to thank all those involved in these negotiations on both sides of the aisle for their commitment to achieving a good faith compromise that will keep the government open and working for the American people. I hope we can continue on a similar bipartisan agreement as we plan for the next fiscal year.

Mr. COLE. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. DENT), my very good friend and my fellow member of the Committee on Appropriations and the chairman of the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies.

Mr. DENT. Mr. Speaker, I am here today to rise in strong support of this rule and the underlying legislation, which is the product of a lot of effort on the part of a lot of people on a very bipartisan basis.

I would first like to thank and congratulate our distinguished chair and ranking members for their work on the 2017 Consolidated Appropriations Act and for their leadership in bringing this legislation forward today to address a number of timely issues facing our Nation.

I certainly want to thank the gentleman, Mr. COLE, to my immediate left for his strong work on the Subcommittee on Labor, Health and Human Services, Education and Related Agencies bill, which I will mention at some point here as well, but his leadership has been extraordinary on this issue.

I would like to draw special attention to some of this legislation's provisions that will further support our veterans and enhance our military's readiness.

Division L of the underlying bill provides supplemental funding to augment the appropriations that were provided to MILCON and the VA accounts, military construction and the VA accounts, last September.

Specifically, this bill will allow us to further address the opioid epidemic that has escalated within so many communities across the country and affected individuals and families from a broad range of backgrounds and professions.

The 2017 bill will provide $50 million in additional current-year funding for the Department of Veterans Affairs to improve opioid and substance abuse prevention and treatment for veterans. Those funds will allow the VA to achieve full implementation of their responsibilities under title IX of the Comprehensive Addiction and Recovery Act of 2016.

I just raised this issue less than an hour ago with VA Secretary David Shulkin in this morning's hearing. He stressed the importance of these funds to stay ahead of this challenge and provide comprehensive treatments to our veterans. It is my hope that the lessons learned from this public health crisis will be remembered so that we can prevent similar episodes from occurring in the future.

In addition, the FY17 Consolidated Appropriations Act will support readiness and infrastructure improvements and facilitate future force structure growth by providing all our military services with the full amount requested for military construction efforts.

Mr. Speaker, I agree with so many of my colleagues from both sides of the aisle that we need to make investments in our military readiness. I would like to stress that the investments in the infrastructure and military construction programs that support our troops at home and abroad are critical aspects of our overall readiness posture. This bill will move us in the right direction by addressing needs for both our Active-Duty and our National Guard and Reserve forces.

□ 1330

I would also like to talk about some other aspects of this legislation, too, in the underlying bill. Many pressing needs are addressed here.

Specifically, we are talking about a very significant pay increase, a 2.1 percent pay increase for our troops. It is the largest pay increase in 6 years.

This legislation makes a substantial downpayment on our efforts, and the Trump administration's efforts, to enhance and increase military spending to address the various threats that we are seeing throughout the world.

I just returned from South Korea and Okinawa, Japan, and we have many challenges in Northeast Asia, that I won't go into here today. But we all know that we have some real obligations, particularly for our United States Navy.

I also wanted to mention, too, my good friend, Chairman COLE. He led the effort, along with Senator ROY BLUNT, to increase funding for medical research, critical lifesaving medical research to the National Institutes of Health by $2 billion in this legislation, taking the funding level from $32 billion to $34 billion. And that is on top of what we heard in fiscal year 2016, which took us up $2 billion, as well, from $30 billion to $32 billion.

So the commitment of this side of the aisle to medical research, I think, is strong, and we are backing it up with our dollars. We had to set some priorities, and Chairman COLE did that in the labor health bill. He set those priorities, and we said: This is one of them. I am proud that we as Republicans are stepping up on medical research. I am also pleased, too, that many of our Democratic friends are supporting this in this effort as well.

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

Mr. COLE. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. DENT. Mr. Speaker, I would also like to point out that this legislation, in addition to this robust increase for medical research, the chairman also provided substantial support for early childhood, a priority to him and to many of us.

And there are other areas, too. Pell grants made some great changes, too—year-round Pell grants for so many students who are struggling with college affordability.

I also want to point out, too, on border security, a downpayment has been made here as well. This legislation provides $1.5 billion additionally for border security. This will help us move closer to establishing greater operational control of our border, which is something I think we all agree needs to be done.

These are just a few of the provisions of this legislation beyond what I am responsible for—military construction and VA—that are worthy.

I would urge support of this bill. I would also like to point out that we did pass the Military Construction and VA Appropriations bill back in September on time. It is the first appropriations bill passed on time since 2009. I want to take a little credit for that.

But these other 11 bills that have been discussed here today need our support. We need to keep this government running. We have done it in a very thoughtful, bipartisan, measured way, and we have been very responsible. This bill needs to get to the President's desk immediately.

Again, I urge support for this legislation, and I support the rule as well.

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

The President has said that Americans would win so much, they would be tired of winning. I think for once he and I may be in agreement.

Today's measure advances medical research, protects coal miners, fights back against the opioid epidemic and international disasters, and protects funding for science, education, and health care. It should not have taken us 7 months to get here. But I hope this measure will give the Appropriations Committee a springboard for fiscal year 2018.

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

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

I want to thank my good friend. It is always a pleasure, honestly, to engage in debate with him because it is going to be spirited, but it is going to be civil. So I thank my friend for that.

And, frankly, when my friend points out that he and President Trump are actually on the same side for once, I think the second coming may not be very far. So we are all in a pretty good mood here.

But I do want to echo a couple of points that my friend made, and made, as always, with great skill. There is a lot in this bill that brings us together. This was a product of genuine compromise. We have Republicans in the House and Democrats in the House, Republicans in the Senate and Democrats in the Senate, and, obviously, the administration. It is really a five-corner negotiation.

I think we ought to step back a little bit and reflect that, in the course of that, while all those parties began with very different positions, and some verbal fisticuffs, as well, they actually moved closer together over the course of discussion. And that has effectively meant that we are going to have the first bipartisan, bicameral negotiation in this administration that has been successful.

I would hope it becomes a model for some of the things that lie in front of us, things like infrastructure, and like tax reform. I recognize we won't always agree. But, to me, this agreement shows that we can work towards agreements, if we will sit in good faith and compromise with one another.

I think the President, frankly, did a lot of good things from his point of view here. I think the additional money for our men and women in uniform, the raise in pay for those we have asked so much from, and who have never let us down, is something he can be proud of.

I think the additional money on the border, where we know we have a security problem, we may debate the best way to address that. That is fair enough. But that is an achievement that he deserves credit for.

And I think, frankly, breaking this artificial linkage of domestic spending and security spending was something that is really important. Sometimes we will actually need more domestically than, perhaps, we need in defense. But we are going to have to look at those things logically, not create artificial formulas. I actually fear sometimes my side might do that in reverse by demanding cuts in exchange for military spending when those cuts are, in themselves, not wise.

Finally, I look at things where we find a lot of common purpose here. My friend, Mr. DENT, mentioned a number of those. Things like more money for the National Institutes of Health and the Center for Disease Control. Believe me, pandemics and bioterrorists don't care if you are Republican or Democrat, or Liberal or Conservative. We have to maintain this effort. It is extraordinarily important.

I think, again, and my friends pointed out, we worked together to provide additional funds for early childhood, to provide additional money through programs like GEAR UP and TRIO, to help those who have never had an opportunity to go to college and succeed. And, frankly, things like the year-round Pell grant, that, again, as speakers from both sides of the aisle pointed out, are going to help students actually succeed and help them wrestle with the financial burden. So there is a lot in here to be proud of.

Now, our vote on the rule is always a partisan exercise, so I recognize that. But I am very proud that, after that vote, we will have substantial numbers of Members from both sides of the aisle voting together on something they worked on together and achieved. It will be sent over to the Senate, and I think we will see the same result there, and eventually to the desk of the President of the United States, and I think he can sign it with a great deal of pride and a recognition that: hey, occasionally, bipartisanship and negotiation actually work.

With that, again, I want to thank my very good friend for the debate. And I want to point out in closing that this is so much better than a continuing resolution. This is real governance at work. This is us working together, exercising oversight, and appropriately funding, and compromises on occasion, important functions for the American people.

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

AN AMENDMENT TO H. RES. 305 OFFERED BY MR. HASTINGS

At the end of the resolution, add the following new section:

SEC. 4. Rule XXI of the Rules of the House of Representatives is amended by adding at the end the following new clause:

RESTRICTIONS ON CONSIDERATION OF CERTAIN LEGISLATIVE PROVISIONS RELATING TO HEALTHCARE

13. (a) It shall not be in order to consider a bill, joint resolution, amendment, or conference report which includes any provision described in paragraph (b).''

(b) A provision referred to in paragraph (a) is a provision which, if enacted into law, would result in any of the following:

(1) The denial of health insurance coverage to individuals on the basis that such individuals have a pre-existing condition or a requirement for individuals with a pre-existing condition to pay more for premiums on the basis of such individuals having such a pre-existing condition.

(2) The elimination of the prohibition on life time limits on the dollar value of health insurance coverage benefits.

(3) The termination of the ability of individuals under 26 years of age to be included on their parent's employer or individual health coverage.

(4) The reduction in the number of people receiving health plan coverage pursuant to the Patient Protection and Affordable Care Act (PL 111–148) and Education Affordability Reconciliation Act of 2010 (PL 111–152).

(5) An increased cost to seniors for prescription drug coverage pursuant to any changes to provisions closing the Medicare prescription drug 'donuthole'.

(6) The requirement that individuals pay for preventive services, such as for mammography, health screening, and contraceptive services.

(7) The reduction of Medicare solvency or any changes to the Medicare guarantee.

(8) The reduction of Federal taxes on the 1 percent of the population with the highest income or increase the tax burden (expressed as a percent of aggregate Federal taxes) on the 80 percent of the population with the lowest income.

(c) It shall not be in order to consider a measure or matter proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111–148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111–152), or part thereof, in the House or in the Committee of the Whole House on the state of the Union unless an easily searchable electronic estimate and comparison prepared by the Director of the Congressional Budget Office is made available on a publicly available website of the House.

(d) It shall not be in order to consider a measure or matter proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111–148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111–152), or part thereof, in the House or in the Committee of the Whole House on the state of the Union, that is called up pursuant to a rule or order that makes a manager's amendment in order or considers such an amendment to be adopted, unless an easily searchable updated electronic estimate and comparison prepared by the Director of the Congressional Budget Office reflecting such amendment is made available on a publicly available website of the House.

(e) It shall not be in order to consider a rule or order that waives the application of paragraph (a), paragraph (b), paragraph (c), or paragraph (d). As disposition of any point of order under paragraphs (c) through (e), the Chair shall put the question of consideration with respect to the order, conference report, or rule as applicable. The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

Adopting the resolution, if ordered; and

Suspending the rules and passing H.R. 1665, if ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 192, not voting 7, as follows:

[Roll No. 246]

YEAS—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi

Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—192

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Black
Chaffetz
Demings
Gohmert
Larson (CT)
Newhouse
Poliquin

□ 1401

Messrs. RICHMOND, McNERNEY, and DOGGETT changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. LARSON of Connecticut. Mr. Speaker, on Wednesday, May 3rd 2017, I was not present for rollcall vote 246. If I had been present for this vote, I would have voted: "Nay" on rollcall vote 246.

(By unanimous consent, Mr. HENSARLING was allowed to speak out of order.)

MOMENT OF SILENCE REMEMBERING VICTIMS OF DESTRUCTIVE STORM

Mr. HENSARLING. Mr. Speaker, over the weekend, a very destructive storm system moved across my home State of Texas, the Midwest, and the Southeast, killing 15 of our fellow citizens and destroying whole communities in its wake.

In Van Zandt County in the Fifth Congressional District of Texas, which I have the privilege to represent, four constituents lost their lives in a series of four violent tornadoes that shattered homes, shattered lives, and devastated neighbors in the Fifth District and the Fourth District of Texas.

These storms also tragically killed seven people in Washington, Carroll, and Madison Counties in Arkansas; two people in Rankin and Holmes Counties in Mississippi; one person in Nashville, Tennessee; and one person from Billings, Missouri. Many more, Mr. Speaker, have been hospitalized.

Joining me here today are some of the Members whose communities were affected: Congressman WOMACK and Congressman CRAWFORD of Arkansas, Congressman HARPER of Mississippi, Congressman THOMPSON of Mississippi, Congressman COOPER of Tennessee, Congressman LONG of Missouri, and my fellow Texan, Congressman JOHN RATCLIFFE—again, Mr. Speaker, all who represent communities that were tragically affected.

Mr. Speaker, our citizens who were lost have left a void in their families and left a void in their communities. Our hearts are heavy. Our prayers are sincere for the loved ones they leave behind and for those who recover from their wounds.

For many of us, in our faith, there is a time to mourn. Mr. Speaker, now is the time to mourn. But as we have, in our faith, a time to mourn, we also have faith, Mr. Speaker, that one day our citizens will heal and they will heal and rebuild their communities as well.

Mr. Speaker, at this time, I would ask the House to help us in honoring those who lost their lives in these deadly storms and the families and loved ones they leave behind by joining us in observing a moment of silence.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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.

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 186, not voting 4, as follows:

[Roll No. 247]

AYES—240

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lawson (FL)
Lewis (MN)
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Noem
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—186

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Correa
Courtney
Crist
Crowley

Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—4

Chaffetz
Duncan (SC)
Newhouse
Poliquin

□ 1414

Mr. CRIST and Mrs. CAROLYN B. MALONEY of New York changed their vote from ''aye'' to ''no.''

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.

DISASTER DECLARATION IMPROVEMENT ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 1665) to ensure that Administrator of the Federal Emergency Management Agency considers severe local impact in making a recommendation to the President for a major disaster declaration, as amended.

The Clerk read the title of the bill.

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

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. COLLINS of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 425, noes 0, not voting 5, as follows:

[Roll No. 248]

AYES—425

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—5

Bishop (GA)
Chaffetz
Johnson (OH)
Newhouse
Poliquin

□ 1422

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.

SUBMISSION OF MATERIAL EXPLANATORY OF THE AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO THE AMENDMENTS OF THE SENATE TO H.R. 244

Pursuant to section 2 of House Resolution 305, the chairman of the Committee on Appropriations submitted explanatory material relating to the amendment of the House of Representatives to the amendments of the Senate to H.R. 244. The contents of this submission will be published in Books II and III of this RECORD.

HONORING INVESTMENTS IN RECRUITING AND EMPLOYING AMERICAN MILITARY VETERANS ACT OF 2017

Mr. FRELINGHUYSEN. Mr. Speaker, pursuant to House Resolution 305, I

call up the bill (H.R. 244) to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes, with the Senate amendments 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 amendments.

Senate amendments:

(1) On page 9, strike lines 11 through 18.

(2) On page 9, line 19, strike ''(b) UNLAWFUL DISPLAY PROHIBITED.—''.

(3) On page 12, lines 18 through 19, strike '', as defined in such section''.

MOTION TO CONCUR

Mr. FRELINGHUYSEN. Mr. Speaker, I have a motion at the desk.

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

The text of the motion is as follows:

Mr. Frelinghuysen moves that the House concur in Senate amendments numbered 2 and 3, and concur in Senate amendment numbered 1 with an amendment.

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

In lieu of the matter proposed to be stricken by Senate amendment numbered 1, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consolidated Appropriations Act, 2017''.

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. Technical allowance for estimating differences.
Sec. 8. Correction.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

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

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

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

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

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/Global War on Terrorism
Title X—Department of Defense—Additional Appropriations

DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

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 E—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2017

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
Title IX—SOAR Reauthorization

DIVISION F—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2017

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
Title VI—Department of Homeland Security—Additional Appropriations

DIVISION G—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

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

DIVISION H—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

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 I—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

Title I—Legislative Branch
Title II—General Provisions

DIVISION J—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2017

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

DIVISION K—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

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

DIVISION L—MILITARY CONSTRUCTION AND VETERANS AFFAIRS—ADDITIONAL APPROPRIATIONS ACT, 2017

Title I—Overseas Contingency Operations
Title II—Department of Veterans Affairs
Title III—General Provision—This Division

DIVISION M—OTHER MATTERS

Title I—Health Benefits for Miners Act of 2017
Title II—Puerto Rico Section 1108(g) Amendment of 2017
Title III—General Provision

DIVISION N—HONORING INVESTMENTS IN RECRUITING AND EMPLOYING AMERICAN MILITARY VETERANS ACT OF 2017

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 May 2, 2017, and submitted by the Chairman 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 L 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, 2017.

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. TECHNICAL ALLOWANCE FOR ESTIMATING DIFFERENCES.

If, for fiscal year 2017, 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 2017 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. 8. CORRECTION.

The Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254) is amended by changing the long title so as to read: ''Making further continuing appropriations for the fiscal year ending September 30, 2017, and for other purposes.''.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $44,555,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary; not to exceed $502,000 shall be available for the Office of Tribal Relations; not to exceed $1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed $1,209,000 shall be available for the Office of Advocacy and Outreach; not to exceed $24,928,000 shall be available for the Office of the Assistant Secretary for Administration, of which $24,124,000 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; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,500,000 shall be available for the Office of Communications: *Provided*, 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 $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $18,917,000, of which $4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155; and of which $2,000,000, to remain available until September 30, 2018, shall be available for policy research and related activities in support of the forthcoming Farm Bill.

OFFICE OF HEARINGS AND APPEALS

For necessary expenses of the Office of Hearings and Appeals, $13,399,000.

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, $49,538,000, of which not less than $33,000,000 is for cybersecurity requirements of the Department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $8,028,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $901,000.

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, $84,189,000, 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 Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $3,633,000, 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, $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, 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 Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $44,697,000.

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, $893,000.

ECONOMIC RESEARCH SERVICE

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

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $171,239,000, of which up to $42,177,000 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, $1,170,235,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $500,000, except for headhouses or greenhouses which shall each be limited to $1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and except for two buildings to be constructed at a cost not to exceed $3,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: *Provided further*, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided,

$99,600,000 to remain available until expended.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $849,518,000, 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. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $477,391,000, 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, $36,000,000, 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, 2018: *Provided further*, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $901,000.

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), $946,212,000, of which $477,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (''contingency fund'') to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $37,857,000, to remain available until expended, shall be for Animal Health Technical Services; of which $697,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $55,340,000, 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 $166,500,000, to remain available until expended, shall be for specialty crop pests; of which, $8,826,000, 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 $54,000,000, to remain available until expended, shall be for tree and wood pests; of which $5,723,000, 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 $3,000,000, to remain available until expended, shall be for National Bio and Agro-Defense human capital development: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, 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 2017, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $84,933,000, of which $1,000,000 shall be available for the purposes of section 12306 of Public Law 113–79: *Provided*, That of the funds provided herein, $1,000,000 shall be used for the transportation services division: *Provided further*, That of the amounts made available under this heading, no more than $1,000,000 shall be used for the purpose of Public Law 114–216: *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.

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 August 8, 1956; (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.

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.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, $43,482,000: *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.

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, $819,000.

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 $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,032,062,000; 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 2017 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: *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.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, $901,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,206,110,000: *Provided*, That not more than 50 percent of the $100,851,000 made available under this heading for information technology related to farm program delivery, including the Modernize and Innovate the Delivery of Agricultural Systems and other farm program delivery systems, 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, 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 2017 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,904,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,750,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,960,000,000 for unsubsidized guaranteed operating loans and $1,530,000,000 for direct operating loans; emergency loans, $22,576,000; Indian tribe land acquisition loans, $20,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $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: farm operating loans, $65,178,000 for direct operating loans, $20,972,000 for unsubsidized guaranteed operating loans, emergency loans, $1,262,000, to remain available until expended; and $2,550,000 for Indian highly fractionated land loans.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $317,068,000, of which $306,998,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, 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, $74,829,000: *Provided*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

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 Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

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, $901,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $864,474,000, to remain available until September 30, 2018: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That of the amounts made available under this heading, $5,600,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, $150,000,000, to remain available until expended: *Provided*, That of the amounts made available under this heading, $50,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $12,000,000 is provided.

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, $896,000.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $225,835,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business—Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

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; $26,278,000 for section 504 housing repair loans; $35,000,000 for section 515 rental housing; $230,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $67,700,000 shall be for direct loans; section 504 housing repair loans, $3,663,000; section 523 self-help housing land development loans, $417,000; section 524 site development loans, $111,000; and repair, rehabilitation, and new construction of section 515 rental housing, $10,360,000: *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, 2017: *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 (ROI) 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'' (AMF) of up to $7,500 per property.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $15,387,000, 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) 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, $1,405,033,000, of which $40,000,000 shall be available until September 30, 2018; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into

prior to fiscal year 2017 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act: *Provided further*, That except as provided in the third proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2017 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, $41,400,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $19,400,000, 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, $22,000,000 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), $30,000,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $33,701,000, 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, $2,600,000,000 for direct loans and $148,305,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $3,322,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $43,778,000, to remain available until expended: *Provided*, That $4,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $65,319,000, 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 $6,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa 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, $5,476,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $557,000 shall be available through June 30, 2017, for Federally Recognized Native American Tribes; and of which $1,072,000 shall be available through June 30, 2017, 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

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $42,213,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $132,000,000 shall not be obligated and $132,000,000 are rescinded.

The cost of grants authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects shall not exceed $10,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act

(7 U.S.C. 1932), $26,550,000, of which $2,750,000 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 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a).

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), $352,000: *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 the 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, $571,190,000, 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 $993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That not to exceed $10,000,000 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 $64,000,000 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 $20,000,000 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 $6,500,000 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 $16,897,000 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 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: loans made pursuant to section 306 of that Act, rural electric, $5,500,000,000; guaranteed underwriting loans pursuant to section 313A, $750,000,000; 5 percent rural telecommunications loans, cost of money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration 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, $3,071,000.

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, $27,043,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $26,600,000, 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, $4,500,000, 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, $34,500,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $814,000.

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; $22,793,982,000 to remain available through September 30, 2018, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $17,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, $25,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment 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, $23,000,000 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 2016'' and inserting ''2010 through 2017'': *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 each of fiscal years 2011 through 2015'' and inserting ''for fiscal year 2017'': *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 each of fiscal years 2011 through 2015'' and inserting ''for fiscal year 2017''.

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), $6,350,000,000, to remain available through September 30, 2018: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, and $13,600,000 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.), $78,480,694,000, of which $3,000,000,000, to remain available through December 31, 2018, 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, 2018: *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, 2018: *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, $315,139,000, to remain available through September 30, 2018: *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 2017 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, 2018: *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 10 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, $170,716,000: *Provided*, That of the funds provided herein, $17,700,000 shall be available until expended for relocation expenses and for the alteration and repair of buildings and improvements pursuant to 7 U.S.C. 2250: *Provided further*, 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: *Provided further*, That of the funds provided herein, $1,000,000 shall be used to contract for an independent study to identify the best means of consolidating and coordinating reporting requirements under Child Nutrition Programs to eliminate redundancy, increase efficiency, and reduce the reporting burden on school food authorities and State agencies.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

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), $196,571,000: *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, $149,000, 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, $1,466,000,000, to remain available until expended: *Provided*, That the Administrator of the United States Agency for International Development shall in each instance notify in writing the Committees on Appropriations of both Houses of Congress, the Committee on Agriculture of the House, and the Committee on Agriculture, Nutrition, and Forestry of the Senate and make publicly available online the amount and use of authority in section 202(a) of the Food for Peace Act (7 U.S.C. 1722(a)) to notwithstand the minimum level of nonemergency assistance required by section 412(e)(2) of the Food for Peace Act (7 U.S.C. 1736f(e)(2)) not later than 15 days after the date of such action.

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), $201,626,000, 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, $5,000,000, shall remain available until expended for necessary expenses to carry out the provisions of section 3207 of the Agricultural Act of 2014 (7 U.S.C. 1726c).

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, $8,537,000; 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 $6,074,000 shall be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $2,463,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; 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; $4,655,089,000: *Provided*, That of the amount provided under this heading, $754,524,000 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; $126,083,000 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; $323,011,000 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; $22,079,000 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; $23,673,000 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; $11,341,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $635,000,000 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 animal generic drug user fees that exceed the respective fiscal year 2017 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 animal generic drug assessments for fiscal year 2017, including any such fees collected prior to fiscal year 2017 but credited for fiscal year 2017, shall be subject to the fiscal year 2017 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2017 of user fees specified under this heading and authorized for fiscal year 2018, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2018 for which the Secretary accepts payment in fiscal year 2017 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) $1,025,503,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,329,328,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $339,618,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $194,252,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $427,928,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $63,331,000 shall be for the National Center for Toxicological Research; (7) $596,338,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $163,507,000 shall be for Rent and Related activities, of which $46,856,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $231,293,000 shall be for payments to the General Services Administration for rent; and (10) $283,991,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That of the amounts that are made available under this heading for ''other activities'', and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for ''Department of Health and Human Services—Office of Inspector General'' for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That of the total amount made available under this heading, $3,000,000 shall be used by the Commissioner of Food and Drugs, in coordination with the Secretary of Agriculture, for consumer outreach and education regarding agricultural biotechnology and biotechnology-derived food products and animal feed, including through publication and distribution of science-based educational information on the environmental, nutritional, food safety, economic, and humanitarian impacts of such biotechnology, food products, and feed: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), and medical countermeasure priority review voucher user fees authorized by 21 U.S.C. 360bbb–4a, 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.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $68,600,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 52 passenger motor vehicles of which 52 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 717 of this Act: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, 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 in addition to the funds appropriated or made available in this Act for the National Finance Center the Secretary shall make available $8,608,000 from unobligated balances of the Working Capital Fund and unobligated balances and reserves of the National Finance Center for travel, information technology, financial management systems, and related expenses incurred as a result of a February 2017 tornado: *Provided further*, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund

program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over $25,000 prior to receipt of written approval by the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to $250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113–235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2018, for information technology expenses: *Provided*, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2018, 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), 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 $2,000,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 714. 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 the following:

(1) The Watershed Rehabilitation program authorized by section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)) in excess of $9,000,000;

(2) The Environmental Quality Incentives Program as authorized by sections 1240-1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa–8) in excess of $1,357,000,000: *Provided*, That this limitation shall apply only to funds provided by section 1241(a)(5)(D) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(5)(D));

(3) The Biomass Crop Assistance Program authorized by section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) in excess of $3,000,000 in new obligational authority;

(4) The Biorefinery, Renewable Chemical and Biobased Product Manufacturing Assistance program as authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) in excess of $151,000,000 of the funding made available by subsection (g)(1)(A) of that section for all fiscal years; and

(5) A program authorized by section 524(b) of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524(b)) in excess of $7,000,000 for fiscal year 2017: *Provided*, That notwithstanding section 524(b)(4)(C)(i) and 524(b)(4)(C)(iii) this limitation shall not apply to funds provided by section 524(b)(4)(C)(ii).

SEC. 715. Notwithstanding subsection (b) of section 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this section referred to as ''section 14222''), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as ''section 32'') in excess of $886,000,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—$465,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000; Administration of Section 32 Commodity Purchases—$35,440,000: *Provided*, That of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2017, such unobligated balances shall carryover into the next fiscal year and shall remain available until expended for any of the three stated purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section 32 may not exceed $75,000,000 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 none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year sub-section (i)(1)(E) of section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a), except in an amount that excludes the transfer of $125,000,000 of the funds to be transferred under subsection (c) of section 14222, until October 1, 2017: *Provided further*, That $125,000,000 made available on October 1, 2017, to carry out such section 19 shall be excluded from the limitation described in subsection (b)(2)(A)(x) of section 14222: *Provided further*, That, with the exception of any available carryover funds authorized in the first proviso of this section 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 or officer of the Commodity Credit Corporation to carry out clause (3) of section 32, or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c): *Provided further*, That the available unobligated balances under (b)(2)(A)(ix) of section 14222 in excess of the limitation set forth in this section, excluding the carryover amounts authorized in the first proviso of this section for section 32 and the amounts to be transferred pursuant to the second proviso of this section, are hereby permanently rescinded.

SEC. 716. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2018 appropriations Act.

SEC. 717. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

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

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

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

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

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture or the Secretary of Health and Human Services shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

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

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of $500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with five or more personnel; or

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 718. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, or non-Farm Credit Administration employee.

SEC. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. 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. 723. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 724. 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 Secretary, 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. 725. The Secretary shall establish 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 enter into agreements with current intermediary organizations and with additional qualified intermediary organizations. The Secretary shall work with these organizations to increase effectiveness of the section 502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

SEC. 726. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 727. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.

SEC. 728. None of the funds made available by this Act may be used to procure 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. 729. 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. 730. Funds provided by this or any prior Appropriations Act for the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) shall be made available without regard to section 7128 of the Agricultural Act of 2014 (7 U.S.C. 3371 note), under the matching requirements in laws in effect on the date before the date of enactment of such section: *Provided*, That the requirements of 7 U.S.C. 450i(b)(9) shall continue to apply.

SEC. 731. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 732. None of the funds made available by this Act may be used by the Secretary of Agriculture, acting through the Food and Nutrition Service, to commence any new research and evaluation projects until the Secretary submits to the Committees on Appropriations of both Houses of Congress a research and evaluation plan for fiscal year 2017, prepared in coordination with the Research, Education, and Economics mission area of the Department of Agriculture, and a period of 30 days beginning on the date of the submission of the plan expires to permit Congressional review of the plan.

SEC. 733. 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. 734. 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. 735. Any amounts transferred pursuant to section 149 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254), that the Secretary of Agriculture determines are not necessary for the cost of direct telecommunications loans authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be transferred back to the accounts to which they were originally appropriated and shall be available for the same purposes as originally appropriated.

SEC. 736. 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. 737. 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. 738. (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. 739. 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. 740. No 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 deemed unsafe within the meaning of section 409(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(a)) and no food that is introduced or delivered for introduction into interstate commerce that bears or contains a partially hydrogenated oil shall be deemed adulterated under sections 402(a)(1) or 402(a)(2)(C)(i) of this Act by virtue of bearing or containing a partially hydrogenated oil until the compliance date as specified in such order (June 18, 2018).

SEC. 741. The Secretary may charge a fee for lenders to access Department loan guarantee systems in connection with such lenders' participation in loan guarantee programs of the Rural Housing Service: *Provided*, That the funds collected from such fees shall be made available to the Secretary without further appropriation and such funds shall be deposited into the Rural Development Salaries and Expense Account and shall remain available until expended for obligation and expenditure by the Secretary for administrative expenses of the Rural Housing Service Loan Guarantee Program in addition to other available funds: *Provided further*, That such fees collected shall not exceed $50 per loan.

SEC. 742. (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. 743. In addition to amounts otherwise made available by this Act under the heading ''Animal and Plant Health Inspection Service—Buildings and Facilities'', there is appropriated $47,000,000, to remain available until expended, for fruit fly rearing facilities.

SEC. 744. Beginning on the date of enactment of this Act, in fiscal year 2017 and each fiscal year hereafter, notwithstanding any other provision of law, a household certified to participate in the Supplemental Nutrition Assistance Program is required to report in a manner prescribed by the Secretary if the household no longer resides in the State in which it is certified.

SEC. 745. Of the unobligated balances from amounts made available for the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $850,000,000 are rescinded.

SEC. 746. (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. 747. (a) For the period beginning on the date of enactment of this Act through school year 2017–2018, with respect to the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) and final regulations published by the Department of Agriculture in the Federal Register on January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Secretary of Agriculture shall allow States to grant an exemption from the whole grain requirements that took effect on or after July 1, 2014, and the States shall establish a process for evaluating and responding, in a reasonable amount of time, to requests for an exemption: *Provided*, That school food authorities demonstrate hardship, including financial hardship, in procuring specific whole grain products which are acceptable to the students and compliant with the whole grain-rich requirements: *Provided further*, That school food authorities shall comply with the applicable grain component or standard with respect to the school lunch or school breakfast program that was in effect prior to July 1, 2014.

(b) For the period beginning on the date of enactment of this Act through school year 2017–2018, 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 implement any regulations under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-

Free Kids Act of 2010 (Public Law 111–296), or any other law that would require a reduction in the quantity of sodium contained in federally reimbursed meals, foods, and snacks sold in schools below Target 1 (as described in section 220.8(f)(3) of title 7, Code of Federal Regulations (or successor regulations)).

(c) For the period beginning on the date of enactment of this Act through school year 2017-2018, notwithstanding any other provision of law, the Secretary shall allow States to grant special exemptions for the service of flavored, low-fat fluid milk in the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), and as a competitive food available on campus during the school day, to schools which demonstrate a reduction in student milk consumption or an increase in school milk waste.

SEC. 748. In addition to amounts otherwise made available under this Act to carry out section 27(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1)) for fiscal year 2017, there is appropriated $19,000,000 to carry out such section.

SEC. 749. (a) Subject to subsection (b), the Secretary of Agriculture may conduct a pilot program in accordance with this section that authorizes not more than $600,000,000 in funds from rural electrification loans made by the Federal Financing Bank that are guaranteed under section 306 of the Rural Electrification Act of 1936 to be used for refinancing debt pursuant to section 306C of such Act (including any associated prepayment penalties and prepayment or refinance premium), notwithstanding subsections (b) and (c)(4) of section 306C of such Act.

(b) The Secretary of Agriculture may not provide an authorization under subsection (a) to a borrower unless the Secretary determines that the refinancing involved will benefit the ratepayers of the borrower.

(c) The Federal Financing Bank shall make a new loan to each borrower refinancing a loan pursuant to this section and section 306 of the Rural Electrification Act of 1936, for the purpose of providing funds for the refinancing, which loan shall be obligated from amounts made available for rural electrification loans, and the Secretary of Agriculture shall guarantee the new loan pursuant to section 306 of the Rural Electrification Act of 1936.

(d) For the cost of refinancing a loan pursuant to this section for any borrower identified by the Federal Financing Bank as having opted since origination of the loan to pay an interest rate premium for the eligibility to prepay at par, including a borrower paying an interest rate premium in the near-term for the right to prepay at par starting in 2020, $13,800,000, to remain available until expended: *Provided*, That these funds shall also be available for refinancing a loan pursuant to any extension or expansion of this pilot program that is enacted subsequent to this Act for those same borrowers.

(e) The authority for the pilot program provided by this section shall remain in effect through September 30, 2019.

SEC. 750. Of the total amounts made available by this Act for direct loans and grants in the following headings: ''Rural Housing Service—Rural Housing Insurance Fund Program Account''; ''Rural Housing Service—Mutual and Self-Help Housing Grants''; ''Rural Housing Service—Rural Housing Assistance Grants''; ''Rural Housing Service—Rural Community Facilities Program Account''; ''Rural Business-Cooperative Service—Rural Business Program Account''; ''Rural Business-Cooperative Service—Rural Economic Development Loans Program Account''; ''Rural Business- Cooperative Service—Rural Cooperative Development Grants''; ''Rural Utilities Service—Rural Water and Waste Disposal Program Account''; ''Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account''; and ''Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program'', to the maximum extent feasible, at least 10 percent of the new unobligated balances remaining upon enactment shall be allocated for assistance in persistent poverty counties under this section: *Provided*, That for purposes of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1980, 1990, and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average: *Provided further*, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

SEC. 751. For the purposes of determining eligibility or level of program assistance for Rural Development mission area programs the Secretary shall not include incarcerated prison populations.

SEC. 752. For an additional amount for ''Food and Drug Administration—Salaries and Expenses'' to prevent, prepare for, and respond to emerging health threats, including the Ebola and Zika viruses, domestically and internationally and to develop necessary medical countermeasures and vaccines, including the review, regulation, and post market surveillance of vaccines and therapies, and for related administrative activities, $10,000,000, to remain available until expended.

SEC. 753. There is hereby appropriated for the ''Emergency Conservation Program'', $28,651,000, to remain available until expended for emergencies not declared as a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 754. 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. 755. In addition to funds appropriated in this Act, there is hereby appropriated $134,000,000, to remain available until expended, under the heading ''Food for Peace Title II Grants'': *Provided*, That the funds made available under this section shall be used for the purposes set forth in the Food for Peace Act for both emergency and non-emergency purposes.

SEC. 756. The Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall issue final regulations revising the Federal drug regulations (as defined in section 1112(c) of such Act (21 U.S.C. 360dd note)) with respect to medical gases not later than July 15, 2017.

SEC. 757. For an additional amount for ''Animal and Plant Health Inspection Service—Salaries and Expenses'', $5,500,000, to remain available until September 30, 2018, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 758. The following unobligated balances identified by the following Treasury Appropriation Fund Symbols are hereby rescinded: 12X1951, $632,928.89; 12X1953, $2,420,129.91; 12X1902, $352,323.31; 12X1900, $16,452.44; and 12X1232, $529,310.95: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 759. The unobligated balances resulting from offsetting collections identified by Treasury Appropriation Fund Symbols 12X1951, 12X2002, 12X2006, 12X1902, 12X1900, 12X1232, and 12X1980, respectively, are hereby rescinded: *Provided*, that no amounts may be rescinded from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 760. There is hereby appropriated $5,000,000, to remain available until September 30, 2018, 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. 761. During fiscal year 2017, the Food and Drug Administration (FDA) shall not allow the introduction or delivery for introduction into interstate commerce of any food that contains genetically engineered salmon until FDA publishes final labeling guidelines for informing consumers of such content.

SEC. 762. None of the funds made available in this Act may be used to pay the salary 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. 763. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2017, 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. 764. There is hereby appropriated $600,000 for the purposes of section 727 of division A of Public Law 112–55.

SEC. 765. 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. 766. None of the funds made available by this Act may be used by the Food and Drug Administration to develop, issue, promote, or advance any regulations applicable to food manufacturers for population-wide sodium reduction actions or to develop, issue, promote or advance final guidance applicable to food manufacturers for long term population-wide sodium reduction actions until the date on which a dietary reference intake report with respect to sodium is completed.

SEC. 767. There is hereby appropriated $1,000,000, to remain available until September 30, 2018, 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. 768. In addition to funds appropriated in this Act, there is hereby appropriated $500,000, to remain available until September 30, 2018, under the heading ''Rural Development, Salaries and Expenses'', for development of an implementation plan for increasing access to education in the fields of science, technology, engineering, and mathematics in rural communities through the Distance Learning and Telemedicine program.

SEC. 769. There is hereby appropriated $8,000,000, to remain available until September 30, 2018, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a).

SEC. 770. (a) Of the unobligated balances from amounts made available in fiscal year 2016 for the Comprehensive Loan Accounting System under the heading ''Rural Development, Salaries and Expenses'', $8,900,000 are hereby rescinded.

(b) For an additional amount for ''Rural Development, Salaries and Expenses'', $8,900,000, to remain available until September 30, 2018, is provided for Information Technology modernization activities.

SEC. 771. The Secretary shall modify the pilot program initiated March 1, 2017, designed to preserve affordable rental housing through non-profit transfer or acquisition of Section 515 properties with expiring mortgages. The program will study effective means to transfer Section 515 properties exiting the program due to mortgage maturity to qualified nonprofit organizations to preserve the properties in the Rural Housing Service multi-family program. The Secretary shall—

(1) Conduct limited research under the authority found at section 506(b) of the Housing Act of 1949, as amended (41 U.S.C. §1476(b));

(2) Track the results and identify ways or incentives to create additional opportunities for nonprofits to participate in the preservation of properties;

(3) Work collaboratively with third-parties to address concerns identified on the Department issued guidance issued September 16, 2016 titled, ''March 1, 2017, Pilot Program to Promote Non-Profit Participation in Transactions to Retain the Section 515 Portfolio'' to maximize research benefits and potential application; and

(4) Conduct research for two years after the date of the enactment of this Act and report the findings to the Committees on Appropriations of both Houses of Congress:

Provided, That there is hereby appropriated $1,000,000, to remain available until September 30, 2018, 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.

SEC. 772. (a) The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall carry out a pilot program during fiscal year 2017 with respect to the 2016 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some of the State Farm Service Agency offices in each State the opportunity to provide agricultural producers in the State a supplemental payment described in subsection (c) based on the alternate calculation method described in subsection (b) for 1 or more counties in a State if the office for that State determines that the alternate calculation method is necessary to ensure that, to the maximum extent practicable, there are not significant yield calculation disparities between comparable counties in the State.

(b) The alternate calculation method referred to in subsection (a) is a method of calculating the actual yield for the 2016 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), under which—

(1) county data of the National Agricultural Statistics Service (referred to in this section as ''NASS data'') is used for the calculations;

(2) if there is insufficient NASS data for a county (as determined under standards of the Secretary in effect as of the date of enactment of this Act) or the available NASS data produces a substantially disparate result, the calculation of the county yield is determined using comparable contiguous county NASS data as determined by the Farm Service Agency office in the applicable State; and

(3) if there is insufficient NASS data for a comparable contiguous county (as determined under standards of the Secretary in effect as of the date of enactment of this Act), the calculation of the county yield is determined using reliable yield data from other sources, such as Risk Management Agency data, National Agricultural Statistics Service district data, National Agricultural Statistics Service State yield data, or other data as determined by the Farm Service Agency office in the applicable State.

(c)(1) A supplemental payment made under the pilot program established under this section may be made to an agricultural producer who is subject to the alternate calculation method described in subsection (b) if that agricultural producer would otherwise receive a county-level agriculture risk coverage payment for the 2016 crop year in an amount that is less than the payment that the agricultural producer would receive under the alternate calculation method.

(2) The amount of a supplemental payment to an agricultural producer under this section may not exceed the difference between—

(A) the payment that the agricultural producer would have received without the alternate calculation method described in subsection (b); and

(B) the payment that the agricultural producer would receive using the alternate calculation method.

(d)(1) There is appropriated to the Secretary, out of funds of the Treasury not otherwise appropriated, $5,000,000, to remain available until September 30, 2018, to carry out the pilot program described in this section.

(2) Of the funds appropriated, the Secretary shall use not more than $5,000,000 to carry out the pilot program described in this section.

(e)(1) To the maximum extent practicable, the Secretary shall select States to participate in the pilot program under this section so the cost of the pilot program equals the amount provided under subsection (d).

(2) To the extent that the cost of the pilot program exceeds the amount made available, the Secretary shall reduce all payments under the pilot program on a pro rata basis.

(f) Nothing in this section affects the calculation of actual yield for purposes of county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)) other than payments made in accordance with the pilot program under this section.

(g) A calculation of actual yield made using the alternate calculation method described in subsection (b) shall not be used as a basis for any agriculture risk coverage payment determinations under section 1117 of the Agricultural Act of 2014 (7 U.S.C. 9017) other than for purposes of the pilot program under this section.

SEC. 773. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940); or

(2) to prohibit the transportation, processing, sale, or use of industrial hemp that is grown or cultivated in accordance with section 7606 of the Agricultural Act of 2014, within or outside the State in which the industrial hemp is grown or cultivated.

SEC. 774. Notwithstanding any other provision of law, for purposes of applying the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the acceptable market name of Lithodes aequispinus is ''golden king crab.''

This division may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017''.

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official

use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $495,000,000, to remain available until September 30, 2018, of which $12,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, 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, $112,500,000, 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 section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), $237,000,000, to remain available until expended, of which $17,000,000 shall be for grants under such section 27.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $39,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $34,000,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $107,300,000, to remain available until September 30, 2018.

BUREAU OF THE CENSUS

CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $270,000,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That the Bureau of the Census shall collect and analyze data for the Annual Social and Economic Supplement to the Current Population Survey using the same health insurance questions included in previous years, in addition to the revised questions implemented in the Current Population Survey beginning in February 2014.

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, $1,200,000,000, to remain available until September 30, 2018: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $2,580,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the Bureau of the Census: *Provided further*, That not more than 50 percent of the amounts made available under this heading for information technology related to 2020 census delivery, including the Census Enterprise Data Collection and Processing (CEDCaP) program, may be obligated until the Secretary submits to the Committees on Appropriations of the House of Representatives and the Senate a plan for expenditure that: (1) identifies for each CEDCaP project/investment over $25,000: (A) the functional and performance capabilities to be delivered and the mission benefits to be realized; (B) the estimated lifecycle cost, including estimates for development as well as maintenance and operations; and (C) key milestones to be met; (2) details for each project/investment: (A) reasons for any cost and schedule variances; and (B) top risks and mitigation strategies; and (3) has been submitted to the Government Accountability Office.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $32,000,000, to remain available until September 30, 2018: *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, $3,230,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2017, so as to result in a fiscal year 2017 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2017, should the total amount of such offsetting collections be less than $3,230,000,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $3,230,000,000 in fiscal year 2017 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 2017 for official reception and representation expenses: *Provided further*, That in fiscal year 2017 from the amounts made available for ''Salaries and Expenses'' for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB)

and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts appropriated, $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), $690,000,000, 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, $155,000,000, to remain available until expended, of which $130,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $25,000,000 shall be for the National Network for Manufacturing Innovation: *Provided*, That of the amount provided under this heading, $2,000,000 shall be derived from recoveries of prior year obligations.

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), $109,000,000, 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; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,367,875,000, to remain available until September 30, 2018, except that funds provided for cooperative enforcement shall remain available until September 30, 2019: *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, $130,164,000 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, Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: *Provided further*, That of the $3,515,539,000 provided for in direct obligations under this heading, $3,367,875,000 is appropriated from the general fund, $130,164,000 is provided by transfer and $17,500,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $228,440,000: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents' Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $2,242,610,000, to remain available until September 30, 2019, except that funds provided for acquisition and construction of vessels and construction of facilities shall remain available until expended: *Provided*, That of the $2,255,610,000 provided for in direct obligations under this heading, $2,242,610,000 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, 2018: *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 $350,000, 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 2017, 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, $58,000,000: *Provided*, That within amounts provided, the Secretary of Commerce may use up to $2,500,000 to engage in activities to provide businesses and communities with information about and referrals to relevant Federal, State, and local government programs.

RENOVATION AND MODERNIZATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the renovation and modernization of the Herbert C. Hoover Building, including security-related costs, $4,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce may transfer up to $8,224,000 to this account from funds available to the Department of Commerce: *Provided further*, That the transfer authority provided in the first proviso is in addition to any other transfer authority contained in this Act: *Provided further*, That any transfer pursuant to the authority provided under this heading 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.

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.), $32,744,000.

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 2017: *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. The Secretary of Commerce may waive the requirement for bonds under 40 U.S.C. 3131 with respect to contracts for the construction, alteration, or repair of vessels, regardless of the terms of the contracts as to payment or title, when the contract is made under the Coast and Geodetic Survey Act of 1947 (33 U.S.C. 883a et seq.).

SEC. 110. None of the funds appropriated or otherwise made available in this or any other Act, with respect to any fiscal year, may be used in contravention of section 110 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016 (Public Law 114–113).

SEC. 111. 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, 2019, for such purposes: *Provided further*, That all funds within this section and their corresponding uses are subject to section 505 of this Act.

SEC. 112. 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 U.S. Census Bureau, 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. 113. For fiscal year 2017 and each fiscal year thereafter, no person shall conduct any research, exploration, salvage, or other activity that would physically alter or disturb the wreck or wreck site of the RMS *Titanic* unless authorized by the Secretary of Commerce per the provisions of the Agreement Concerning the Shipwrecked Vessel RMS *Titanic*. The Secretary of Commerce shall take appropriate actions to carry out this section consistent with the Agreement.

This title may be cited as the ''Department of Commerce Appropriations Act, 2017''.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $114,124,000, 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, $31,000,000, to remain available until expended: *Provided*, That the Attorney General may transfer up to $35,400,000 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, $440,000,000, 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: *Provided*, That not to exceed $15,000,000 of the total amount made available under this heading shall remain available until expended: *Provided further*, That any unobligated balances available from funds appropriated for the Executive Office for Immigration Review under the heading ''General Administration, Administrative Review and Appeals'' shall be transferred to and merged with the appropriation under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $95,583,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $13,308,000: *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, $897,500,000, 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.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $10,000,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $164,977,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $125,000,000 in fiscal year 2017), 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 2017, so as to result in a final fiscal year 2017 appropriation from the general fund estimated at $39,977,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, $2,035,000,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $225,908,000, 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 collected pursuant to section 589a(b) of title 28, United States Code, 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 collected in fiscal year 2017, net of amounts necessary to pay refunds due depositors, exceed $225,908,000, 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 2017, net of amounts necessary to pay refunds due depositors, (estimated at $163,000,000) 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 2017 appropriation from the general fund estimated at $62,908,000.

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, $2,374,000.

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 $13,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses: *Provided*, That amounts made available under this heading may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, $15,500,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, $20,514,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,249,040,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $15,000,000 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, $10,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

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, $1,454,414,000, 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: *Provided further*, That any unobligated balances available from funds appropriated under the heading ''General Administration, Detention Trustee'' shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the activities of the National Security Division, $96,000,000, 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, $517,000,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against

the United States, $8,767,201,000, of which not to exceed $285,882,000 shall remain available until expended: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses: *Provided further*, That in addition to other funds provided for Construction projects, the Federal Bureau of Investigation may use up to $68,982,000 under this heading for all costs related to construction, conversion, modification and extension of federally owned and leased space; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

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; $420,178,000, to remain available until expended, of which $181,000,000 shall be derived by transfer from the Department of Justice's Working Capital Fund: *Provided*, That $323,000,000 shall be for the new Federal Bureau of Investigation consolidated headquarters facility in the National Capital Region.

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, $2,102,976,000, 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, $1,258,600,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $7,008,800,000: *Provided*, That the Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures by that Department for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2018: *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, $130,000,000, to remain available until expended, of which $50,000,000 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 (42 U.S.C. 3711 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 (42 U.S.C. 5601 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) (''the 2000 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and the Rape Survivor Child Custody Act of 2015 (Public Law 114–22) (''the 2015 Act''); and for related victims services, $481,500,000, to remain available until expended, of which $326,000,000 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 (42 U.S.C. 10601), 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) $30,000,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $3,000,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

(4) $11,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized

by sections 41201, 41204, 41303, and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $53,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $35,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $35,000,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

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

(9) $45,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $5,000,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $16,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: *Provided*, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

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

(13) $500,000 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 for the purposes authorized under the 2015 Act.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

(INCLUDING TRANSFER OF FUNDS)

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 (42 U.S.C. 5771 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, $89,000,000, to remain available until expended, of which—

(1) $45,500,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act, of which $5,000,000 is for a nationwide incident-based crime statistics program;

(2) $39,500,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act, of which $4,000,000 is for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention; and

(3) $4,000,000 is for activities to strengthen and enhance the practice of forensic sciences, of which $3,000,000 is for transfer to the National Institute of Standards and Technology to support Scientific Area Committees.

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''); and other programs, $1,258,500,000, to remain available until expended as follows—

(1) $396,000,000 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, $7,500,000 is for the Officer Robert Wilson III Memorial Initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR), $5,000,000 is for an initiative to support evidence-based policing, $2,500,000 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 a national training initiative to improve police-based responses to people with mental illness or developmental disabilities, $6,500,000 is for competitive and evidence-based programs to reduce gun crime and gang violence, $2,000,000 is for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315, $2,500,000 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, $10,500,000 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), and $20,000,000 is for the sole purpose of providing reimbursement of extraordinary law enforcement and related costs directly associated with protection of the President-elect incurred from November 9, 2016 until the inauguration of the President-elect as President: *Provided*, That reimbursement under the foregoing shall be provided only for costs that a State or local agency can document as being over and above normal law enforcement operations and directly attributable to the provision of protection described herein: *Provided further*, That section 154 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254), is amended by inserting after ''$7,000,000'' the following: '', to remain available until September 30, 2017,'';

(2) $210,000,000 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) $45,000,000 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) $13,000,000 for economic, high technology, white collar and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403;

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

(6) $22,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided*, That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(7) $1,000,000 for the National Sex Offender Public Website;

(8) $73,000,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, of which no less than $25,000,000 shall be for grants made under the authorities of the NICS Improvement Amendments Act of 2007 (Public Law 110–180);

(9) $13,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(10) $125,000,000 for DNA-related and forensic programs and activities, of which—

(A) $117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities,

including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Grant Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108–405;

(11) $45,000,000 for a grant program for community-based sexual assault response reform;

(12) $9,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(13) $68,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed $6,000,000 is for a program to improve State, local, and tribal probation or parole supervision efforts and strategies, $5,000,000 is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy, and $4,000,000 is for additional replication sites employing the Project HOPE Opportunity Probation with Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model: *Provided*, That up to $7,500,000 of funds made available in this paragraph may be used for performance-based awards for Pay for Success projects, of which up to $5,000,000 shall be for Pay for Success programs implementing the Permanent Supportive Housing Model;

(14) $50,000,000 for the Comprehensive School Safety Initiative;

(15) $65,000,000 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, $25,000,000 is for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction, and $17,500,000 is for an Edward Byrne Memorial criminal justice innovation program; and

(16) $103,000,000 for comprehensive opioid abuse reduction activities, including as authorized by CARA, and for the following programs, which shall address opioid abuse reduction consistent with underlying program authorities—

(A) $43,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(B) $12,000,000 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) $14,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(D) $7,000,000 for a veterans treatment courts program; and

(E) $14,000,000 for a program to monitor prescription drugs and scheduled listed chemical products:

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 (42 U.S.C. 5771 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''); and other juvenile justice programs, $247,000,000, to remain available until expended as follows—

(1) $55,000,000 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) $80,000,000 for youth mentoring grants;

(3) $14,500,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $4,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities;

(B) $500,000 shall be for an Internet site providing information and resources on children of incarcerated parents;

(C) $2,000,000 shall be for competitive grants focusing on girls in the juvenile justice system; and

(D) $8,000,000 shall be for community-based violence prevention initiatives, including for public health approaches to reducing shootings and violence;

(4) $21,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $72,500,000 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);

(6) $2,000,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act; and

(7) $2,000,000 for a program to improve juvenile indigent defense:

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 (4) 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 $16,300,000 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''); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''), $221,500,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided under this heading—

(1) $10,000,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) $194,500,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) 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 (42 U.S.C. 3796dd–3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further*, That of the amounts appropriated under this paragraph, $5,000,000 is for community policing development activities in furtherance of the purposes in section 1701: *Provided further*, That within the amounts appropriated under this paragraph, $10,000,000 is for the collaborative reform model of technical assistance in furtherance of the purposes in section 1701: *Provided further*, That of the amounts appropriated under this paragraph $35,000,000 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 of the amounts appropriated under this paragraph, $7,500,000 is for activities authorized by the POLICE Act of 2016 (Public Law 114–199);

(3) $7,000,000 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; and

(4) $10,000,000 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.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 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. 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, up to 7 percent of funds made available for grant or reimbursement programs—

(1) under the heading ''State and Local Law Enforcement Assistance'' (except for funds made available under paragraphs (1), (2), and (16) under such heading); and

(2) under the headings ''Juvenile Justice Programs'' (except for funds made available under paragraph (5) under such heading) and ''Community Oriented Policing Services Programs'', to be transferred to and merged with funds made available under the heading ''State and Local Law Enforcement Assistance'',

shall be available for tribal criminal justice assistance without regard to the authorizations for such grant or reimbursement programs.

SEC. 214. 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 2014 through 2017 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 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and local reentry courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w–2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the prosecution drug treatment alternatives to prison program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q–3), the requirements under section 2904 of such part.

(4) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 215. 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 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 216. 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 (18 U.S.C. 922 note), 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. 217. (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 2017, except up to $40,000,000 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 2017, 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 2017, 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. 218. 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 year 2017.

SEC. 219. In addition to any other transfer authority available to the Department of

Justice, for fiscal years 2017 through 2022, unobligated balances available 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) may be transferred to the ''Federal Bureau of Investigation, Construction'' account, to remain available until expended for the new Federal Bureau of Investigation headquarters in the National Capital Region: *Provided*, That the cumulative total amount of funds transferred from the Working Capital Fund from fiscal year 2017 through 2022 pursuant to this section shall not exceed $315,000,000: *Provided further*, That transfers pursuant to this section shall not count against any ceiling on the use of unobligated balances transferred to the capital account of the Working Capital Fund in this or any other Act in any such fiscal year: *Provided further*, That any transfer pursuant to this section 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.

This title may be cited as the ''Department of Justice Appropriations Act, 2017''.

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, $5,555,000.

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, $5,764,900,000, to remain available until September 30, 2018: *Provided*, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed $8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104: *Provided further*, That, of the amounts provided, $275,000,000 is for an orbiter and a lander to meet the science goals for the Jupiter Europa mission as outlined in the most recent planetary science decadal survey: *Provided further*, That the National Aeronautics and Space Administration shall use the Space Launch System as the launch vehicle or vehicles for the Jupiter Europa mission, plan for an orbiter launch no later than 2022 and a lander launch no later than 2024, and include in the fiscal year 2018 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, $660,000,000, to remain available until September 30, 2018.

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, $686,500,000, to remain available until September 30, 2018: *Provided*, That $130,000,000 shall be for the RESTORE satellite servicing program for continuation of formulation and development activities for RESTORE and such funds shall not support activities solely needed for the asteroid redirect mission.

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, $4,324,000,000, to remain available until September 30, 2018: *Provided*, That not less than $1,350,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $2,150,000,000 shall be for the Space Launch System (SLS) launch vehicle, which shall have a lift capability not less than 130 metric tons and which shall have core elements and an Exploration Upper Stage developed simultaneously: *Provided further*, That of the amounts provided for SLS, not less than $300,000,000 shall be for Exploration Upper Stage development: *Provided further*, That $429,000,000 shall be for exploration ground systems: *Provided further*, That the National Aeronautics and Space Administration (NASA) shall provide to the Committees on Appropriations of the House of Representatives and the Senate, concurrent with the annual budget submission, a 5-year budget profile for an integrated budget that includes the Space Launch System, the Orion Multi-Purpose Crew Vehicle, and associated ground systems, that will meet the Exploration Mission 2 (EM–2) management agreement launch date of no later than 2021 at a success level equal to the Agency Baseline Commitment for EM–2 of the Orion Multi-Purpose Crew Vehicle: *Provided further*, That $395,000,000 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, $4,950,700,000, to remain available until September 30, 2018.

EDUCATION

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, $100,000,000, to remain available until September 30, 2018, of which $18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $40,000,000 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, $2,768,600,000, to remain available until September 30, 2018.

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, $360,700,000, to remain available until September 30, 2022: *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 2017 in an amount not to

exceed $9,470,300: *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, $37,900,000, of which $500,000 shall remain available until September 30, 2018.

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, except that ''Construction and Environmental Compliance and Restoration'' may be increased up to 15 percent by such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $6,033,645,000, to remain available until September 30, 2018, of which not to exceed $544,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $209,000,000, 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, $880,000,000, to remain available until September 30, 2018.

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; $330,000,000: *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 2017 for maintenance and operation of facilities and for other services to be provided during the next fiscal year: *Provided further*, That of the amount provided for costs associated with the acquisition, occupancy, and related costs of new headquarters space, not more than $40,700,000 shall remain available until expended.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,370,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $15,200,000, of which $400,000 shall remain available until September 30, 2018.

ADMINISTRATIVE PROVISION

(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 15 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.

This title may be cited as the ''Science Appropriations Act, 2017''.

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, $9,200,000: *Provided*, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Nondiscrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $364,500,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $91,500,000, 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, $385,000,000, of which $352,000,000 is for basic field programs and required independent audits; $5,000,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $19,000,000 is for management and grants oversight; $4,000,000 is for client self-help and information technology; $4,000,000 is for a Pro Bono Innovation Fund; and $1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(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 2016 and 2017, 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.), $3,431,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

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, $62,000,000, of which $1,000,000 shall remain available until expended: *Provided*, That of the total amount made available under this heading, up to $15,000,000 may be derived from the Trade Enforcement Trust Fund established in subsection (a) of section 611 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4405) for activities of the United States Trade Representative authorized by subsection (d) of such section, including transfers: *Provided further*, That any transfer pursuant to paragraph (1) of such subsection (d) shall be treated as a reprogramming under section 505 of this Act: *Provided further*, That of the total amount made available under this heading, not to exceed $124,000 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Act of 1984 (42 U.S.C. 10701 et seq.) $5,121,000, of which $500,000 shall remain available until September 30, 2018: *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 2017, 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 (42 U.S.C. 10601) in any fiscal year in excess of $2,573,000,000 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, $10,000,000 shall remain available until expended to the Department of Justice Office of Inspector General for oversight and auditing purposes.

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. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (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. 515. (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.

(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. 516. 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. 517. (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. 518. 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. 519. 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. 520. 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. 521. 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. 522. 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 2017 until the enactment of the Intelligence Authorization Act for fiscal year 2017.

SEC. 523. 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. 524. (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, 2017, from the following accounts in the specified amounts—

(1) ''Economic Development Administration, Economic Development Assistance Programs'', $10,000,000;

(2) ''National Oceanic and Atmospheric Administration, Operations, Research, and Facilities'', $18,000,000; and

(3) ''National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction'', $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, 2017, from the following accounts in the specified amounts—

(1) ''Working Capital Fund'', $300,000,000;

(2) ''United States Marshals Service, Federal Prisoner Detention'', $24,000,000;

(3) ''Federal Bureau of Investigation, Salaries and Expenses'', $140,000,000 from fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;

(4) ''State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs'', $10,000,000;

(5) ''State and Local Law Enforcement Activities, Office of Justice Programs'', $50,000,000;

(6) ''State and Local Law Enforcement Activities, Community Oriented Policing Services'', $15,000,000;

(7) ''Legal Activities, Assets Forfeiture Fund'', $503,196,000, of which $201,196,000 is permanently rescinded;

(8) ''Drug Enforcement Administration, Salaries and Expenses'', $12,092,000;

(9) ''Federal Bureau of Investigation, Salaries and Expenses'', $51,600,000; and

(10) ''Federal Prison System, Buildings and Facilities'', $3,400,000.

(c) The Departments of Commerce and Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2017, specifying the amount of each rescission made pursuant to subsections (a) and (b).

SEC. 525. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 526. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency, who are stationed in the United States, at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 527. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

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

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

SEC. 528. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

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

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

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

(2) is—

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

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

SEC. 529. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 530. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) 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 or OSTP, after consultation with the Federal Bureau of Investigation, have certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate, and the Federal Bureau of Investigation, no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 531. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 532. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 533. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the Legal Services Corporation, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 534. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 535. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or for performance that does not meet the basic requirements of a contract.

SEC. 536. 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. 537. None of the funds made available in this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, 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, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

SEC. 538. 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. 539. Of the amounts made available by this Act, not less than 10 percent of each

total amount provided, respectively, for Public Works grants authorized by the Public Works and Economic Development Act of 1965 and grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722) shall be allocated for assistance in persistent poverty counties: *Provided*, That for purposes of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates.

SEC. 540. For an additional amount for ''National Aeronautics and Space Administration—Construction and Environmental Compliance and Restoration'', $109,000,000, to remain available until expended, for repairs at National Aeronautics and Space Administration (NASA) owned facilities that directly support NASA's mission which were damaged as a result of recent natural disasters: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EXCEPTION TO LIMITATION ON APPOINTMENT OF CERTAIN PERSONS AS UNITED STATES TRADE REPRESENTATIVE

SEC. 541. (a) IN GENERAL.—The limitation under section 141(b) (4) of the Trade Act of 1974 (19 U.S.C. 2171(b)(4)) shall not apply to the first person appointed, by and with the advice and consent of the Senate, as the United States Trade Representative after the date of the enactment of this Act, if that person served as a Deputy United States Trade Representative before the date of the enactment of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.).

(b) LIMITED EXCEPTION.—This section applies only to the first person appointed as United States Trade Representative after the date of enactment of this Act, and to no other person.

SEC. 542. For an additional amount for ''Department of Justice, State and Local Law Enforcement Activities, Office of Justice Programs, State and Local Law Enforcement Assistance'', $15,000,000 for emergency law enforcement assistance for events occurring during fiscal years 2016 and 2017, as authorized by section 609M of the Justice Assistance Act of 1984 (42 U.S.C. 10501; Public Law 98–473).

This division may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2017''.

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

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, $40,042,962,000.

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, $27,889,405,000.

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, $12,735,182,000.

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, $27,958,795,000.

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 3038 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, $4,524,863,000.

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, $1,921,045,000.

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, $744,795,000.

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, $1,725,526,000.

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, $7,899,423,000.

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, $3,283,982,000.

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, $32,738,173,000: *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, $38,552,017,000: *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, $5,676,152,000.

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, $36,247,724,000: *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, 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, $32,373,949,000: *Provided*, That not more than $15,000,000 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 $34,964,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 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 $5,023,000, 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, $480,000,000, to remain available until September 30, 2018, 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, $2,743,688,000.

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, $929,656,000.

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, $271,133,000.

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, $3,069,229,000.

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), $6,861,478,000.

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, $6,615,095,000.

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, $14,194,000, 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, $170,167,000, 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, $289,262,000, 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, $371,521,000, 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, $9,009,000, 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, $222,084,000, 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), $123,125,000, to remain available until September 30, 2018.

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, $325,604,000, to remain available until September 30, 2019.

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, $4,587,598,000, to remain available for obligation until September 30, 2019.

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, $1,533,804,000, to remain available for obligation until September 30, 2019.

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, $2,229,455,000, to remain available for obligation until September 30, 2019.

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, $1,483,566,000, to remain available for obligation until September 30, 2019.

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, $6,147,328,000, to remain available for obligation until September 30, 2019.

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, $16,135,335,000, to remain available for obligation until September 30, 2019.

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, $3,265,285,000, to remain available for obligation until September 30, 2019.

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, $633,678,000, to remain available for obligation until September 30, 2019.

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), $773,138,000;

Carrier Replacement Program, $1,255,783,000;

Carrier Replacement Program (AP), $1,370,784,000;

Virginia Class Submarine, $3,187,985,000;

Virginia Class Submarine (AP), $1,852,234,000;

CVN Refueling Overhauls, $1,699,120,000;

CVN Refueling Overhauls (AP), $233,149,000;

DDG–1000 Program, $271,756,000;

DDG–51 Destroyer, $3,614,792,000;

Littoral Combat Ship, $1,563,692,000;

LPD–17, $1,786,000,000;

LHA Replacement, $1,617,719,000;

TAO Fleet Oiler (AP), $73,079,000;

Moored Training Ship, $624,527,000;

Ship to Shore Connector, $128,067,000;

Service Craft, $65,192,000;

LCAC Service Life Extension Program, $82,074,000;

YP Craft Maintenance/ROH/SLEP, $21,363,000;

For outfitting, post delivery, conversions, and first destination transportation, $626,158,000;

Completion of Prior Year Shipbuilding Programs, $160,274,000; and

Polar Icebreakers (AP), $150,000,000.

In all: $21,156,886,000, to remain available for obligation until September 30, 2021: *Provided*, That additional obligations may be incurred after September 30, 2021, 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 production of the common missile compartment of nuclear-powered vessels may be available for multiyear procurement of critical components to support continuous production of such compartments only in accordance with the provisions of subsection (i) of section 2218a of title 10, United States Code (as added by section 1023 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328)).

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $6,308,919,000, to remain available for obligation until September 30, 2019.

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, $1,307,456,000, to remain available for obligation until September 30, 2019.

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, $14,253,623,000, to remain available for obligation until September 30, 2019.

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, $2,348,121,000, to remain available for obligation until September 30, 2019.

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, $2,733,243,000, to remain available for obligation until September 30, 2019.

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, $1,589,219,000, to remain available for obligation until September 30, 2019.

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, $17,768,224,000, to remain available for obligation until September 30, 2019.

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, $4,881,022,000, to remain available for obligation until September 30, 2019.

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), $64,065,000, 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, $8,332,965,000, to remain available for obligation until September 30, 2018.

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, $17,214,530,000, to remain available for obligation until September 30, 2018: *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, $27,788,548,000, to remain available for obligation until September 30, 2018.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

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, $18,778,550,000, to remain available for obligation until September 30, 2018: *Provided*, That, of the funds made available in this paragraph, $250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

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, $186,994,000, to remain available for obligation until September 30, 2018.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,511,613,000.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $33,781,270,000; of which $31,277,002,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2018, and of which up to $15,315,832,000 may be available for contracts entered into under the TRICARE program; of which $402,161,000, to remain available for obligation until September 30, 2019, shall be for procurement; and of which $2,102,107,000, to remain available for obligation until September 30, 2018, 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 $1,014,600,000 shall be made available to the United States Army Medical Research and Materiel Command to carry out the congressionally directed medical research programs.

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, $523,726,000, of which $119,985,000 shall be for operation and maintenance, of which no less than $49,533,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $20,368,000 for activities on military installations and $29,165,000, to remain available until September 30, 2018, to assist State and local governments, and of which not more than $13,700,000, to remain available until September 30, 2018, shall be for the destruction of eight United States-origin chemical munitions in the Republic of Panama, to the extent authorized by law; $15,132,000 shall be for procurement, to remain available until September 30, 2019, of which $15,132,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $388,609,000, to remain available until September 30, 2018, shall be for research, development, test and evaluation, of which $380,892,000 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, $998,800,000, of which $626,087,000 shall be for counter-narcotics support; $118,713,000 shall be for the drug demand reduction program; $234,000,000 shall be for the National Guard counter-drug program; and $20,000,000 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, $312,035,000, of which $308,882,000 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; and of which $3,153,000, to remain available until September 30, 2018, 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, $515,596,000.

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 $4,500,000,000 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, 2017: *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 2017: *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.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows: AH–64E Apache Helicopter and UH–60M Blackhawk Helicopter.

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 fiscal year 2017, 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 2018 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2018 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 2018.

(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 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. 8014. 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. 8015. 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. 8016. 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. 8017. 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. 8018. Of the amounts appropriated for ''Working Capital Fund, Army'', $140,000,000 shall be available to maintain competitive rates at the arsenals.

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, $15,000,000 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 $40,021,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $28,000,000 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) $10,337,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $1,684,000 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 2017, not more than 5,750 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 1,125 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 (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2018 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $60,000,000.

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 2017. 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. 479a–1).

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 Officers' Training Corps (SROTC) Program Review and Criteria'', dated January 27, 2014.

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

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

(b) The fiscal year 2018 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2018 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 2018 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8036. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2018: *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, 2018.

SEC. 8037. Notwithstanding any other provision of law, funds made available in this Act and hereafter for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8038. 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. 8039. (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. 8040. 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 congressional defense committees a report detailing the findings of the cost analysis; and

(3) certifies in writing to the congressional defense 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. 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:

''Aircraft Procurement, Army'', 2015/2017, $15,000,000;

''Other Procurement, Army'', 2015/2017, $23,045,000;

''Aircraft Procurement, Navy'', 2015/2017, $88,000,000;

''Weapons Procurement, Navy'', 2015/2017, $11,933,000;

''Procurement of Ammunition, Navy and Marine Corps'', 2015/2017, $43,600,000;

''Aircraft Procurement, Air Force'', 2015/2017, $57,000,000;

''Other Procurement, Air Force'', 2015/2017, $25,500,000;

''Aircraft Procurement, Army'', 2016/2018, $34,594,000;

''Procurement of Ammunition, Army'', 2016/2018, $5,000,000;

''Other Procurement, Army'', 2016/2018, $84,100,000;

''Aircraft Procurement, Navy'', 2016/2018, $6,755,000;

''Weapons Procurement, Navy'', 2016/2018, $5,307,000;

''Procurement of Ammunition, Navy and Marine Corps'', 2016/2018, $6,968,000;

''Shipbuilding and Conversion, Navy'', 2016/2020: DDG-51 Destroyer, $50,000,000;

''Shipbuilding and Conversion, Navy'', 2016/2020: LPD-17, $14,906,000;

''Shipbuilding and Conversion, Navy'', 2016/2020: LX (R), (AP), $236,000,000;

''Other Procurement, Navy'', 2016/2018, $56,374,000;

''Aircraft Procurement, Air Force'', 2016/2018, $383,200,000;

''Missile Procurement, Air Force'', 2016/2018, $34,700,000;

''Space Procurement, Air Force'', 2016/2018, $100,000,000;

''Other Procurement, Air Force'', 2016/2018, $56,369,000;

''Procurement, Defense-Wide'', 2016/2018, $2,600,000;

''Research, Development, Test and Evaluation, Army'', 2016/2017, $33,402,000;

''Research, Development, Test and Evaluation, Navy'', 2016/2017, $31,219,000;

''Research, Development, Test and Evaluation, Air Force'', 2016/2017, $532,550,000; and

''Research, Development, Test and Evaluation, Defense-Wide'', 2016/2017, $64,500,000.

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.

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. None of the funds made available by this Act may be used to retire, divest, realign, or transfer RQ–4B Global Hawk aircraft, or to disestablish or convert units associated with such aircraft.

SEC. 8050. None of the funds made available by this Act for Evolved Expendable Launch Vehicle service competitive procurements may be used unless the competitive procurements are open for award to all certified providers of Evolved Expendable Launch Vehicle-class systems: *Provided*, That the award shall be made to the provider that offers the best value to the government.

SEC. 8051. 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. 8052. 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. 8053. 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. 8054. 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. 8055. 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. 8056. 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.

SEC. 8057. (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.

SEC. 8058. 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 Pacific Command to meet operational requirements.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8059. Of the funds appropriated in this Act under the heading ''Operation and Maintenance, Defense-wide'', $25,000,000 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. 8060. 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 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. 8061. (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. 8062. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8063. 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. 8064. 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: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8065. 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. 8066. 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. 8067. 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 centerfire 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. 8068. 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. 8069. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $75,950,170 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. 8070. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

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

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

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

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

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

(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. 8071. In addition to amounts provided elsewhere in this Act, $5,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(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'', $600,735,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $62,000,000 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; $266,511,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $150,000,000 shall be for co-production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, of which not more than $90,000,000, subject to previously established transfer procedures, may be obligated or expended until establishment of a U.S.-Israeli co-production agreement for SRBMD; $204,893,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which $120,000,000 shall be for co-production activities of Arrow 3 Upper Tier missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, of which not more than $70,000,000 subject to previously established transfer procedures, may be obligated or expended until establishment of a U.S.-Israeli co-production agreement for Arrow 3 Upper Tier; and $67,331,000 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'', $160,274,000 shall be available until September 30, 2017, 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'', 2012/2017: LPD–17 Amphibious Transport Dock Program $45,060,000;

(2) Under the heading ''Shipbuilding and Conversion, Navy'', 2011/2017: DDG–51 Destroyer $15,959,000;

(3) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2017: Littoral Combat Ship $3,600,000;

(4) Under the heading ''Shipbuilding and Conversion, Navy'', 2013/2017: Littoral Combat Ship $82,400,000;

(5) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2017: Expeditionary Fast Transport $6,710,000; and

(6) Under the heading ''Shipbuilding and Conversion, Navy'', 2013/2017: Expeditionary Fast Transport $6,545,000.

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 2017 until the enactment of the Intelligence Authorization Act for Fiscal Year 2017.

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 2018 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. 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 $157,000,000.

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. Up to $10,120,000 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. 8083. 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, 2018.

SEC. 8084. 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. 8085. (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 2017: *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. 8086. None of the funds made available by this Act may be used to eliminate, restructure, or realign Army Contracting Command—New Jersey or make disproportionate personnel reductions at any Army Contracting Command—New Jersey sites without 30-day prior notification to the congressional defense committees.

(RESCISSION)

SEC. 8087. Of the unobligated balances available to the Department of Defense, the following funds are permanently rescinded from the following accounts and programs in the specified amounts to reflect excess cash balances in Department of Defense Acquisition Workforce Development Fund: *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:

From ''Department of Defense Acquisition Workforce Development Fund, Defense'', $531,000,000.

SEC. 8088. None of the funds made available by this Act for excess defense articles, assistance under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), 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. 8089. Of the amounts appropriated for ''Operation and Maintenance, Defense-Wide'', $67,500,000, to remain available until expended, shall be available, notwithstanding any other provision of law, to the Secretary of Defense acting through the Office of Economic Adjustment of the Department of Defense to make grants, conclude cooperative agreements, and supplement other Federal funds to address the need for assistance to support critical existing and enduring military installations and missions on Guam, as well as any potential Department of Defense growth, for purposes of addressing the need for civilian water and wastewater improvements.

SEC. 8090. (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. 8091. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8092. 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. 8093. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances and transfer to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8095. (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. 8096. (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. 8097. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $122,375,000, 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. 8098. 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. 8099. 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. 8100. 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, 2017.

SEC. 8101. 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. 8102. (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. 8103. 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 Guantanamo 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 1034 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328).

SEC. 8104. 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. 8105. (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. 8106. 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. 8107. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

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

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

(2) a claim for damages would not be 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) NATURE OF PAYMENTS.—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) AMOUNT OF PAYMENTS.—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) LEGAL ADVICE.—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) WRITTEN RECORD.—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) REPORT.—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. 8108. 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. 8109. The Secretary of Defense shall post grant awards on a public Web site in a searchable format.

SEC. 8110. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: *Provided*, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 8111. 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. 8112. 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. 8113. 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. 8114. 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. 8115. 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. 8116. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage or on backup aircraft inventory status, or prepare to divest, retire, transfer, or place in storage or on backup aircraft inventory status, any A–10 aircraft, or to disestablish any units of the active or reserve component associated with such aircraft.

SEC. 8117. None of the funds provided in this Act for the T–AO(X) program shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

SEC. 8118. The amount appropriated in title II of this Act for ''Operation and Maintenance, Army'' is hereby reduced by $336,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds.

SEC. 8119. Notwithstanding any other provision of this Act, to reflect savings due to lower than anticipated fuel costs, the total amount appropriated in title II of this Act is hereby reduced by $1,155,000,000.

SEC. 8120. None of the funds made available by this Act may be used to divest or retire, or to prepare to divest or retire, KC–10 aircraft.

SEC. 8121. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage or on backup aircraft inventory status, or prepare to divest, retire, transfer, or place in storage or on backup aircraft inventory status, any EC–130H aircraft.

SEC. 8122. 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. 8123. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

SEC. 8124. Of the amounts appropriated in this Act for ''Operation and Maintenance, Navy'', $274,524,000, 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 (50 U.S.C. 4405): *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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8125. Of the amounts appropriated in this Act, the Secretary of Defense may use up to $20,000,000 under the heading ''Operation and Maintenance, Defense-Wide'', and up to $75,000,000 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 reprogram or transfer additional amounts into these headings or into ''Procurement, Defense-Wide'' using established reprogramming procedures applicable to congressional special interest items: *Provided further*, That such funds shall supplement, not supplant any other amounts made available to other Federal agencies for such purposes.

SEC. 8126. None of the funds made available by this Act for the Joint Surveillance Target Attack Radar System recapitalization program may be obligated or expended for premilestone B activities after March 31, 2018.

SEC. 8127. 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, Guantanamo Bay, Cuba.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8128. Additional readiness funds made available in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', ''Operation and Maintenance, Marine Corps'', and ''Operation and Maintenance, Air Force'' may be transferred to and merged with any appropriation of the Department of Defense for activities related to the Zika virus in order to provide health support for the full range of military operations and sustain the health of the members of the Armed Forces, civilian employees of the Department of Defense, and their families, to include: research and development, disease surveillance, vaccine development, rapid detection, vector controls and surveillance, training, and outbreak response: *Provided*, That the authority provided in this section is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 8129. (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.

(RESCISSION)

SEC. 8130. (a) The Ship Modernization, Operations and Sustainment Fund established by section 8103 of the Department of Defense Appropriations Act, 2013 (division C of Public Law 113–6; 127 Stat. 321) is hereby terminated, effective as of the date of the enactment of this Act.

(b) Any unobligated balances in the Ship Modernization, Operations and Sustainment Fund as of the date of the enactment of this Act are hereby rescinded.

SEC. 8131. None of the funds made available by this Act may be used to provide arms, training, or other assistance to the Azov Battalion.

SEC. 8132. Notwithstanding any other provision of law, any transfer of funds appropriated or otherwise made available by this Act to the Global Engagement Center pursuant to section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) shall be made in accordance with section 8005 or 9002 of this Act, as applicable.

SEC. 8133. 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. 8134. 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.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $1,948,648,000: *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'', $327,427,000: *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'', $179,733,000: *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'', $705,706,000: *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'', $42,506,000: *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'', $11,929,000: *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'', $3,764,000: *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'', $20,535,000: *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'', $196,472,000: *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'', $5,288,000: *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'', $15,693,068,000: *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'', $7,887,349,000: *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'', $1,607,259,000: *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'', $10,556,598,000: *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'', $6,476,649,000: *Provided*, That of the funds provided under this heading, not to exceed $920,000,000, to remain available until September 30, 2018, 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 the Levant: *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 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 the Levant, and 15 days following 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 $750,000,000, to remain available until September 30, 2018, 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 of the funds provided under this heading, up to $30,000,000 shall be for Operation Observant Compass: *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'', $38,679,000: *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'', $26,265,000: *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'', $3,304,000: *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'',

$57,586,000: *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'', $127,035,000: *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'', $20,000,000: *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'', $4,262,715,000, to remain available until September 30, 2018: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, 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 of 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 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-ISIL TRAIN AND EQUIP FUND

For the ''Counter-Islamic State of Iraq and the Levant Train and Equip Fund'', $980,000,000, to remain available until September 30, 2018: *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; 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 the Levant, 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 and Lebanon, resulting from actions of the Islamic State of Iraq and the Levant: *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 the Levant, 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 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 the Levant and returned by such forces or groups 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 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 the Levant 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'', $313,171,000, to remain available until September 30, 2019: *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'', $405,317,000, to remain available until September 30, 2019: *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'', $395,944,000, to remain available until September 30, 2019: *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'', $290,670,000, to

remain available until September 30, 2019: *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'', $1,343,010,000, to remain available until September 30, 2019: *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'', $367,930,000, to remain available until September 30, 2019: *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'', $8,600,000, to remain available until September 30, 2019: *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'', $65,380,000, to remain available until September 30, 2019: *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'', $99,786,000, to remain available until September 30, 2019: *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'', $118,939,000, to remain available until September 30, 2019: *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'', $927,249,000, to remain available until September 30, 2019: *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'', $235,095,000, to remain available until September 30, 2019: *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'', $273,345,000, to remain available until September 30, 2019: *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'', $3,529,456,000, to remain available until September 30, 2019: *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'', $244,184,000, to remain available until September 30, 2019: *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, $750,000,000, to remain available for obligation until September 30, 2019: *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'', $100,522,000, to remain available until September 30, 2018: *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'', $78,323,000, to remain available until September 30, 2018: *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'', $67,905,000, to remain available until September 30, 2018: *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'', $159,919,000, to remain available until September 30, 2018: *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'', $140,633,000: *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'', $331,764,000, 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'', $215,333,000: *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.

JOINT IMPROVISED-THREAT DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised-Threat Defeat Fund'', $339,472,000, to remain available until September 30, 2019: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised-Threat Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $22,062,000: *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 2017.

(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 $2,500,000,000 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 the Levant: *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. From funds made available to the Department of Defense in this title under the heading ''Operation and Maintenance, Air Force'', up to $60,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction, and site closeout activities prior to returning sites to the Government of Iraq: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2017, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Minister of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further*, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2017, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That, not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2017: *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. 9012. 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. 9013. None of the funds made available by this Act under the heading ''Counter-ISIL Train and Equip Fund'' may be used to procure or transfer man-portable air defense systems.

SEC. 9014. For the ''Ukraine Security Assistance Initiative'', $150,000,000 is hereby appropriated, to remain available until September 30, 2017: *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 weapons of a defensive nature; 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 defensive articles provided to the Government of Ukraine from the inventory of the United States: *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 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. 9015. 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 9014 of this Act.

SEC. 9016. None of the funds made available by this Act under section 9014 for ''Assistance and Sustainment to the Military and National Security Forces of Ukraine'' may be used to procure or transfer man-portable air defense systems.

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 9018. In addition to amounts otherwise made available in this Act, $500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve the intelligence, surveillance, and reconnaissance capabilities 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 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, 2017.

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.

(RESCISSIONS)

SEC. 9021. 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:

''Operation and Maintenance, Defense-Wide, DSCA Coalition Support Fund'', 2016/2017, $300,000,000;

''Counterterrorism Partnerships Fund'', 2016/2017, $200,000,000;

''Afghanistan Security Forces Fund'', 2016/2017, $150,000,000; and

''Other Procurement, Air Force'', 2016/2018, $169,000,000.

(RESCISSION)

SEC. 9022. 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 amounts rescinded pursuant to this section that were previously designated by the Congress for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress) 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:

''Operation and Maintenance, Defense-Wide: Coalition Support Funds'', XXXX, $11,524,000.

SEC. 9023. (a) The Mine Resistant Ambush Protected Vehicle Fund provided for by section 123 of Public Law 110–92 (121 Stat. 992) is hereby terminated, effective as of the date of the enactment of this Act.

(b) Any unobligated balances in the Mine Resistant Ambush Protected Vehicle Fund as of the date of the enactment of this Act shall, notwithstanding any provision of subchapter IV of chapter 15 of title 31, United States Code, or the procedures under such subchapter, be deposited in the Treasury as miscellaneous receipts.

TITLE X

DEPARTMENT OF DEFENSE—ADDITIONAL APPROPRIATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $131,375,000: *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'', $986,754,000: *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'', $1,772,631,000: *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'', $255,250,000: *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'', $1,566,272,000: *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'', $650,951,000: *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'', $3,208,000: *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'', $115,099,000: *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'', $87,868,000: *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'', $23,000,000: *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.

COUNTER-ISIL TRAIN AND EQUIP FUND

For an additional amount for the ''Counter-Islamic State of Iraq and the Levant Train and Equip Fund'', $626,400,000, to remain available until September 30, 2018: *Provided*, That such amounts shall not be obligated or expended until 15 days after the President submits a plan in accordance with section 10005 of this Act: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COUNTER-ISIL OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $1,610,000,000, for the ''Counter-Islamic State of Iraq and the Levant Overseas Contingency Operations Transfer Fund'', for expenses directly relating to overseas contingency operations by United States military forces, to remain available until expended: *Provided*, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, and working capital fund accounts: *Provided further*, That such amounts shall not be transferred until 15 days after the President submits a plan in accordance with section 10005 of this Act: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer or any subsequent transfer: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *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'', $316,784,000, to remain available until September 30, 2019: *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'', $579,754,000, to remain available until September 30, 2019: *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'', $61,218,000, to remain available until September 30, 2019: *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'', $447,685,000, to remain available until September 30, 2019: *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'', $412,109,000, to remain available until September 30, 2019: *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'', $314,257,000, to remain available until September 30, 2019: *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'', $129,000,000, to remain available until September 30, 2019: *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'', $103,100,000, to remain available until September 30, 2019: *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'', $151,297,000, to remain available until September 30, 2019: *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'', $212,280,000, to remain available until September 30, 2019: *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'', $856,820,000, to remain available until September 30, 2019: *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.

SPACE PROCUREMENT, AIR FORCE

For an additional amount for ''Space Procurement, Air Force'', $19,900,000, to remain available until September 30, 2019: *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'', $70,000,000, to remain available until September 30, 2019: *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'', $1,335,381,000, to remain available until September 30, 2019: *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'', $510,635,000, to remain available until September 30, 2019: *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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $163,134,000, to remain available until September 30, 2018: *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'', $248,214,000, to remain available until September 30, 2018: *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'', $297,300,000, to remain available until September 30, 2018: *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'', $279,185,000, to remain available until September 30, 2018: *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.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For an additional amount for ''Operational Test and Evaluation, Defense'', $2,725,000, to remain available until September 30, 2018: *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'', $285,681,000: *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

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For an additional amount for ''Chemical Agents and Munitions Destruction, Defense'', $127,000,000, to remain available until September 30, 2018, shall be for research, development, test and evaluation: *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. 10001. 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 2017: *Provided*, That except as otherwise explicitly provided for in this title, such amounts shall be subject to the terms and conditions set forth in titles VIII and IX of this division.

(INCLUDING TRANSFER OF FUNDS)

SEC. 10002. 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 $250,000,000 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 the Department of Defense Appropriations Act, 2017.

SEC. 10003. Funds appropriated by this title, or made available by the transfer of funds in this title, 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. 414).

SEC. 10004. In addition to funds made available in section 8124 of this division, $7,000,000 of the amounts appropriated in this Act for ''Operation and Maintenance, Navy'', 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 (50 U.S.C. 4405): *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. 10005. (a) Of the amounts appropriated in this title, $2,476,200,000 shall not be obligated or expended until 15 days after the President provides the appropriate committees a report on the United States strategy for the defeat of the Islamic State of Iraq and al Sham.

(b) Such report, which may include a classified annex, shall include, at a minimum, the following—

(1) a description of the objectives of the United States to defeat the Islamic State of Iraq and al Sham, including the desired end states in Iraq and Syria to achieve such objectives;

(2) a description of the roles and responsibilities of the Department of Defense in the strategy, the regions covered by the strategy, and the specific allies and coalition partners required to carry out the strategy, including the expected lines of effort of such coalition;

(3) a description of the roles and responsibilities of the Department of State in the strategy, the diplomatic and regional engagement necessary to achieve the objectives of the strategy, to include plans for stabilizing territory formerly held by the Islamic State of Iraq and al Sham;

(4) an estimate of the resources required to undertake the strategy, and a description of the plan for the use of funds provided in this Act to implement the strategy;

(5) a description of the benchmarks to be used to measure progress in achieving the objectives of the strategy; and

(6) an assessment of how the actions of the Government of Syria and other state and non-state actors in the region impact the ability to achieve the objectives of the strategy.

(c) Not more than 90 days after the initial report, and every 90 days thereafter, the Secretary of Defense and the Secretary of State shall submit to the appropriate congressional committees an update on the progress toward the benchmarks established in the initial report, and if applicable, a description of any changes to the objectives of the strategy.

(d) For purposes of this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate.

SEC. 10006. (a) Not later than 90 days after the date of enactment of this Act, the President shall transmit a report to the appropriate congressional committees describing a strategy for Syria.

(b) Such report, which may include a classified annex, shall include, at a minimum, the following—

(1) a description of the United States political and military objectives regarding the Government of Syria;

(2) a description of United States and multilateral efforts to address the needs of civilians affected by the conflict in Syria, to include efforts to protect the civilian population from the use of chemical weapons and the deliberate targeting of civilians by the Government of Syria;

(3) a description of the efforts of the United States to engage regional and international partners in support of such objectives; and

(4) a description of the efforts undertaken by the relevant agencies to achieve such objectives.

(c) For purposes of this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the Senate.

This division may be cited as the ''Department of Defense Appropriations Act, 2017''.

DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

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, $121,000,000, to remain available until expended: *Provided*, That the Secretary may initiate up to, but not more than, six new study starts during fiscal year 2017: *Provided further*, That the new study starts will consist of five studies where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and one study where the majority of benefits are derived from environmental restoration: *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); $1,876,000,000, 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 shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: *Provided*, That the Secretary may initiate up to, but not more than, six new construction starts during fiscal year 2017: *Provided further*, That the new construction starts will consist of five projects where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and one project where the majority of the benefits are derived from environmental restoration: *Provided further*, That for new construction projects, project cost sharing agreements shall be executed as soon as practicable but no later than September 30, 2017: *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 outyear 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, $362,000,000, 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, $3,149,000,000, 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, $200,000,000, to remain available until September 30, 2018.

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, $112,000,000, 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, $32,000,000, 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, $181,000,000, to remain available until September 30, 2018, 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), $4,764,000, to remain available until September 30, 2018: *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 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 2017, 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 House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(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 House and Senate Committees on Appropriations;

(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 House and Senate Committees on Appropriations 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 House and Senate Committees on Appropriations.

(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 House and Senate Committees on Appropriations 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 further*, 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 in this title may be used for any acquisition that is not consistent with 48 CFR 225.7007.

SEC. 107. None of the funds made available by this Act may be used to carry out any water supply reallocation study under the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

SEC. 108. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers during the fiscal year ending September 30, 2017, to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 109. None of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

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, $10,500,000, to remain available until expended, of which $1,300,000 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, $1,350,000 shall be available until September 30, 2018, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2017, 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, $1,155,894,000, to remain available until expended, of which $22,000 shall be available for transfer to the Upper Colorado River Basin Fund and $5,551,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

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, $55,606,000, 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, $36,000,000, 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, 2018, $59,000,000, 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 2017, 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 the House of Representatives and the Senate;

(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 the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate:

(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 the House of Representatives and the Senate; 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 the House of Representatives and the Senate.

(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 the House of Representatives and the Senate 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 205(2) of division D of Public Law 114–113 is amended by striking ''2016'' and inserting ''2017''.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $2,090,200,000, to remain available until expended: *Provided*, That of such amount, $153,500,000 shall be available until September 30, 2018, for program direction.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability 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, $230,000,000, to remain available until expended: *Provided*, That of such amount, $28,500,000 shall be available until September 30, 2018, 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 and the purchase of no more than three emergency service vehicles for replacement only, $1,016,616,000, to remain available until expended: *Provided*, That of such amount, $80,000,000 shall be available until September 30, 2018, 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), $618,000,000, to remain available until expended: *Provided*, That of such amount $60,000,000 shall be available until September 30, 2018, for program direction: *Provided further*, That in addition, $50,000,000, to remain available until expended, shall be for the transformational coal technologies pilot program described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $14,950,000, 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.), $223,000,000, to remain available until expended: *Provided*, That the proceeds from the drawdown and sale under section 159 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254), which have been or will be deposited into the ''Energy Security and Infrastructure Modernization Fund'' during fiscal year 2017 shall be made available and shall remain available until expended for necessary expenses in carrying out the Life Extension II project for the Strategic Petroleum Reserve.

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.), $6,500,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, $122,000,000, 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, $247,000,000, to remain available until expended.

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, $768,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which $30,000,000 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 facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger motor vehicles for replacement only, including one ambulance and one bus, $5,392,000,000, to remain available until expended: *Provided*, That of such amount, $182,000,000 shall be available until September 30, 2018, for program direction: *Provided further*, That of such amount, $50,000,000 shall be available for the ongoing in-kind contributions provided by facilities located in the United States to the ITER project and related support activities carried out by such facilities for the ITER project and, subject to the notification requirement in section 301(e) of this Act, up to an additional $50,000,000 of such amount may be made available for in-kind contributions and related support activities of ITER.

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), $306,000,000, to remain available until expended: *Provided*, That of such amount, $29,250,000 shall be available until September 30, 2018, 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 to carry out this Loan Guarantee program, $37,000,000 is appropriated from fees collected in prior years pursuant to section 1702(h) of the Energy Policy Act of 2005 which are not otherwise appropriated, to remain available until September 30, 2018: *Provided further*, That if the amount in the previous proviso is not available from such fees, an amount for such purposes is also appropriated from the general fund so as to result in a total amount appropriated for such purpose of no more than $37,000,000: *Provided further*, That fees collected pursuant to such section 1702(h) for fiscal year 2017 shall be credited as offsetting collections under this heading and shall not be available until appropriated: *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, 2018.

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

(INCLUDING RESCISSION OF FUNDS)

For the cost of loan guarantees provided under section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)), $8,500,000, to remain available until expended: *Provided*, That the cost of those loan guarantees (including the costs of modifying loans, as applicable) shall be determined in accordance with section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further*, That, for necessary administrative expenses to carry out that program, $500,000 is appropriated, to remain available until expended: *Provided further*, That, of the subsidy amounts provided by section 1425 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10; 125 Stat. 126), for the cost of loan guarantees for renewable energy or efficient end-use energy technologies under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), $9,000,000 is hereby rescinded.

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.), $246,000,000, to remain available until September 30, 2018, 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 $103,000,000 in fiscal year 2017 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 2017 appropriation from the general fund estimated at not more than $143,000,000: *Provided further*, That the amount made available in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) for the Office of Indian Energy Policy and Program shall remain available until September 30, 2022.

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, $44,424,000, to remain available until September 30, 2018.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

(INCLUDING RESCISSIONS OF FUNDS)

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, $9,318,093,000, to remain available until expended: *Provided*, That of such amount, $97,118,000 shall be available until September 30, 2018, for program direction: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $8,400,000 is hereby rescinded: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading that were apportioned in Category C (defined in section 120 of Office of Management and Budget Circular No. A–11), $64,126,000 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 a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

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, $1,902,000,000, to remain available until expended: *Provided*, That of the unobligated balances from prior year appropriations available under this heading that were apportioned in Category C (defined in section 120 of Office of Management and Budget Circular No. A–11), $19,128,000 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 a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL REACTORS

(INCLUDING TRANSFER AND RESCISSION 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, $1,420,120,000, to remain available until expended, of which, $75,100,000 shall be transferred to ''Department of Energy—Energy Programs—Nuclear Energy'', for the Advanced Test Reactor: *Provided*, That of the amount provided under this heading, $44,100,000 shall be available until September 30, 2018, for program direction: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading that were apportioned in Category C (defined in section 120 of Office of Management and Budget Circular No. A–11), $307,000 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 a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $390,000,000, to remain available until September 30, 2018, including official reception and representation expenses not to exceed $12,000.

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, and the purchase of not to exceed one fire apparatus pumper truck, one aerial lift truck, one refuse truck, and one semi-truck for replacement only, $5,405,000,000, to remain available until expended: *Provided*, That of such amount, $290,050,000 shall be available until September 30, 2018, for program direction: *Provided further*, That of the amount provided

under this heading, $26,800,000 shall be available for the purpose of a payment by the Secretary of Energy to the State of New Mexico for road improvements in accordance with section 15(b) of the Waste Isolation Pilot Plant Land Withdrawal Act (Public Law 102–579): *Provided further*, That the amount made available by the previous proviso shall be separate from any appropriations of funds for the Waste Isolation Pilot Plant.

DEFENSE URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for atomic energy defense environmental cleanup activities for Department of Energy contributions for uranium enrichment decontamination and decommissioning activities, $563,000,000, to be deposited into the Defense Environmental Cleanup account which shall be transferred to the ''Uranium Enrichment Decontamination and Decommissioning Fund''.

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, $784,000,000, to remain available until expended: *Provided*, That of such amount, $254,230,000 shall be available until September 30, 2018, 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 official reception and representation expenses in an amount not to exceed $5,000: *Provided*, That during fiscal year 2017, no new direct loan obligations may be made.

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, $1,000,000, 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 $1,000,000 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 2017 appropriation estimated at not more than $0: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $60,760,000 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, $45,643,000, 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 $34,586,000 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 2017 appropriation estimated at not more than $11,057,000: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $73,000,000 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

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, $273,144,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $265,742,000 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 $177,563,000 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 2017 appropriation estimated at not more than $95,581,000, of which $88,179,000 is derived from the Reclamation Fund: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $367,009,000 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).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,070,000, 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 $3,838,000 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 2017 appropriation estimated at not more than $232,000: *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 2017, the Administrator of the Western Area Power Administration may accept up to $323,000 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, $346,800,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $346,800,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2017 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 2017 so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER AND RESCISSIONS 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 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 2017 until the enactment of the Intelligence Authorization Act for fiscal year 2017.

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. (a) NEW REGIONAL RESERVES.—The Secretary of Energy may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(b) The budget request or notification shall include—

(1) the justification for the new reserve;

(2) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(3) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(4) the location of the reserve; and

(5) the estimate of the total inventory of the reserve.

SEC. 307. (a) Of the unobligated balances available from amounts appropriated in the accounts and from the fiscal years specified in the ''Final Bill'' column in the ''Department of Energy—Sec. 307.'' 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), $94,803,000 is hereby rescinded.

(b) No amounts may be rescinded under subsection (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. 308. (a) From unobligated balances available from amounts appropriated in prior fiscal years for ''Department of Energy—Energy Programs—Fossil Energy Research and Development'', $240,000,000 is hereby rescinded.

(b) No amounts may be rescinded by 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. 309. Not to exceed $2,000,000, in aggregate, of the amounts made available by this title may be made available for project engineering and design of the Consolidated Emergency Operations Center.

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, $152,000,000, 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, $30,872,000, to remain available until September 30, 2018.

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 382C(b)(2), 382F(d), 382M, and 382N of said Act, $25,000,000, 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, $10,000,000, 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, $905,000,000, including official representation expenses not to exceed $25,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than $7,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2018, 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 $794,580,000 in fiscal year 2017 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 $5,000,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, and $5,000,000 of that amount shall not be available 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 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than $110,420,000: *Provided further*, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to the Commission's mission, and $5,000,000 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, $12,129,000, to remain available until September 30, 2018: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,044,000 in fiscal year 2017 shall be retained and be available until September 30, 2018, 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 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than $2,085,000: *Provided further*, That of the amounts appropriated under this heading, $969,000 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, 2018.

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.

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

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, 2017''.

DIVISION E—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2017

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Freedman's Bank Building; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to Puerto Rico; and Treasury-wide management policies and programs activities, $224,376,000: *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, 2018, 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; and

(E) international operations.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, money launderers, drug kingpins, and other national security threats, $123,000,000: *Provided*, That of the amount appropriated under this heading: (1) up to $28,000,000 may be transferred to the Departmental Offices Salaries and Expenses appropriation and shall be available for administrative support to the Office of Terrorism and Financial Intelligence; and (2) $5,000,000, to remain available until September 30, 2018.

CYBERSECURITY ENHANCMENT ACCOUNT

For salaries and expenses for enhanced cybersecurity for systems operated by the Department of the Treasury, $47,743,000, to remain available until September 30, 2019: *Provided*, That such funds shall supplement and not supplant any other amounts made available to the Treasury offices and bureaus for cybersecurity: *Provided further*, That the Chief Information Officer of the individual offices and bureaus shall submit a spend plan for each investment to the Treasury Chief Information Officer for approval: *Provided further*, That the submitted spend plan shall be reviewed and approved by the Treasury Chief Information Officer prior to the obligation of funds under this heading: *Provided further*, That of the total amount made available under this heading $1,000,000 shall be available for administrative expenses for the Treasury Chief Information Officer to provide oversight of the investments made under this heading: *Provided further*, That such funds shall supplement and not supplant any other amounts made available to the Treasury Chief Information Officer.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings owned by the Department of the Treasury, $3,000,000, to remain available until September 30, 2019: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement ''Internal Revenue Service, Operations Support'' or ''Internal Revenue Service, Business Systems Modernization''.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $37,044,000, including hire of passenger motor vehicles; of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which up to $2,800,000 to remain available until September 30, 2018, 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; $169,634,000, of which $5,000,000 shall remain available until September 30, 2018; 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), $41,160,000.

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 $10,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $115,003,000, of which not to exceed $34,335,000 shall remain available until September 30, 2019.

TREASURY FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $1,115,000,000 are hereby rescinded not later than September 30, 2017, of which $314,000,000 are permanently rescinded.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, $353,057,000; of which not to exceed $4,210,000, to remain available until September 30, 2019, 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, $111,439,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 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, 2018, 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 2017 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $30,000,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvement Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–3, $248,000,000. Of the amount appropriated under this heading—

(1) not less than $161,500,000, 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, 2018, 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 $2,882,500 may be used for the cost of direct loans, and of which up to $3,000,000, notwithstanding subsection (d) of section 108 of Public Law 103–325 (12 U.S.C. 4707(d)), may be available to provide financial assistance, technical assistance, training, and outreach to community development financial institutions to expand investments that benefit individuals with disabilities: *Provided*, That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000;

(2) not less than $15,500,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)), is available until September 30, 2018, 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 $23,000,000 is available until September 30, 2018, 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, 2018, for a Healthy Food Financing Initiative to provide financial assistance, technical assistance, training, and outreach to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities;

(5) up to $26,000,000 is available until September 30, 2017, for administrative expenses, including administration of CDFI fund programs and the New Markets Tax Credit Program, of which not less than $1,000,000 is for development of tools to better assess and inform CDFI investment performance, and up to $300,000 is for administrative expenses to carry out the direct loan program; and

(6) during fiscal year 2017, 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 September 30, 2017: *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 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 series of 5-year data available from the American Community Survey from the Census Bureau.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,156,554,000, of which not less than $8,890,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $12,000,000 shall be available for low-income taxpayer clinic grants, and of which not less than $15,000,000, to remain available until September 30, 2018, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, of which not less than $206,000,000 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 $5,000,000 shall be for identity theft casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,860,000,000, of which not to exceed $50,000,000 shall remain available until September 30, 2018, and of which not less than $60,257,000 shall be for the Interagency Crime and Drug Enforcement program.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,638,446,000, of which not to exceed $50,000,000 shall remain available until September 30, 2018; 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, 2019, for research; of which not to exceed $20,000 shall be for official reception and representation expenses: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: *Provided further*, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2018, 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, $290,000,000, to remain available until September 30, 2019, 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 CADE 2 and Modernized e-File information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. Not to exceed 5 percent of any 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.

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. None of the funds made available to the Internal Revenue Service by this Act may be used to make a video unless the Service-Wide Video Editorial Board determines in advance that making the video is appropriate, taking into account the cost, topic, tone, and purpose of the video.

SEC. 106. 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. 107. 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. 108. 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. 109. 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. 110. 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. 111. None of the funds made available by this Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

SEC. 112. Except to the extent provided in section 6014, 6020, or 6201(d) of the Internal Revenue Code of 1986, no funds in this or any other Act shall be available to the Secretary of the Treasury to provide to any person a proposed final return or statement for use by such person to satisfy a filing or reporting requirement under such Code.

SEC. 113. In addition to the amounts otherwise made available in this Act for the Internal Revenue Service, $290,000,000, to be available until September 30, 2018, shall be transferred by the Commissioner to the ''Taxpayer Services'', ''Enforcement'', or ''Operations Support'' accounts of the Internal Revenue Service for an additional amount to be used solely for measurable improvements in the customer service representative level of service rate, to improve the identification and prevention of refund fraud and identity theft, and to enhance cybersecurity to safeguard taxpayer data: *Provided*, That such funds shall supplement, not supplant any other amounts made available by the Internal Revenue Service for such purpose: *Provided further*, That such funds shall not be available until the Commissioner submits to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for such funds: *Provided further*, That such funds shall not be used to support any provision of Public Law 111–148, Public Law 111–152, or any amendment made by either such Public Law.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 114. 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. 115. 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. 116. 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. 117. 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. 118. 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. 119. 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. 120. 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. 121. 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 2017 until the enactment of the Intelligence Authorization Act for Fiscal Year 2017.

SEC. 122. 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. 123. 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. 124. 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. 125. The Secretary of the Treasury, in consultation with the appropriate agencies, departments, bureaus, and commissions that have expertise in terrorism and complex financial instruments, shall provide a report to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate not later than 90 days after the date of enactment of this Act on economic warfare and financial terrorism.

SEC. 126. During fiscal year 2017—

(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. 127. (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).

This title may be cited as the ''Department of the Treasury Appropriations Act, 2017''.

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, $55,214,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, $12,723,000, 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.), $4,201,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, $12,000,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $96,116,000, of which not to exceed $12,760,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President: *Provided*, That in addition, $4,925,000, shall remain available until September 30, 2018, for additional security improvements.

PRESIDENTIAL TRANSITION ADMINISTRATIVE SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Administration to carry out the Presidential Transition Act of 1963, as amended, and similar expenses, in addition to amounts otherwise appropriated by law, $7,582,000: *Provided*, That such funds may be transferred to other accounts that provide funding for offices within the Executive Office of the President and the Office of the Vice President in this Act or any other Act, to carry out such purposes.

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, $95,000,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That of the funds made available for the Office of Management and Budget by this Act, no less than three full-time equivalent senior staff position shall be dedicated solely to the Office of the Intellectual Property Enforcement Coordinator: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $19,274,000: *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, $254,000,000, to remain available until September 30, 2018, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas (''HIDTAs''), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: *Provided*, That

up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities: *Provided further*, That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2015 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, 2016, shall be funded at not less than the fiscal year 2016 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 2017 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $111,871,000, to remain available until expended, which shall be available as follows: $97,000,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $2,000,000 for drug court training and technical assistance; $9,500,000 for anti-doping activities; $2,121,000 for the United States membership dues to the World Anti-Doping Agency; and $1,250,000 shall be made available as directed by section 1105 of Public Law 109–469; and an additional $3,000,000, to remain available until expended, shall be for activities authorized by section 103 of Public Law 114–198: *Provided*, That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $800,000, to remain available until September 30, 2018.

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, $27,000,000, 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, $4,228,000.

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), $299,000: *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. Within 90 days after the date of enactment of this section, the Director of the Office of Management and Budget shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate on the costs of implementing the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203). Such report shall include—

(1) the estimated mandatory and discretionary obligations of funds through fiscal year 2019, by Federal agency and by fiscal year, including—

(A) the estimated obligations by cost inputs such as rent, information technology, contracts, and personnel;

(B) the methodology and data sources used to calculate such estimated obligations; and

(C) the specific section of such Act that requires the obligation of funds; and

(2) the estimated receipts through fiscal year 2019 from assessments, user fees, and other fees by the Federal agency making the collections, by fiscal year, including—

(A) the methodology and data sources used to calculate such estimated collections; and

(B) the specific section of such Act that authorizes the collection of funds.

SEC. 203. (a) During fiscal year 2017, 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 2017; 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 2017.

(c) If an Executive order or Presidential memorandum is issued during fiscal year 2017 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that such order or memorandum is issued.

(d) The requirement for cost estimates for Presidential memoranda shall only apply for Presidential memoranda estimated to have a regulatory cost in excess of $100,000,000.

This title may be cited as the ''Executive Office of the President Appropriations Act, 2017''.

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, $76,668,000, 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, $14,868,000, 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, $30,108,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $18,462,000.

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, $4,996,445,000 (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 $6,510,000, 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, $1,044,647,000 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)), $39,929,000, 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 TRANSFERS 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), $565,388,000, 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, $87,500,000, 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, $28,335,000; of which $1,800,000 shall remain available through September 30, 2018, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $18,100,000, 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 3314(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 second sentence (relating to the District of Kansas) following paragraph (12), 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 ''23 years and 6 months'' and inserting ''24 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 ''14 years'' and inserting ''15 years'';

(2) in the second sentence (relating to the central District of California), by striking ''13 years and 6 months'' and inserting ''14 years and 6 months''; and

(3) in the third sentence (relating to the western district of North Carolina), by striking ''12 years'' and inserting ''13 years''.

SEC. 307. (a) Section 2(a)(2)(A) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121) is amended by striking ''subparagraphs (B), (C), (D), and (E)'' and inserting ''subparagraphs (B), (C), (D), (E), (F), (G), and (H)''.

(b) Section 2(a)(2) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121) is amended by adding at the end the following:

''(F) EASTERN DISTRICT OF MICHIGAN.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of Michigan—

''(i) occurring 6 years or more after the date of the enactment of this Act, and

''(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

''(G) DISTRICT OF PUERTO RICO.—The 1st vacancy in the office of a bankruptcy judge for the district of Puerto Rico—

''(i) occurring 6 years or more after the date of the enactment of this Act, and

''(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

''(H) EASTERN DISTRICT OF VIRGINIA.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of Virginia—

''(i) occurring 6 years or more after the date of the enactment of this Act, and

''(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.''.

(c) Section 2(a)(2)(C) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121) is amended—

(1) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively;

(2) by inserting before clause (ii), as so redesignated, the following:

''(i) in the case of the 1st and 2d vacancies, occurring more than 6 years after the date of the enactment of this Act,''; and

(3) in clause (ii), as so redesignated, by inserting ''in the case of the 3d and 4th vacancies,'' before ''occurring more than 5 years''.

(d) Section 2(a)(2)(D)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121) is amended (with regard to the 1st and 2d vacancies in the southern district of Florida)

by striking ''5 years'' and inserting ''6 years''.

This title may be cited as the ''Judiciary Appropriations Act, 2017''.

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, $34,895,000, 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: *Provided*, That, of the amount provided under this heading, $19,995,000 shall be used for costs associated with the Presidential Inauguration.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $274,611,000 to be allocated as follows: for the District of Columbia Court of Appeals, $14,359,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $125,380,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $75,184,000, of which not to exceed $2,500 is for official reception and representation expenses; and $59,688,000, to remain available until September 30, 2018, 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 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 $6,000,000 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), $49,890,000, 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, $248,008,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, 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; of which $182,721,000 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; and of which $65,287,000 shall be available to the Pretrial Services Agency, of which up to $1,800,000 shall remain available until September 30, 2018, for information technology requirements associated with the establishment of a comprehensive in-house synthetics testing program: *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 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, $41,829,000: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $14,000,000, 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.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $2,000,000, 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, 2018, to the Commission on Judicial Disabilities and Tenure, $310,000, 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, $45,000,000, to remain available until expended, for payments authorized under the Scholarship 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 $3,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) and 3009 of the Act.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $450,000, 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, $5,000,000.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia (''General Fund'') for programs and activities set forth under the heading ''Part A—Summary of Expenses'' and at the rate set forth under such heading, as included in D.C. Bill 21–668, as amended as of the date of the 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 2017 under this heading shall not exceed the estimates included in D.C. Bill 21–668, as amended as of the date of the 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 2017, 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, 2017''.

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,100,000, to remain available until September 30, 2018, of which not to exceed $1,000 is for official reception and representation expenses.

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, $250,000,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than $50,000,000, to remain available until September 30, 2018, shall be for the purchase of information technology and of which not less than $2,700,000 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 new no-year account in the Treasury, which may be established for the sole purpose of recording adjustments for and liquidating such unpaid obligations.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $126,000,000, 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 2017, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational Off-Highway Vehicles published by the Consumer Product Safety Commission in the Federal Register on November 19, 2014 (79 Fed. Reg. 68964) until after—

(1) the National Academy of Sciences, in consultation with the National Highway Traffic Safety Administration and the Department of Defense, completes a study to determine—

(A) the technical validity of the lateral stability and vehicle handling requirements proposed by such standard for purposes of reducing the risk of Recreational Off-Highway Vehicle (referred to in this section as ''ROV'') rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements;

(B) the number of ROV rollovers that would be prevented if the proposed requirements were adopted;

(C) whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a ROV's rollover resistance on a progressive scale; and

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and

(2) a report containing the results of the study completed under paragraph (1) is delivered to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $9,600,000, of which $1,400,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $339,844,000, to remain available until expended: *Provided*, That in addition, $16,866,992 shall be made available until expended for necessary expenses associated with moving to a new facility or reconfiguring the existing space to significantly reduce space consumption: *Provided further*, That $356,710,992 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 2017 so as to result in a final fiscal year 2017 appropriation estimated at $0: *Provided further*, That any offsetting collections received in excess of $356,710,992 in fiscal year 2017 shall not be available for obligation: *Provided further*, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2016, shall not be available for obligation: *Provided further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $117,000,000 for fiscal year 2017: *Provided further*, That, of the amount appropriated under this heading, not less than $11,751,000 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, 2017'', each place it appears and inserting ''December 31, 2018''.

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, $35,958,000, 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, $79,119,000, of which $8,000,000 shall remain available until September 30, 2018, for lease expiration and replacement lease expenses; and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500) and rental of conference rooms in the District of Columbia and elsewhere, $26,200,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $313,000,000, 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 $125,000,000 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 $15,000,000 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 2017, so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $173,000,000: *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 $8,845,147,000, of which—

(1) $205,749,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) as follows:

(A) National Capital Region, FBI Headquarters Consolidation, $200,000,000;

(B) Pembina, North Dakota, United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS), $5,749,000:

Provided, That each of the foregoing limits of costs on new construction and acquisition projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in a transmitted prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount;

(2) $676,035,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) $289,245,000 is for Major Repairs and Alterations;

(B) $312,090,000 is for Basic Repairs and Alterations; and

(C) $74,700,000 is for Special Emphasis Programs, of which—

(i) $26,700,000 is for Judiciary Capital Security; and

(ii) $48,000,000 is for Consolidation Activities: *Provided*, That consolidation projects result in reduced annual rent paid by the tenant agency: *Provided further*, That no consolidation project exceed $10,000,000 in costs: *Provided further*, That consolidation projects are approved by each of the committees specified in section 3307(a) of title 40, United States Code: *Provided further*, That preference is given to consolidation projects that achieve a utilization rate of 130 usable square feet or less per person for office space: *Provided further*, That the obligation of funds under this paragraph for consolidation activities may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken, including estimated savings, has been submitted to the Committees on Appropriations of the House of Representatives and the Senate:

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) $5,628,363,000 for rental of space to remain available until expended; and

(4) $2,335,000,000 for building operations to remain available until expended, of which $1,184,240,000 is for building services, and $1,150,760,000 is for salaries and expenses: *Provided*, That not to exceed 5 percent of any appropriation made available under this paragraph for building operations may be transferred between and merged with such appropriations upon notification to the Committees on Appropriations of the House of Representatives and the Senate, but no such appropriation shall be increased by more than 5 percent by any such transfers: *Provided further*, That section 521 of this title shall not apply with respect to funds made available under this heading for building operations: *Provided further*, 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 2017, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology

management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $60,000,000, of which $1,000,000 shall remain available until September 30, 2018.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

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; the Civilian Board of Contract Appeals; and services as authorized by 5 U.S.C. 3109; $58,541,000, of which $25,869,000 is for Real and Personal Property Management and Disposal; $23,397,000 is for the Office of the Administrator, of which not to exceed $7,500 is for official reception and representation expenses; and $9,275,000 is for the Civilian Board of Contract Appeals: *Provided*, That not to exceed 5 percent of the appropriation made available under this heading for Office of the Administrator may be transferred to the appropriation for the Real and Personal Property Management and Disposal upon notification to the Committees on Appropriations of the House of Representatives and the Senate, but the appropriation for the Real and Personal Property Management and Disposal may not be increased by more than 5 percent by any such transfer.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $65,000,000: *Provided*, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $3,865,000.

EXPENSES, PRESIDENTIAL TRANSITION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Presidential Transition Act of 1963, as amended, $9,500,000, of which not to exceed $1,000,000 is for activities authorized by subsections 3(a)(8) and 3(a)(9) of the Act: *Provided*, That such amounts may be transferred and credited to the ''Acquisition Services Fund'' or ''Federal Buildings Fund'' to reimburse obligations incurred prior to enactment of this Act for the purposes provided herein related to the Presidential election in 2016: *Provided further*, That amounts available under this heading shall be in addition to any other amounts available for such purposes.

FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of Citizen Services and Innovative Technologies, 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; $55,894,000, 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 2017 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 any appropriations provided to the Electronic Government Fund that remain unobligated may be transferred to the Federal Citizen Services Fund: *Provided further*, That the transfer authorities provided herein shall be in addition to any other transfer authority provided in this Act.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING RESCISSION AND 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 2017 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 2018 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved Courthouse Project Priorities plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 523. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 524. From funds made available under the heading Federal Buildings Fund, Limitations on Availability of Revenue, claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 525. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and the Senate prior to exercising any lease authority provided in the resolution.

SEC. 526. With respect to each project funded under the heading ''Major Repairs and Alterations'' or ''Judiciary Capital Security Program'', and with respect to E-Government projects funded under the heading ''Federal Citizen Services Fund'', the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

SEC. 527. The unobligated balance of the amount provided for the National Capital Region, Civilian Cyber Campus in subparagraph (D) of paragraph (1) under the heading ''General Services Administration—Federal Buildings Fund'' in Public Law 113–235 is hereby rescinded, and the unobligated balance of the aggregate amounts provided in such paragraph and in the matter preceding such paragraph are reduced accordingly.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $1,000,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $44,786,000, to remain available until September 30, 2018, and in addition not to exceed $2,345,000, to remain available until September 30, 2018, 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.), $1,895,000, to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act: (1) up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289); and (2) up to $1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102–259 and section 817(a) of Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That of the total amount made available under this heading $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended,

for audits and investigations of the Morris K. Udall and Stewart L. Udall Foundation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,249,000, 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, $380,634,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,801,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $7,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $6,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $2,000,000 shall be available until September 30, 2018, 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, $16,090,000.

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 or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $119,000,000: *Provided*, That of the total amount made available under this heading, not to exceed $11,000,000 shall remain available until September 30, 2018, for the operation and strengthening of the security of OPM legacy and Shell environment IT systems and the modernization, migration, and testing of such systems: *Provided further*, That the amount made available by the previous proviso may not be obligated until the Director of the Office of Personnel Management submits to the Committees on Appropriations of the Senate and the House of Representatives a plan for expenditure of such amount, prepared in consultation with the Director of the Office of Management and Budget, the Administrator of the United States Digital Service, and the Secretary of Homeland Security, that—

(1) identifies the full scope and cost of the IT systems remediation and stabilization project;

(2) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11, part 7;

(3) includes a Major IT Business Case under the requirements established by the Office of Management and Budget Exhibit 300;

(4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Government;

(5) complies with all Office of Management and Budget, Department of Homeland Security and National Institute of Standards and Technology requirements related to securing the agency's information system as described in 44 U.S.C. 3554; and

(6) is reviewed and commented upon within 90 days of plan development by the Inspector General of the Office of Personnel Management, and such comments are submitted to the Director of the Office of Personnel Management before the date of such submission: *Provided further*, That, not later than 6 months after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report that—

(A) evaluates—

(i) the steps taken by the Office of Personnel Management to prevent, mitigate, and respond to data breaches involving sensitive personnel records and information;

(ii) the Office's cybersecurity policies and procedures in place on the date of enactment of this Act, including policies and procedures relating to IT best practices such as data encryption, multifactor authentication, and continuous monitoring;

(iii) the Office's oversight of contractors providing IT services; and

(iv) the Office's compliance with government-wide initiatives to improve cybersecurity; and

(B) sets forth improvements that could be made to assist the Office of Personnel Management in addressing cybersecurity challenges:

Provided further, That of the total amount made available under this heading, $391,000 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 $140,000,000 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 2017, 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, $5,072,000, and in addition, not to exceed $25,112,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $24,750,000.

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), $16,200,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), $10,100,000, to remain available until September 30, 2018.

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, $1,605,000,000, to remain available until expended; of which not less than $14,700,000 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; of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence; and of which not less than $72,049,000 shall be for the Division of Economic and Risk Analysis: *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 $1,605,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2017 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2017 appropriation from the general fund estimated at not more than $0.

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; $22,900,000: *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, $269,500,000, of which not less than $12,000,000 shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further*, That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2017: *Provided further*, That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2018: *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, $245,100,000, to remain available until September 30, 2018: *Provided*, That $125,000,000 shall be available to fund grants for performance in fiscal year 2017 or fiscal year 2018 as authorized by section 21 of the Small Business Act: *Provided further*, That $31,000,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: *Provided further*, That $18,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 22(l) of the Small Business Act (15 U.S.C. 649(l)).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $19,900,000.

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.), $9,220,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $4,338,000, 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 2017 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 2017 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $27,500,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: *Provided further*, That during fiscal year 2017 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 2017 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 2017, 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, $152,726,000, 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, $185,977,000, to be available until expended, of which $1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which $175,977,000 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 $9,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 530. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 531. Of the unobligated balances available for the Certified Development Company Program under section 503 of the Small Business Investment Act of 1958, as amended, $55,000,000 are hereby permanently rescinded: *Provided*, That no amounts may be so 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.

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, $34,658,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $253,600,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $51,226,000: *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)

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 2017, 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 or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2017 from appropriations made available for salaries and expenses for fiscal year 2017 in this Act, shall remain available through September 30, 2018, 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. The Public Company Accounting Oversight Board (Board) shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board as of December 31, 2016, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2017 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. None of the funds made available by this Act may be used to pay the salaries and expenses for the following positions:

(1) Director, White House Office of Health Reform.

(2) Assistant to the President for Energy and Climate Change.

(3) Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy.

(4) White House Director of Urban Affairs.

SEC. 623. None of the funds in this Act may be used for the Director of the Office of Personnel Management to award a contract, enter an extension of, or exercise an option on a contract to a contractor conducting the final quality review processes for background investigation fieldwork services or background investigation support services that, as of the date of the award of the contract, are being conducted by that contractor.

SEC. 624. (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. 625. 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. 626. 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. 627. 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. 628. 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. 629. (a) In the case of a television joint sales agreement, the Federal Communications Commission—

(1) may not require the termination or modification of such agreement as a condition of the transfer or assignment of a station license or the transfer of station ownership or control; and

(2) upon request of the transferee or assignee of the station license, shall eliminate any such condition that was imposed after March 31, 2014, and permit the licensees of the stations whose advertising was jointly sold pursuant to such agreement to enter into a new joint sales agreement on substantially similar terms and conditions as the prior agreement.

(b) In this section, the term ''joint sales agreement'' has the meaning given such term in Note 2(k) to section 73.3555 of title 47, Code of Federal Regulations, and where a joint sales agreement is part of a broader contract, this section shall be limited to the joint sales agreement portion of such contract.

SEC. 630. (a) Section 1105(a)(35) of title 31, United States Code, is amended—

(1) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B);

(2) by striking ''homeland security'' in each instance it appears and inserting ''cybersecurity''; and

(3) by amending subparagraph (B) (as redesignated by paragraph (1)) to read as follows:

''(B) Prior to implementing this paragraph, including determining what Federal activities or accounts constitute cybersecurity for purposes of budgetary classification, the Office of Management and Budget shall consult with the Committees on Appropriations and the Committees on the Budget of the House of Representatives and the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate.''.

(b) The amendments made by subsection (a) shall apply to budget submissions under section 1105(a) of title 31, United States Code, for fiscal year 2018 and each subsequent fiscal year.

SEC. 631. (a) Effective one year after the date of the enactment of this Act, subtitle B of title IV of Public Law 102–281 is repealed.

(b) On the day before the date of the repeal under subsection (a), the Secretary of the Treasury shall transfer the amounts in the fund described in section 408(a) of subtitle A of title IV of such Public Law into the general fund of the Treasury.

SEC. 632. (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. 633. (a) For fiscal years 2016 through 2026, the Office of Personnel Management shall provide to each affected individual as defined in subsection (b) complimentary identity protection coverage that—

(1) is not less comprehensive than the complimentary identity protection coverage that the Office provided to affected individuals before the date of enactment of this Act;

(2) is effective for a period of not less than 10 years; and

(3) includes not less than $5,000,000 in identity theft insurance.

(b) DEFINITION.—In this section, the term ''affected individual'' means any individual whose Social Security Number was compromised during—

(1) the data breach of personnel records of current and former Federal employees, at a network maintained by the Department of the Interior, that was announced by the Office of Personnel Management on June 4, 2015; or

(2) the data breach of systems of the Office of Personnel Management containing information related to the background investigations of current, former, and prospective Federal employees, and of other individuals.

SEC. 634. From the unobligated balances available in the Securities and Exchange Commission Reserve Fund established by section 991 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203), $25,000,000 are rescinded.

SEC. 635. 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.

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 2017 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at $19,947 except station wagons for which the maximum shall be $19,997: *Provided*, That these limits may be exceeded by not to exceed $7,250 for police-type vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: *Provided further*, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on alternative fuel, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: *Provided*, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: *Provided further*, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: *Provided further*, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13693 (March 19, 2015), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the Armed Forces detailed to or from an element of the intelligence community (as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 716. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 717. None of the funds made available in this or any other Act may be used to provide any non-public information such as mailing, telephone or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term ''agency''—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the 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 2017 shall remain available for obligation through September 30, 2018: *Provided further*, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

SEC. 722. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall comply with any relevant requirements in part 200 of title 2, Code of Federal Regulations: *Provided*, That this section shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in

sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 732. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act), and regulations implementing that section.

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 734. During fiscal year 2017, 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 (2 U.S.C. 431 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 2017, 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 2017, 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 2017, 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 2017 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 2017 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, 2016, 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, 2016, 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, 2016.

(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 2017 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, 2016.

SEC. 738. (a) The Vice President may not receive a pay raise in calendar year 2017, notwithstanding the rate adjustment made under section 104 of title 3, United States Code, or any other provision of law.

(b) 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, may not receive a pay rate increase in calendar year 2017, notwithstanding schedule adjustments made under section 5318 of title 5, United States Code, or any other provision of law, except as provided in subsection (g), (h), or (i). This subsection applies only to employees who are holding a position under a political appointment.

(c) A chief of mission or ambassador at large may not receive a pay rate increase in

calendar year 2017, notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96–465) or any other provision of law, except as provided in subsection (g), (h), or (i).

(d) Notwithstanding sections 5382 and 5383 of title 5, United States Code, a pay rate increase may not be received in calendar year 2017 (except as provided in subsection (g), (h), or (i)) by—

(1) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above level IV of the Executive Schedule; or

(2) 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 level IV of the Executive Schedule.

(e) 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 level IV of the Executive Schedule who serves under a political appointment may not receive a pay rate increase in calendar year 2017, notwithstanding any other provision of law, except as provided in subsection (g), (h), or (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, or 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) A career appointee in the Senior Executive Service who receives a Presidential appointment and who makes an election to retain Senior Executive Service basic pay entitlements under section 3392 of title 5, United States Code, is not subject to this section.

(h) A member of the Senior Foreign Service who receives a Presidential appointment to any position in the executive branch and 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) is not subject to this section.

(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 with higher-level duties and a preestablished higher level or range of pay, except that any such increase must be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(k) If an employee affected by subsections (b) through (e) is subject to a biweekly pay period that begins in calendar year 2017 but ends in calendar year 2018, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

SEC. 739. (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 2017 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 2017 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. 740. 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. 741. 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. 742. 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. 743. (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. 744. (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. 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 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. 746. 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. 747. (a) During fiscal year 2017, 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. 748. (a) None of the funds made available under this or any other Act may be used to—

(1) implement, administer, carry out, modify, revise, or enforce Executive Order 13690, entitled ''Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input'' (issued January 30, 2015), other than for—

(A) acquiring, managing, or disposing of Federal lands and facilities;

(B) providing Federally undertaken, financed, or assisted construction or improvements; or

(C) conducting Federal activities or programs affecting land use, including water and related land resources planning, regulating, and licensing activities;

(2) implement Executive Order 13690 in a manner that modifies the non-grant components of the National Flood Insurance Program; or

(3) apply Executive Order 13690 or the Federal Flood Risk Management Standard by any component of the Department of Defense, including the Army Corps of Engineers in a way that changes the ''floodplain'' considered when determining whether or not to issue a Department of the Army permit under section 404 of the Clean Water Act or section 10 of the Rivers and Harbors Act.

(b) Subsection (a) of this section shall not be in effect during the period beginning on October 1, 2017 and ending on September 30, 2018.

SEC. 749. 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 2017, 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, 2017.

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 2017 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 2017 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2017 in this Act, shall remain available through September 30, 2018, 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 2018, 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 2018 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 2018 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 2018 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2018.

(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 2018 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 2018 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.

TITLE IX—SOAR REAUTHORIZATION

SHORT TITLE; REFERENCES IN TITLE

SEC. 901. (a) SHORT TITLE.—This title may be cited as the ''Scholarships for Opportunity and Results Reauthorization Act'' or the ''SOAR Reauthorization Act''.

(b) REFERENCES IN ACT.—Except as otherwise expressly provided, whenever in this title an amendment 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 that section or other provision of the Scholarships for Opportunity and Results Act (division C of Public Law 112–10; sec. 38–1853.01 et seq., D.C. Official Code).

REPEAL

SEC. 902. Section 817 of the Consolidated Appropriations Act, 2016 (Public Law 114–113) is repealed, and any provision of law amended or repealed by such section is restored or revived as if such section had not been enacted into law.

PURPOSES

SEC. 903. Section 3003 (sec. 38–1853.03, D.C. Official Code) is amended by striking ''particularly parents'' and all that follows through '', with'' and inserting ''particularly parents of students who attend an elementary school or secondary school identified as one of the lowest-performing schools under the District of Columbia's accountability system, with''.

PROHIBITING IMPOSITION OF LIMITS ON TYPES OF ELIGIBLE STUDENTS PARTICIPATING IN THE PROGRAM

SEC. 904. Section 3004(a) (sec. 38–1853.04(a), D.C. Official Code) is amended by adding at the end the following:

''(3) PROHIBITING IMPOSITION OF LIMITS ON ELIGIBLE STUDENTS PARTICIPATING IN THE PROGRAM.—

''(A) IN GENERAL.—In carrying out the program under this division, the Secretary may not limit the number of eligible students receiving scholarships under section 3007(a), and may not prevent otherwise eligible students from participating in the program under this division, based on any of the following:

''(i) The type of school the student previously attended.

''(ii) Whether or not the student previously received a scholarship or participated in the program, including whether an eligible student was awarded a scholarship in any previous year but has not used the scholarship, regardless of the number of years of nonuse.

''(iii) Whether or not the student was a member of the control group used by the Institute of Education Sciences to carry out previous evaluations of the program under section 3009.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) may be construed to waive the requirement under section 3005(b)(1)(B) that the eligible entity carrying out the program under this Act must carry out a random selection process, which gives weight to the priorities described in section 3006, if more eligible students seek admission in the program than the program can accommodate.''.

REQUIRING ELIGIBLE ENTITIES TO UTILIZE INTERNAL FISCAL AND QUALITY CONTROLS

SEC. 905. Section 3005(b)(1) (sec. 38–1853.05(b)(1), D.C. Official Code) is amended—

(1) in subparagraph (I), by striking '', except that a participating school may not be required to submit to more than 1 site visit per school year'';

(2) by redesignating subparagraphs (K) and (L) as subparagraphs (L) and (M), respectively;

(3) by inserting after subparagraph (J) the following:

''(K) how the entity will ensure the financial viability of participating schools in which 85 percent or more of the total number of students enrolled at the school are participating eligible students that receive and use an opportunity scholarship;'';

(4) in subparagraph (L), as redesignated by paragraph (2), by striking ''and'' at the end; and

(5) by adding at the end the following:

''(N) how the eligible entity will ensure that it—

''(i) utilizes internal fiscal and quality controls; and

''(ii) complies with applicable financial reporting requirements and the requirements of this division; and''.

CLARIFICATION OF PRIORITIES FOR AWARDING SCHOLARSHIPS TO ELIGIBLE STUDENTS

SEC. 906. Section 3006(1) (sec. 38–1853.06(1), D.C. Official Code) is amended—

(1) in subparagraph (A), by striking ''attended'' and all that follows through the semicolon and inserting ''attended an elementary school or secondary school identified as one of the lowest-performing schools under the District of Columbia's accountability system; and'';

(2) by striking subparagraph (B);

(3) by redesignating subparagraph (C) as subparagraph (B); and

(4) in subparagraph (B), as redesignated by paragraph (3), by striking the semicolon at the end and inserting ''or whether such students have, in the past, attended a private school;''.

MODIFICATION OF REQUIREMENTS FOR PARTICIPATING SCHOOLS AND ELIGIBLE ENTITIES

SEC. 907. (a) CRIMINAL BACKGROUND CHECKS; COMPLIANCE WITH REPORTING REQUIREMENTS.—Section 3007(a)(4) (sec. 38–1853.07(a)(4), D.C. Official Code) is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) by striking subparagraph (F) and inserting the following:

''(F) ensures that, with respect to core subject matter, participating students are taught by a teacher who has a baccalaureate degree or equivalent degree, whether such degree was awarded in or outside of the United States;''; and

(3) by adding at the end the following:

''(G) conducts criminal background checks on school employees who have direct and unsupervised interaction with students; and

''(H) complies with all requests for data and information regarding the reporting requirements described in section 3010.''.

(b) ACCREDITATION.—Section 3007(a) (sec. 38–1853.07(a), D.C. Official Code), as amended by subsection (a), is further amended—

(1) in paragraph (1), by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (5)''; and

(2) by adding at the end the following:

''(5) ACCREDITATION REQUIREMENTS.—

''(A) IN GENERAL.—None of the funds provided under this division for opportunity scholarships may be used by a participating eligible student to enroll in a participating private school unless the school—

''(i) in the case of a school that is a participating school as of the date of enactment of the SOAR Reauthorization Act—

''(I) is fully accredited by an accrediting body described in any of subparagraphs (A) through (G) of section 2202(16) of the District of Columbia School Reform Act of 1995 (Public Law 104–134; sec. 38–1802.02(16)(A)–(G), D.C. Official Code); or

''(II) if such participating school does not meet the requirements of subclause (I)—

''(aa) not later than 1 year after the date of enactment of the Consolidated Appropriations Act, 2016 (Public Law 114–113), the school is pursuing full accreditation by an accrediting body described in subclause (I); and

''(bb) is fully accredited by such an accrediting body not later than 5 years after the date on which that school began the process of pursuing full accreditation in accordance with item (aa); and

''(ii) in the case of a school that is not a participating school as of the date of enactment of the SOAR Reauthorization Act, is fully accredited by an accrediting body described in clause (i)(I) before becoming a participating school under this division.

''(B) REPORTS TO ELIGIBLE ENTITY.—Not later than 5 years after the date of enactment of the SOAR Reauthorization Act, each participating school shall submit to the eligible entity a certification that the school has been fully accredited in accordance with subparagraph (A).

''(C) ASSISTING STUDENTS IN ENROLLING IN OTHER SCHOOLS.—If a participating school fails to meet the requirements of this paragraph, the eligible entity shall assist the parents of the participating eligible students who attend the school in identifying, applying to, and enrolling in another participating school under this division.

''(6) TREATMENT OF STUDENTS AWARDED A SCHOLARSHIP IN A PREVIOUS YEAR.—An eligible entity shall treat a participating eligible student who was awarded an opportunity scholarship in any previous year and who has not used the scholarship as a renewal student and not as a new applicant, without regard as to—

''(A) whether the eligible student has used the scholarship; and

''(B) the year in which the scholarship was previously awarded.''.

(c) USE OF FUNDS FOR ADMINISTRATIVE EXPENSES AND PARENTAL ASSISTANCE.—

(1) IN GENERAL.—Section 3007 (sec. 38–1853.07, D.C. Official Code) is amended—

(A) by striking subsections (b) and (c) and inserting the following:

''(b) ADMINISTRATIVE EXPENSES AND PARENTAL ASSISTANCE.—The Secretary shall make $2,000,000 of the amount made available under section 3014(a)(1) for each fiscal year available to eligible entities receiving a grant under section 3004(a) to cover the following expenses:

''(1) The administrative expenses of carrying out its program under this division during the year, including—

''(A) determining the eligibility of students to participate;

''(B) selecting the eligible students to receive scholarships;

''(C) determining the amount of the scholarships and issuing the scholarships to eligible students;

''(D) compiling and maintaining financial and programmatic records;

''(E) conducting site visits as described in section 3005(b)(1)(I); and

''(F)(i) conducting a study, including a survey of participating parents, on any barriers for participating eligible students in gaining admission to, or attending, the participating school that is their first choice; and

''(ii) not later than the end of the first full fiscal year after the date of enactment of the SOAR Reauthorization Act, submitting a report to Congress that contains the results of such study.

''(2) The expenses of educating parents about the eligible entity's program under this division, and assisting parents through the application process under this division, including—

''(A) providing information about the program and the participating schools to parents of eligible students, including information on supplemental financial aid that may be available at participating schools;

''(B) providing funds to assist parents of students in meeting expenses that might otherwise preclude the participation of eligible students in the program; and

''(C) streamlining the application process for parents.'';

(B) by redesignating subsection (d) as subsection (c); and

(C) by redesignating subsection (e), as added by section 162(b) of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223, as amended by section 101(3) of the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254)), as subsection (d).

(2) CONFORMING AMENDMENT.—Section 3007(d) (sec. 38–1853.07(d), D.C. Official Code), as redesignated by paragraph (1)(C), is amended by striking ''subsections (b), (c), and (d)'' each place it appears in paragraphs (2)(B) and (3) and inserting ''subsections (b) and (c)''.

(d) CLARIFICATION OF USE OF FUNDS FOR STUDENT ACADEMIC ASSISTANCE.—Section 3007(c) (sec. 38–1853.07(c), D.C. Official Code), as redesignated by subsection (c)(1)(B), is amended by striking ''previously attended'' and all that follows through the period at the end and inserting ''previously attended an elementary school or secondary school identified as one of the lowest-performing schools under the District of Columbia's accountability system.''.

PROGRAM EVALUATION

SEC. 908. (a) REVISION OF EVALUATION PROCEDURES AND REQUIREMENTS.—

(1) IN GENERAL.—Section 3009(a) (sec. 38–1853.09(a), D.C. Official Code) is amended to read as follows:

''(a) IN GENERAL.—

''(1) DUTIES OF THE SECRETARY AND THE MAYOR.—The Secretary and the Mayor of the District of Columbia shall—

''(A) jointly enter into an agreement with the Institute of Education Sciences of the Department of Education to evaluate annually the opportunity scholarship program under this division;

''(B) jointly enter into an agreement to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this division; and

''(C) make the evaluations described in subparagraphs (A) and (B) public in accordance with subsection (c).

''(2) DUTIES OF THE SECRETARY.—The Secretary, through a grant, contract, or cooperative agreement, shall—

''(A) ensure that the evaluation under paragraph (1)(A)—

''(i) is conducted using an acceptable quasi-experimental research design for determining the effectiveness of the opportunity scholarship program under this division that does not use a control study group consisting of students who applied for but did not receive opportunity scholarships; and

''(ii) addresses the issues described in paragraph (4); and

''(B) disseminate information on the impact of the program—

''(i) on academic achievement and educational attainment of participating eligible students who use an opportunity scholarship; and

''(ii) on students and schools in the District of Columbia.

''(3) DUTIES OF THE INSTITUTE ON EDUCATION SCIENCES.—The Institute of Education Sciences of the Department of Education shall—

''(A) assess participating eligible students who use an opportunity scholarship in each of grades 3 through 8, as well as one of the grades at the high school level, by supervising the administration of the same reading and mathematics assessment used by the District of Columbia public schools to comply with section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b));

''(B) measure the academic achievement of all participating eligible students who use an opportunity scholarship in the grades described in subparagraph (A); and

''(C) work with eligible entities receiving a grant under this division to ensure that the parents of each student who is a participating eligible student that uses an opportunity scholarship agrees to permit their child to participate in the evaluations and assessments carried out by the Institute of Education Sciences under this subsection.

''(4) ISSUES TO BE EVALUATED.—The issues to be evaluated under paragraph (1)(A) shall include the following:

''(A) A comparison of the academic achievement of participating eligible students who use an opportunity scholarship on the measurements described in paragraph (3)(B) to the academic achievement of a comparison group of students with similar backgrounds in the District of Columbia public schools and the District of Columbia public charter schools.

''(B) The success of the program under this division in expanding choice options for parents of participating eligible students and increasing the satisfaction of such parents and students with their choice.

''(C) The reasons parents of participating eligible students choose for their children to participate in the program, including important characteristics for selecting schools.

''(D) A comparison of the retention rates, high school graduation rates, college enrollment rates, college persistence rates, and college graduation rates of participating eligible students who use an opportunity scholarship with the rates of students in the comparison group described in subparagraph (A).

''(E) A comparison of the college enrollment rates, college persistence rates, and college graduation rates of students who participated in the program in 2004, 2005, 2011, 2012, 2013, 2014, and 2015 as the result of winning the Opportunity Scholarship Program lottery with such enrollment, persistence, and graduation rates for students who entered but did not win such lottery in those years and who, as a result, served as the control group for previous evaluations of the program under this division. Nothing in this subparagraph may be construed to waive section 3004(a)(3)(A)(iii) with respect to any such student.

''(F) A comparison of the safety of the schools attended by participating eligible students who use an opportunity scholarship and the schools in the District of Columbia attended by students in the comparison group described in subparagraph (A), based

on the perceptions of the students and parents.

''(G) An assessment of student academic achievement at participating schools in which 85 percent of the total number of students enrolled at the school are participating eligible students who receive and use an opportunity scholarship.

''(H) Such other issues with respect to participating eligible students who use an opportunity scholarship as the Secretary considers appropriate for inclusion in the evaluation, such as the impact of the program on public elementary schools and secondary schools in the District of Columbia.

''(5) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—

''(A) IN GENERAL.—Any disclosure of personally identifiable information obtained under this division shall be in compliance with section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974') (20 U.S.C. 1232g).

''(B) STUDENTS NOT ATTENDING PUBLIC SCHOOL.—With respect to any student who is not attending a public elementary school or secondary school, personally identifiable information obtained under this division shall only be disclosed to—

''(i) individuals carrying out the evaluation described in paragraph (1)(A) for such student;

''(ii) the group of individuals providing information for carrying out the evaluation of such student; and

''(iii) the parents of such student.''.

(2) TRANSITION OF EVALUATION.—

(A) TERMINATION OF PREVIOUS EVALUATIONS.—The Secretary of Education shall—

(i) terminate the evaluations conducted under section 3009(a) of the Scholarships for Opportunity and Results Act (sec. 38–1853.09(a), D.C. Official Code), as in effect on the day before the date of enactment of this title, after obtaining data for the 2017–2018 school year; and

(ii) submit any reports required for the 2017–2018 school year or preceding years with respect to the evaluations in accordance with section 3009(b) of such Act.

(B) NEW EVALUATIONS.—

(i) IN GENERAL.—Effective beginning with respect to the 2018–2019 school year, the Secretary shall conduct new evaluations in accordance with the provisions of section 3009(a) of the Scholarships for Opportunity and Results Act (sec. 38–1853.09(a), D.C. Official Code), as amended by this title.

(ii) MOST RECENT EVALUATION.—As a component of the new evaluations described in clause (i), the Secretary shall continue to monitor and evaluate the students who were evaluated in the most recent evaluation under such section prior to the date of enactment of this title, including by monitoring and evaluating the test scores and other information of such students.

(b) DUTY OF MAYOR TO ENSURE INSTITUTE HAS ALL INFORMATION NECESSARY TO CARRY OUT EVALUATIONS.—Section 3011(a)(1) (sec. 38–1853.11(a)(1), D.C. Official Code) is amended to read as follows:

''(1) INFORMATION NECESSARY TO CARRY OUT EVALUATIONS.—Ensure that all District of Columbia public schools and District of Columbia public charter schools make available to the Institute of Education Sciences of the Department of Education all of the information the Institute requires to carry out the assessments and perform the evaluations required under section 3009(a).''.

FUNDING FOR DISTRICT OF COLUMBIA PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS

SEC. 909. (a) MANDATORY WITHHOLDING OF FUNDS FOR FAILURE TO COMPLY WITH CONDITIONS.—Section 3011(b) (sec. 38–1853.11(b), D.C. Official Code) is amended to read as follows:

''(b) ENFORCEMENT.—If, after reasonable notice and an opportunity for a hearing, the Secretary determines that the Mayor has failed to comply with any of the requirements of subsection (a), the Secretary may withhold from the Mayor, in whole or in part—

''(1) the funds otherwise authorized to be appropriated under section 3014(a)(2), if the failure to comply relates to the District of Columbia public schools;

''(2) the funds otherwise authorized to be appropriated under section 3014(a)(3), if the failure to comply relates to the District of Columbia public charter schools; or

''(3) the funds otherwise authorized to be appropriated under both paragraphs (2) and (3) of section 3014(a), if the failure relates to both the District of Columbia public schools and the District of Columbia public charter schools.''.

(b) RULES FOR USE OF FUNDS PROVIDED FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—Section 3011 (sec. 38–1853.11, D.C. Official Code) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

''(b) SPECIFIC RULES REGARDING FUNDS PROVIDED FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—The following rules shall apply with respect to the funds provided under this division for the support of District of Columbia public charter schools:

''(1) The Secretary may direct the funds provided for any fiscal year, or any portion thereof, to the Office of the State Superintendent of Education of the District of Columbia.

''(2) The Office of the State Superintendent of Education of the District of Columbia may transfer the funds to subgrantees that are—

''(A) specific District of Columbia public charter schools or networks of such schools; or

''(B) District of Columbia-based nonprofit organizations with experience in successfully providing support or assistance to District of Columbia public charter schools or networks of such schools.

''(3) The funds provided under this division for the support of District of Columbia public charter schools shall be available to any District of Columbia public charter school in good standing with the District of Columbia Charter School Board, and the Office of the State Superintendent of Education of the District of Columbia and the District of Columbia Charter School Board may not restrict the availability of such funds to certain types of schools on the basis of the school's location, governing body, or the school's facilities.''.

REVISION OF CURRENT MEMORANDUM OF UNDERSTANDING

SEC. 910. Not later than the beginning of the 2018–2019 school year, the Secretary of Education and the Mayor of the District of Columbia shall revise the memorandum of understanding which is in effect under section 3012(d) of the Scholarships for Opportunity and Results Act as of the day before the date of the enactment of this title to address the following:

(1) The amendments made by this title.

(2) The need to ensure that participating schools under the Scholarships for Opportunity and Results Act meet fire code standards and maintain certificates of occupancy.

(3) The need to ensure that District of Columbia public schools and District of Columbia public charter schools meet the requirements under such Act to comply with all reasonable requests for information necessary to carry out the evaluations required under section 3009(a) of such Act.

DEFINITIONS

SEC. 911. Section 3013 (sec. 38–1853.13, D.C. Official Code) is amended—

(1) by redesignating paragraphs (1) through (10) as paragraphs (2) through (11), respectively;

(2) by inserting before paragraph (2), as redesignated by paragraph (1), the following:

''(1) CORE SUBJECT MATTER.—The term 'core subject matter' means—

''(A) mathematics;

''(B) science; and

''(C) English, reading, or language arts.''; and

(3) in paragraph (4)(B), as redesignated by paragraph (1), by inserting ''household with a'' before ''student''.

EXTENSION OF AUTHORIZATION OF APPROPRIATIONS

SEC. 912. (a) IN GENERAL.—Section 3014(a) (sec. 38–1853.14, D.C. Official Code) is amended by striking ''and for each of the 4 succeeding fiscal years'' and inserting ''and for each fiscal year through fiscal year 2019''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on September 30, 2016.

EFFECTIVE DATE

SEC. 913. Except as otherwise provided, the amendments made by this title shall apply with respect to school year 2018–2019 and each succeeding school year.

This division may be cited as the ''Financial Services and General Government Appropriations Act, 2017''.

DIVISION F—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2017

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, $137,034,000: *Provided*, That not to exceed $40,000 shall be for official reception and representation expenses: *Provided further*, That of the funds provided under this heading, $2,000,000 shall be withheld from obligation until the Secretary complies with section 107 of this Act.

MANAGEMENT DIRECTORATE

OPERATIONS AND SUPPORT

For necessary expenses of the Management Directorate for operations and support, $597,817,000, of which $194,092,000 shall remain available until September 30, 2018: *Provided*, That not to exceed $2,000 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Management Directorate for procurement, construction, and improvements, $18,839,000, to remain available until September 30, 2018.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Management Directorate for research and development, $2,500,000, to remain available until September 30, 2018.

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, $263,551,000, of which $106,115,000

shall remain available until September 30, 2018: *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, $175,000,000: *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. The Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time the President's budget proposal for fiscal year 2018 is submitted pursuant to section 1105(a) of title 31, United States Code, the Future Years Homeland Security Program, as authorized by section 874 of Public Law 107–296 (6 U.S.C. 454).

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. (a) Notwithstanding section 518 of Public Law 114–113, the Secretary of Homeland Security shall submit a report not later than October 15, 2017, 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 2016 and 2017.

(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, 2018.

SEC. 104. 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. 105. 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 9703(g)(4)(B) of title 31, United States Code (as added by Public Law 102–393) 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. 106. 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.

SEC. 107. (a) Not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committees on the Judiciary of the Senate and the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives, a report for fiscal year 2016 on visa overstay data by country as required by section 1376 of title 8, United States Code: *Provided*, That the report on visa overstay data shall also include—

(1) overstays from all nonimmigrant visa categories under the immigration laws, delineated by each of the classes and sub-classes of such categories; and

(2) numbers as well as rates of overstays for each class and sub-class of such nonimmigrant categories on a per-country basis.

(b) The Secretary of Homeland Security shall publish on the Department's Web site the metrics developed to measure the effectiveness of security between the ports of entry, including the methodology and data supporting the resulting measures.

SEC. 108. Within 30 days of the date of enactment of this Act, and monthly thereafter, the Secretary or Chief Financial Officer shall certify to the Committees on Appropriations of the Senate and the House of Representatives whether U.S. Immigration and Customs Enforcement is administering and executing its Enforcement and Removal Operations activities consistent with available budgetary authority provided by law: *Provided*, That such certification shall include both actual and projected financial obligation data, with the projections informed by seasonality, planned immigration enforcement operations, all relevant enforcement data systems, and other information sources as necessary.

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, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; $10,900,636,000; 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 $681,441,500 shall be available until September 30, 2018; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account: *Provided*, That not to exceed $34,425 shall be for official reception and representation expenses: *Provided further*, That not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations: *Provided further*, That not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses for U.S. Customs and Border Protection for procurement, construction, and improvements, including procurements to buy marine vessels, aircraft, and unmanned aerial systems, $273,617,000, of which $252,842,000 shall remain available until September 30, 2019, and of which $20,775,000 shall remain available until September 30, 2021.

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, $6,168,532,000; of which $6,000,000 shall remain available until expended for efforts to enforce laws against forced child labor; of which not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center; of which $18,700,000 shall remain available until September 30, 2018, for the Visa Security Program and investigations abroad; of which not less than $3,471,806,000 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 provided under this heading, $25,000,000 shall be withheld from obligation until the comprehensive plan for immigration data improvement is submitted as required in section 212 of this Act.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Immigration and Customs Enforcement for procurement, construction, and improvements, $29,800,000, to remain available until September 30, 2019.

TRANSPORTATION SECURITY ADMINISTRATION

OPERATIONS AND SUPPORT

For necessary expenses of the Transportation Security Administration for operations and support, $7,105,047,000, to remain available until September 30, 2018: *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 2017 so as to result in a final fiscal year appropriation from the general fund estimated at not more than $4,975,047,000.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Transportation Security Administration for procurement, construction, and improvements, $206,093,000, to remain available until September 30, 2019.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Transportation Security Administration for research and development, $5,000,000, to remain available until September 30, 2018.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operations and maintenance of the Coast Guard, not otherwise provided for; 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 or lease of boats necessary for overseas deployments and activities; purchase, lease, or improvement of other equipment (at a unit cost of not more than $250,000); minor shore construction projects not exceeding $1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $7,079,628,000; of which $502,692,000 shall be for defense-related activities, of which $162,692,000 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)); and of which $11,000,000 shall remain available until September 30, 2019, of which $6,000,000 is solely for grants authorized by the Coast Guard Authorization Act of 2010 (46 U.S.C. 4502(i) and (j)) and $5,000,000 is to meet the obligations specified in 14 U.S.C. 98(b): *Provided*, That not to exceed $23,000 shall be for official reception and representation expenses.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $13,315,000, to remain available until September 30, 2021.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve; operations and maintenance of the Coast Guard Reserve Program; personnel and training costs; and equipment and services; $112,302,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Coast Guard for acquisition, construction, renovation, and improvement of aids to navigation, shore facilities (including facilities at Department of Defense installations used by the Coast Guard), vessels, and aircraft, including equipment related thereto, $1,370,007,000; 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 $1,256,655,000 shall be available until September 30, 2021, of which $95,000,000 shall be immediately available and allotted to contract for long lead time materials for the tenth National Security Cutter notwithstanding the availability of funds for production or post-production costs.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses of the Coast Guard for research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; $36,319,000, to remain available until September 30, 2019, 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, concurrent receipts, and combat-related special compensation, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,666,940,000, 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; $1,821,451,000; of which $42,966,000 shall remain available until September 30, 2018, of which $6,000,000 shall be for a grant for activities related to investigations of missing and exploited children; and of which not less than $13,869,000 shall be for activities related to training in electronic crimes investigations and forensics: *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 counterfeit investigations.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the United States Secret Service for procurement, construction, and improvements, $90,627,000, to remain available until September 30, 2019.

RESEARCH AND DEVELOPMENT

For necessary expenses of the United States Secret Service for research and development, $2,500,000, to remain available until September 30, 2018.

ADMINISTRATIVE PROVISIONS

SEC. 201. (a) For fiscal year 2017, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $45,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies.

(b) None of the funds made available by this Act for the following accounts shall be available to compensate any employee for overtime in an annual amount in excess of $45,000:

(1) ''U.S. Immigration and Customs Enforcement—Operations and Support'', except that the Secretary of Homeland Security, or the designee of the Secretary, may waive such amount as necessary for national security purposes and in cases of immigration emergencies.

(2) ''United States Secret Service—Operations and Support'', except that the Secretary of Homeland Security, or the designee of the Secretary, may waive such amount as necessary for national security purposes.

SEC. 202. Funding made available under the heading ''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 48 U.S.C. 740.

SEC. 203. No U.S. Customs and Border Protection aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2017 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 204. 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. 205. 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 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, 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. 206. 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. 207. 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 46 U.S.C. 501(b) 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 46 U.S.C. 501(b) and the disposition of such requests.

SEC. 208. (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. 209. Without regard to the limitation as to time and condition of section 503(d) of this Act, the Secretary may reprogram and transfer funds within and into ''U.S. Immigration and Customs Enforcement—Operations and Support'' as necessary to ensure the detention of aliens prioritized for removal.

SEC. 210. 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. 211. 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.

SEC. 212. (a) Not later than 90 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 a comprehensive plan for immigration data improvement.

(b) The plan required in subsection (a) shall include—

(1) an action plan detailing necessary engagement with Federal partners, major milestones, and an estimated timeline for each of the major milestones leading to completion of the plan;

(2) a staffing plan, detailing the positions and titles for both Federal and contract staff necessary to execute the plan; and

(3) an estimate of the funding necessary to implement the plan.

SEC. 213. 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. 214. 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. 215. Notwithstanding section 44923 of title 49, United States Code, for fiscal year 2017, 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. 216. The reporting requirement in the ninth proviso under the heading ''Transportation Security Administration—Aviation Security'' in the Department of Homeland Security Appropriations Act, 2016 (Public Law 114–113), shall apply in fiscal year 2017, except that the reference to ''this Act'' shall be treated as referring to this Act.

SEC. 217. 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. 218. None of the funds made available by this Act under the heading ''Coast Guard—Operating Expenses'' 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—Operating Expenses'': *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, then 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. 219. 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—Operating Expenses'' in accordance with subsection (a) of section 503.

SEC. 220. 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. 221. 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. 222. 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. 223. Funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act.

SEC. 224. The United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, 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. 225. 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 Secret Service may enter into agreements to provide such protection on a fully reimbursable basis.

SEC. 226. None of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation.

SEC. 227. 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. 228. 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

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

OPERATIONS AND SUPPORT

For necessary expenses of the National Protection and Programs Directorate for operations and support, $1,372,268,000, of which $117,148,000 shall remain available until September 30, 2018: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses: *Provided further*, That of the funds provided under this heading, $20,000,000 shall be withheld from obligation until the Secretary of Homeland Security complies with section 301 of this Act.

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.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the National Protection and Programs Directorate for procurement, construction, and improvements, $440,035,000, to remain available until September 30, 2018.

RESEARCH AND DEVELOPMENT

For necessary expenses of the National Protection and Programs Directorate for research and development, $6,469,000, to remain available until September 30, 2018.

OFFICE OF HEALTH AFFAIRS

OPERATIONS AND SUPPORT

For necessary expenses of the Office of Health Affairs for operations and support, $123,548,000, of which $16,161,000 shall remain available until September 30, 2018: *Provided*, That of the funds provided under this heading, $2,000,000 shall be withheld from obligation for Mission Support until the Chief Medical Officer complies with section 302 of this Act: *Provided further*, That the Secretary of Homeland Security may transfer up to $2,000,000 from the funds provided under this heading to ''Science and Technology Directorate—Research and Development'' for the purpose of advancing early detection capabilities related to a bioterrorism event.

FEDERAL EMERGENCY MANAGEMENT AGENCY

OPERATIONS AND SUPPORT

For necessary expenses of the Federal Emergency Management Agency for operations and support, $1,048,551,000: *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, $35,273,000, to remain available until September 30, 2018.

FEDERAL ASSISTANCE

For activities of the Federal Emergency Management Agency for Federal assistance through grants, contracts, cooperative agreements, and other activities, $2,983,458,000, which shall be allocated as follows:

(1) $467,000,000 for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which $55,000,000 shall be for Operation Stonegarden: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2017, 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) $605,000,000 for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which $25,000,000 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 46 U.S.C. 70107.

(5) $690,000,000, to remain available until September 30, 2018, of which $345,000,000 shall be for Assistance to Firefighter Grants and $345,000,000 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) $350,000,000 for emergency management performance grants under the National Flood Insurance Act of 1968 (42 U.S.C. 4001), 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), 6 U.S.C. 762, and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.).

(7) $100,000,000 for the National Predisaster Mitigation Fund under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), to remain available until expended.

(8) $177,531,000 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 42 U.S.C. 4101(f)(2), to remain available until expended.

(9) $120,000,000 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.

(10) $273,927,000 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.), $7,328,515,000, to remain available until expended, of which $6,713,000,000 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), $181,799,000, to remain available until September 30, 2018, 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 $13,436,000 shall be available for mission support associated with flood management; and of which $168,363,000 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 2017, 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) $147,042,000 for operating expenses and salaries and expenses associated with flood insurance operations;

(2) $1,123,000,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $175,061,000, 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 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), 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

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. The Secretary of Homeland Security, or the designee of the Secretary, shall brief the Committees on Appropriations of the Senate and the House of Representatives on plans to—

(1) implement a facial recognition matching capability for Automated Biometric Identification System holdings, including the ability to search, store, and match, that is independent of other biometric modalities but scalable for future needs;

(2) accelerate the development of multimodal biometric capability (Homeland Advanced Recognition Technology Increment 2) to ensure that full multi-modal capability is available for stakeholders by the end of fiscal year 2018;

(3) establish a new, equitable governance structure in fiscal year 2017 that ensures stakeholder mission requirements are prioritized for implementation, to include—

(A) a project plan and capability execution schedule for each stakeholder mission;

(B) stakeholder management of all requests for services;

(C) a weighted on-boarding process for new requirements and priorities; and

(D) an executive stakeholder review process; and

(4) demonstrate new agile projects focused on the ability to fuse biographic intelligence information with biometric data.

SEC. 302. The Chief Medical Officer shall submit a report to the Committees on Appropriations of the Senate and the House of Representatives that includes—

(1) a comprehensive strategy and project plan to advance the Nation's early detection capabilities related to a bioterrorism event;

(2) a description of the responsibilities of the Office of Health Affairs, Science and Technology Directorate, and other departmental components as appropriate for implementing such strategy;

(3) a description of technical and operational programmatic efficiencies to be gained by replacing or enhancing the current BioWatch system;

(4) specific timelines and benchmarks for implementation of a new or enhanced system, including, but not limited to—

(A) a mission needs statement;

(B) operational requirements documents;

(C) key performance parameters;

(D) a test and evaluation master plan; and

(E) an acquisition plan and strategy;

(5) an expenditure plan for fiscal year 2017 activities that advance the Nation's early detection capabilities related to a bioterrorism event; and

(6) detailed cost estimates for not less than 5 years for the development of a new or enhanced BioWatch system.

SEC. 303. Notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)) 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. 304. 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. 305. Under the heading ''Federal Emergency Management Agency—Federal Assistance'', for grants under paragraphs (1) through (4), 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. 306. 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. 307. Notwithstanding section 509 of this Act, the Administrator of the Federal Emergency Management Agency may use the funds provided under the heading ''Federal Emergency Management Agency—Federal Assistance'' in paragraph (10) to acquire real property for the purpose of establishing or appropriately extending the security buffer zones around Federal Emergency Management Agency training facilities.

SEC. 308. Notwithstanding any other provision of law—

(1) grants awarded to States along the Southwest Border of the United States under sections 2003 or 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605) using funds provided under the heading ''Federal Emergency Management Agency—Federal Assistance'' for grants under paragraph (1) in this Act, or under the heading ''Federal Emergency Management Agency—State and Local Programs'' in Public Law 114–4, division F of Public Law 113–76, or division D of Public Law 113–6 may be used by recipients or sub-recipients for costs, or reimbursement of costs, related to providing humanitarian relief to unaccompanied alien children and alien adults accompanied by an alien minor where they are encountered after entering the United States, provided that such costs were incurred between January 1, 2014, and December 31, 2014, or during the award period of performance; and

(2) grants awarded to States under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605) using funds provided under the heading ''Federal Emergency Management Agency—Federal Assistance'' for grants under paragraph (1) in this Act may be used by recipients or sub-recipients for costs, or reimbursement of costs, related to public safety in support of a State declaration of emergency.

SEC. 309. 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 2017 with respect to budget year 2018 and current fiscal year 2017, respectively, by substituting ''fiscal year 2018'' for ''fiscal year 2016'' in paragraph (1).

SEC. 310. The Administrator of the Federal Emergency Management Agency shall transfer $56,872,752 in unobligated balances made available for the appropriations account for ''Federal Emergency Management Agency—Disaster Assistance Direct Loan Program Account'' by section 4502 of Public Law 110–28 to the appropriations account for ''Federal Emergency Management Agency—Disaster Relief Fund'': *Provided*, That amounts transferred to such account under this section shall be available for any authorized purpose of such account: *Provided further*, That amounts transferred pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

SEC. 311. Notwithstanding 42 U.S.C. 5170c(b)(2)(B)(ii), the Administrator of the Federal Emergency Management Agency may allow the construction of an earthen levee by a State, local, or tribal government on covered hazard mitigation land: *Provided*, That such construction constitutes part of a flood control project, is constructed of naturally-occurring materials, and conforms to other criteria as established by the Administrator of the Federal Emergency Management Agency through policy.

SEC. 312. The aggregate charges assessed during fiscal year 2017, 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, 2017, 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, $103,912,000.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Citizenship and Immigration Services for procurement, construction, and improvements of the E-Verify Program, $15,227,000.

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, $242,518,000, of which up to $50,748,000 shall remain available until September 30, 2018, and of which $27,553,000 shall remain available until September 30, 2019: *Provided*, That not to exceed $7,180 shall be for official reception and representation expenses.

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, $311,122,000, of which $182,334,000 shall remain available until September 30, 2018: *Provided*, That not to exceed $7,650 shall be for official reception and representation expenses.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Science and Technology Directorate for research and development, $470,624,000, to remain available until September 30, 2019.

DOMESTIC NUCLEAR DETECTION OFFICE

OPERATIONS AND SUPPORT

For necessary expenses of the Domestic Nuclear Detection Office for operations and support, $50,042,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of the Domestic Nuclear Detection Office for procurement, construction, and improvements, $101,053,000, to remain available until September 30, 2019.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Domestic Nuclear Detection Office for research and development, $155,061,000, to remain available until September 30, 2019.

FEDERAL ASSISTANCE

For necessary expenses of the Domestic Nuclear Detection Office for Federal assistance through grants, contracts, cooperative agreements, and other activities, $46,328,000, to remain available until September 30, 2019.

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 made available in this Act may be used by U.S. Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by U.S. Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 403. 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. 404. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, up to $10,000,000 may be allocated by U.S. Citizenship and Immigration Services in fiscal year 2017 for the purpose of providing an immigrant integration grants program.

(b) None of the funds made available to U.S. Citizenship and Immigration Services for grants for immigrant integration under subsection (a) or (c) may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

(c) The Director of U.S. Citizenship and Immigration Services is authorized in fiscal year 2017, and in each fiscal year thereafter, to solicit, accept, administer, and utilize gifts, including donations of property, for the purpose of providing an immigrant integration grants program and related activities to promote citizenship and immigrant integration: *Provided*, That all sums received under this subsection shall be deposited in a separate account in the general fund of the Treasury to be known as the ''Citizenship Gift and Bequest Account'': *Provided further*, That all funds deposited into the Citizenship Gift and Bequest Account shall remain available until expended, and shall be available in addition to any funds appropriated or otherwise made available for an immigrant integration grants program or other activities to promote citizenship and immigrant integration.

(d) Nothing in this section shall be construed to limit the authority of the Secretary of Homeland Security under section 507 of the Department of Homeland Security Appropriations Act, 2004 (Public Law 108–90) or any other law with respect to the solicitation and acceptance of gifts.

SEC. 405. 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. 406. The Director of the Federal Law Enforcement Training Centers shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Centers to ensure that such training facilities are operated at the highest capacity throughout the fiscal year.

SEC. 407. 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. 408. (a) There is to be established a ''Federal Law Enforcement Training Centers—Procurement, Construction, and Improvements'' appropriations account for planning, operational development, engineering, and purchases prior to sustainment and for information technology-related procurement, construction, and improvements, including non-tangible assets of the Federal Law Enforcement Training Centers.

(b) The Director of the Federal Law Enforcement Training Centers may accept transfers to the account established by subsection (a) 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 the facility.

SEC. 409. The functions of the Federal Law Enforcement Training Centers instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFERS AND 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 2017, 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 2017 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;

(5) reorganizes components; or

(6) 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,

unless the Committees on Appropriations of the Senate and the House of Representatives are notified at least 15 days in advance of such reprogramming.

(b) 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.

(c) Notwithstanding subsections (a) and (b), 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.

(d) The notification thresholds and procedures set forth in subsections (a), (b), and (c) shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

(e) Notwithstanding subsection (b), 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 5 days in advance of such transfer.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103–356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2017: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2017 budget: *Provided further*, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further*, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further*, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *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: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified of any activity added to or removed from the fund: *Provided further*, That for any activity added to the fund, the notification shall identify sources of funds by program, project, and activity: *Provided further*, That the Chief Financial Officer of the Department of Homeland Security shall submit a quarterly execution report with activity-level detail, not later than 30 days after the end of each quarter.

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 2017, as recorded in the financial records at the time of a reprogramming notification, but not later than June 30, 2018, from appropriations for ''Operations and Support'' and for ''Coast Guard—Operating Expenses'', and salaries and expenses for ''Coast Guard—Acquisition, Construction, and Improvements'' and ''Coast Guard—Reserve Training'' for fiscal year 2017 in this Act shall remain available through September 30, 2018, 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 2017 until the enactment of an Act authorizing intelligence activities for fiscal year 2017.

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 Center 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. 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. 514. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking ''Until September 30, 2016,'' and inserting ''Until September 30, 2017,''; and

(2) in subsection (c)(1), by striking ''September 30, 2016,'' and inserting ''September 30, 2017,''.

SEC. 515. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 516. 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. 517. 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. 518. 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. 519. 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. 520. 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. 521. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers' and crews' privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 522. 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. 523. For an additional amount for ''Management Directorate—Procurement, Construction, and Improvements'', $13,253,000, to remain available until expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the Department headquarters consolidation project.

SEC. 524. (a) For an additional amount for financial systems modernization, $41,215,000, to remain available until September 30, 2018.

(b) Funds made available in subsection (a) for financial systems modernization may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 525. (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. 526. 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. 527. 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. 528. 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. 529. 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. 530. (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. 531. 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. 532. Within 60 days of any budget submission for the Department of Homeland Security for fiscal year 2018 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, 2017.

SEC. 533. (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.

(RESCISSIONS)

SEC. 534. 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) $95,000,000 from Public Law 109–88;

(2) $3,000,000 from unobligated prior year balances from ''Office of the Chief Information Officer'';

(3) $31,293,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Automation Modernization'';

(4) $21,150,000 from unobligated prior year balances from ''U.S. Customs and Border Protection—Border Security, Fencing, Infrastructure, and Technology'';

(5) $21,450,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Air and Marine Operations'';

(6) $20,690,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Construction and Facilities Management'';

(7) $13,500,000 from Public Law 114–4 under the heading ''U.S. Immigration and Customs Enforcement, Salaries and Expenses'';

(8) $45,000,000 from Public Law 114–113 under the heading ''U.S. Immigration and Customs Enforcement, Salaries and Expenses'';

(9) $2,900,000 from unobligated prior year balances from ''U.S. Immigration and Customs Enforcement, Construction'';

(10) $104,650,000 from Public Law 114–113 under the heading ''Transportation Security Administration—Aviation Security'';

(11) $2,582,000 from Public Law 114–113 under the heading ''Transportation Security Administration—Surface Transportation Security'';

(12) $9,930,000 from Public Law 114–113 under the heading ''Transportation Security Administration—Intelligence and Vetting'';

(13) $2,518,000 from Public Law 114–113 under the heading ''Transportation Security Administration, Transportation Security Support'';

(14) $4,200,000 from Public Law 113–6 under the heading ''Coast Guard—Acquisition, Construction, and Improvements'';

(15) $19,300,000 from Public Law 113–76 under the heading ''Coast Guard—Acquisition, Construction, and Improvements'';

(16) $16,500,000 from Public Law 114–4 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(17) $31,000,000 from Public Law 114–113 under the heading ''Coast Guard—Acquisition, Construction, and Improvements'';

(18) $11,071,000 from unobligated prior year balances from ''Federal Emergency Management Agency, State and Local Programs'' account 70 × 0560;

(19) $977,289 from Public Law 113–76 under the heading ''Science and Technology—Research, Development, Acquisition, and Operations'';

(20) $5,000,000 from Public Law 114–4 under the heading ''Science and Technology—Research, Development, Acquisition, and Operations''; and

(21) $1,522,711 from Public Law 114–113 under the heading ''Science and Technology—Research, Development, Acquisition, and Operations''.

(RESCISSIONS)

SEC. 535. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $277,827 from ''Customs and Border Protection—Salaries and Expenses'';

(2) $621,375 from ''Immigrations and Customs Enforcement'';

(3) $84,268 from ''Immigrations and Customs Enforcement—Violent Crime Fund'';

(4) $499,074 from ''Transportation Security Administration—Salaries and Expenses'';

(5) $244,764 from ''United States Coast Guard—Acquisition, Construction and Improvements—IDS Aircraft'';

(6) $98,532 from ''United States Coast Guard—Acquisition, Construction and Improvements—IDS Vessels''; and

(7) $15,562 from ''Federal Emergency Management Association—Office of Domestic Preparedness''.

(RESCISSION)

SEC. 536. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2016 (Public Law 114–113) are rescinded:

(1) $45,676 from ''Office of the Chief Financial Officer'';

(2) $28,726 from ''Office of the Chief Information Officer'';

(3) $73,013 from ''Office of the Secretary and Executive Management'';

(4) $475,792 from ''Analysis and Operations'';

(5) $111,886 from ''Office of the Inspector General'';

(6) $11,536,855 from ''U.S. Customs and Border Protection—Salaries and Expenses'';

(7) $587,034 from ''U.S. Customs and Border Protection—Automation Modernization'';

(8) $241,044 from ''U.S. Customs and Border Protection—Air and Marine Interdiction, Operations, Maintenance, and Procurement'';

(9) $15,807,298 from ''Coast Guard—Operation Expenses'';

(10) $746,434 from ''Coast Guard—Reserve Training'';

(11) $310,872 from ''Coast Guard—Acquisition, Construction and Improvements'';

(12) $8,340,572 from ''United States Secret Service—Salaries and Expenses'';

(13) $332,309 from ''Federal Emergency Management Agency—State and Local Programs'';

(14) $48,524 from ''Federal Emergency Management Agency—United States Fire Administration'';

(15) $1,275,569 from ''Federal Emergency Management Agency—Management and Administration'';

(16) $59,453 from ''Office of Health Affairs'';

(17) $625,696 from ''United States Citizenship and Immigration Services—Salaries and Expenses'';

(18) $372,881 from ''Federal Law Enforcement Training Center—Salaries and Expenses'';

(19) $1,094,894 from ''Transportation Security Agency—Aviation Security''; and

(20) $228,240 from ''Transportation Security Agency—Transportation Security Support''.

(RESCISSION)

SEC. 537. From the unobligated balances available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code (added by section 638 of Public Law 102–393), $187,000,000 shall be rescinded.

(RESCISSION)

SEC. 538. Of the unobligated balances made available to ''Federal Emergency Management Agency—Disaster Relief Fund'', $789,248,000 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.

SEC. 539. 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, 2017'' for ''September 30, 2015''.

SEC. 540. 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, 2017'' for ''September 30, 2015''.

SEC. 541. 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, 2017'' for ''September 30, 2015''.

SEC. 542. 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, 2017'' for ''September 30, 2015''.

SEC. 543. 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 2017 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.

SEC. 544. (a) For an additional amount for ''Federal Emergency Management Agency—Federal Assistance'', $41,000,000, to remain available until September 30, 2018, 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) Funds under subsection (a) shall be available only for costs that a State or local agency—

(1) incurs after January 20, 2017, and before October 1, 2017;

(2) can demonstrate to the Administrator as being—

(A) in excess of the costs of normal and typical law enforcement operations;

(B) directly attributable to the provision of protection described herein; and

(C) associated with a non-governmental property designated or identified to be secured by the United States Secret Service pursuant to section 3 or section 4 of the Presidential Protection Assistance Act of 1976 (Public Law 94–524); and

(3) certifies to the Administrator as being for protection activities requested by the Director of the United States Secret Service.

(c) For purposes of subsection (a), a designation or identification of a property to be secured under subsection (b)(2)(C) made after incurring otherwise eligible costs shall apply retroactively to January 20, 2017.

(d) The Administrator may establish written criteria consistent with subsections (a) and (b).

(e) None of the funds provided shall be for hiring new or additional personnel.

(f) The Inspector General of the Department of Homeland Security shall audit reimbursements made under this section.

TITLE VI

DEPARTMENT OF HOMELAND SECURITY—ADDITIONAL APPROPRIATIONS

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

OPERATIONS AND SUPPORT

For an additional amount for ''Operations and Support'', $274,813,000, to remain available until September 30, 2018, which shall be available as follows:

(1) $91,315,000 for border security technology deployment;

(2) $47,500,000 to address facilities maintenance backlogs;

(3) $65,400,000 for improving hiring processes for Border Patrol Agents, Customs Officers, and Air and Marine personnel, and for relocation enhancements;

(4) $22,400,000 for border road maintenance; and

(5) $48,198,000 for surge operations.

PROCUREMENT, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for ''Procurement, Construction, and Improvements'', $497,400,000, to remain available until September 30, 2021, which shall be available based on the highest priority border security requirements as follows:

(1) $341,200,000 to replace approximately 40 miles of existing primary pedestrian and vehicle border fencing along the southwest border using previously deployed and operationally effective designs, such as currently deployed steel bollard designs, that prioritize agent safety; and to add gates to existing barriers;

(2) $78,800,000 for acquisition and deployment of border security technology; and

(3) $77,400,000 for new border road construction:

Provided, That the Secretary of Homeland Security shall, not later than 90 days after the date of enactment of this Act, submit to the Committees on Appropriations of the Senate and the House of Representatives a risk-based plan for improving security along the borders of the United States, including the use of personnel, fencing, other forms of tactical infrastructure, and technology, that—

(1) defines goals, objectives, activities, and milestones;

(2) includes a detailed implementation schedule with estimates for the planned obligation of funds for fiscal year 2017 through fiscal year 2021 that are linked to the milestone-based delivery of specific—

(A) capabilities and services;

(B) mission benefits and outcomes;

(C) program management capabilities; and

(D) lifecycle cost estimates;

(3) describes how specific projects under the plan will enhance border security goals and objectives and address the highest priority border security needs;

(4) identifies the planned locations, quantities, and types of resources, such as fencing, other physical barriers, or other tactical infrastructure and technology;

(5) includes a description of the methodology and analyses used to select specific resources for deployment to particular locations that includes—

(A) analyses of alternatives, including comparative costs and benefits;

(B) effects on communities and property owners near areas of infrastructure deployment; and

(C) other factors critical to the decision-making process;

(6) identifies staffing requirements, including full-time equivalents, contractors, and detailed personnel, by activity;

(7) identifies performance metrics for assessing and reporting on the contributions of border security capabilities realized from current and future investments;

(8) reports on the status of the Department of Homeland Security's actions to address open recommendations by the Office of Inspector General and the Government Accountability Office related to border security, including plans, schedules, and associated milestones for fully addressing such recommendations; and

(9) includes certifications by the Under Secretary for Management, including all documents, memoranda, and a description of the investment review and information technology management oversight and processes supporting such certifications, that—

(A) the program has been reviewed and approved in accordance with an acquisition review management process that complies with capital planning and investment control and review requirements established by the Office of Management and Budget, including as provided in Circular A–11, part 7; and

(B) all planned activities comply with Federal acquisition rules, requirements, guidelines, and practices.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

OPERATIONS AND SUPPORT

For an additional amount for ''Operations and Support'', $236,908,000, to remain available until September 30, 2018, of which $147,870,000 shall be available for custody operations; of which $57,392,000 shall be available for alternatives to detention; and of which $31,646,000 shall be available for transportation and removal operations.

UNITED STATES SECRET SERVICE

OPERATIONS AND SUPPORT

For an additional amount for ''Operations and Support'', $58,012,000, to remain available until September 30, 2017.

PROCUREMENT, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for ''Procurement, Construction, and Improvements'' for necessary expenses for Presidential security, $72,988,000, of which $22,988,000 shall remain available until September 30, 2019, and of which $50,000,000 shall remain available until September 30, 2021.

ADMINISTRATIVE PROVISIONS—THIS TITLE

SEC. 601. 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 Homeland Security for fiscal year 2017.

This division may be cited as the ''Department of Homeland Security Appropriations Act, 2017''.

DIVISION G—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $1,095,375,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations; of which $3,000,000 shall be available in fiscal year 2017 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.

In addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2017, so as to result in a final appropriation estimated at not more than $1,095,375,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

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, $31,416,000, to be derived from the Land

and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $106,985,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products: *Provided further*, That section 35 of the Mineral Leasing Act (30 U.S.C. 191) shall be applied for fiscal year 2017 as if the following were inserted after the period in subsection (d)(4):

''(5) There is appropriated to the Fee Account established in subsection (c)(3)(B)(ii) of this section, out of any money in the Treasury not otherwise appropriated, $26,000,000 for fiscal year 2017, to remain available until expended, for the processing of applications for permit to drill and related use authorizations, to be reduced by amounts collected by the Bureau and transferred to such Fee Account pursuant to subsection (d)(3)(A)(ii) of this section, so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $0. Any offsetting receipts received in excess of $26,000,000 in fiscal year 2017 that would have otherwise been transferred to the Fee Account established in subsection (c)(3)(B)(ii) of this section pursuant to subsection (d)(3)(A)(ii) of this section shall instead be deposited in the general fund of the Treasury.''.

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, $1,258,761,000, to remain available until September 30, 2018: *Provided*, That not to exceed $20,515,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $4,605,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2015; of which not to exceed $1,501,000 shall be used for any activity regarding petitions to list species that are indigenous to the United States pursuant to subsections (b)(3)(A) and (b)(3)(B); and, of which not to exceed $1,504,000 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) for species that are not indigenous to the United States.

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; $18,615,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $59,995,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding section 200306 of title 54, United States Code, not more than $10,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed $320,000 for administrative expenses: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), $53,495,000, to remain available until expended, of which $22,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $30,800,000 is to be derived from the Land and Water Conservation Fund.

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.), $38,145,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), $3,910,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et

seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $11,061,000, 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, $62,571,000, to remain available until expended: *Provided*, That of the amount provided herein, $4,209,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That $6,362,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $10,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That any amount apportioned in 2017 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2018, shall be reapportioned, together with funds appropriated in 2019, 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, $2,425,018,000, of which $10,032,000 for planning and interagency coordination in support of Everglades restoration and $124,461,000 for maintenance, repair, or rehabilitation projects for constructed assets shall remain available until September 30, 2018: *Provided*, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95–348.

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, $62,638,000.

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), $80,910,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2018, of which $5,000,000 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, $500,000 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 underrepresented, as determined by the Secretary, $13,000,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement, and $4,000,000 is for grants to Historically Black Colleges and Universities: *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 nonprofit 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, $209,353,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, for any project initially funded in fiscal year 2017 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232–18: *Provided further*, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: *Provided further*, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2017 by section 200308 of title 54, United States Code, is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $162,029,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $110,006,000 is for the State assistance program and of which $10,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating to challenge cost share agreements, $20,000,000, to remain available until expended, for Centennial Challenge projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants

authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,085,167,000, to remain available until September 30, 2018; of which $71,237,189 shall remain available until expended for satellite operations; and of which $7,280,000 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 and observation wells; 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 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, $169,560,000, of which $74,616,000, is to remain available until September 30, 2018 and of which $94,944,000 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 2017 appropriation estimated at not more than $74,616,000: *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, $136,772,000, of which $93,242,000 is to remain available until September 30, 2018 and of which $43,530,000 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 2017 appropriation estimated at not more than $93,242,000.

For an additional amount, $53,000,000, 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 2017, as provided in this Act: *Provided*, That to the extent that amounts realized from such inspection fees exceed $53,000,000, the amounts realized in excess of $53,000,000 shall be credited to this appropriation and remain available until expended: *Provided further*, That for fiscal year 2017, 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.

Of the unobligated balances available for this account, $25,000,000 are permanently rescinded.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $121,017,000, to remain available until September 30, 2018: *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 2017 appropriation estimated at not more than $121,017,000.

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, $27,163,000, 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, $105,000,000, to remain available until expended, for grants to States for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated

Act): *Provided*, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): *Provided further*, That of such additional amount, $75,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, and $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: *Provided further*, That such additional amount shall be allocated to States within 60 days after the date of enactment of this Act.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,339,346,000, to remain available until September 30, 2018, 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 $74,773,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed $652,362,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2017, and shall remain available until September 30, 2018: *Provided further*, That not to exceed $49,122,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 450f et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $80,165,000 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, 2017: *Provided further*, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2018, may be transferred during fiscal year 2019 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, 2019: *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.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Bureau of Indian Affairs for fiscal year 2017, such sums as may be necessary, which shall be available for obligation through September 30, 2018: *Provided*, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $192,017,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2017, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

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, $45,045,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $8,757,000, of which $1,182,000 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 $120,050,595.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education. 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.

Of the prior year unobligated balances available for the ''Operation of Indian Programs'' account, $3,400,000 are permanently rescinded.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

For necessary expenses for management of the Department of the Interior, including the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $271,074,000, to remain available until September 30, 2018; 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 $11,000,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $38,300,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That notwithstanding any other provision of law, $15,000 under this heading 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.

ADMINISTRATIVE PROVISIONS

For fiscal year 2017, 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 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: *Provided further*, That the Secretary may reduce the payment authorized by that chapter for an individual county by the amount necessary to correct prior year overpayments to that county: *Provided further*, That the amount needed to correct a prior year underpayment to an individual county shall be paid from any reductions for overpayments to other counties and the amount necessary to cover any remaining underpayment is hereby appropriated and shall be paid to individual counties: *Provided further*, That in the event the sums appropriated for any fiscal year for payments pursuant to that chapter are less than the full payments to all units of local government, then the payment to each local government shall be made proportionally.

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, $91,925,000, of which: (1) $82,477,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,448,000 shall be available until September 30, 2018, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,318,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $65,769,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $50,047,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $139,029,000, to remain available until expended, of which not to exceed $18,688,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, ''Operation of Indian Programs'' account; the Office of the Solicitor, ''Salaries and Expenses'' account; and the Office of the Secretary, ''Departmental Operations'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2017, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least

15 months and has a balance of $15 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: *Provided further*, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than $500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant: *Provided further*, That notwithstanding section 102 of the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103–412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least five years and shall not be required to generate periodic statements of performance for the individual accounts: *Provided further*, That with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, $942,671,000, to remain available until expended, of which not to exceed $8,427,000 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 $180,000,000 is for hazardous 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 and resilient landscapes activities, and for training and monitoring associated with such fuels management and resilient landscapes 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 and resilient landscapes 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.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of the Interior and as a reserve fund for suppression and Federal emergency response activities, $65,000,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the ''Wildland Fire Management'' account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a): *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), $10,010,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., $7,767,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $67,100,000, 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.

PAYMENTS IN LIEU OF TAXES

For necessary expenses for payments authorized by chapter 69 of title 31, United States Code, $465,000,000 shall be available for fiscal year 2017.

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, 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 operations'' and ''FLAME Wildfire Suppression Reserve Fund'' shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2017. 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 2017, 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 2017 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 2017. Fees for fiscal year 2017 shall be:

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 108. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 109. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 110. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

EXHAUSTION OF ADMINISTRATIVE REVIEW

SEC. 111. Paragraph (1) of section 122(a) of division E of Public Law 112–74 (125 Stat. 1013) is amended by striking ''through 2018,'' in the first sentence and inserting ''through 2020,''.

WILD LANDS FUNDING PROHIBITION

SEC. 112. None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010: *Provided*, That nothing in this section shall restrict the Secretary's authorities under sections 201 and 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712).

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 113. Notwithstanding any other provision of law, during fiscal year 2017, 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.

SAGE-GROUSE

SEC. 114. 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.

BLUE RIDGE NATIONAL HERITAGE AREA AND ERIE CANALWAY NATIONAL HERITAGE CORRIDOR

SEC. 115. (a) Section 140(i)(1) of Title I of Public Law 108–108, as amended (54 U.S.C. 320101 note), is further amended by striking ''$10,000,000'' and inserting ''$12,000,000''; and

(b) Section 810(a)(1) of Title VIII of Division B of Appendix D of Public Law 106–554, as amended (54 U.S.C. 320101 note), is further amended by striking ''$10,000,000'' and inserting ''$12,000,000''.

HUMANE TRANSFER OF EXCESS ANIMALS

SEC. 116. Notwithstanding any other provision of law, the Secretary of the Interior may transfer excess wild horses or burros that have been removed from the public lands to other Federal, State, and local government agencies for use as work animals: *Provided*, That the Secretary may make any such transfer immediately upon request of such Federal, State, or local government agency: *Provided further*, That any excess animal transferred under this provision shall lose its status as a wild free-roaming horse or burro as defined in the Wild Free-Roaming Horses and Burros Act: *Provided further*, That any Federal, State, or local government agency receiving excess wild horses or burros as authorized in this section shall not: destroy the horses or burros in a way that results in their destruction into commercial products; sell or otherwise transfer the horses or burros in a way that results in their destruction for processing into commercial products; or euthanize the horses or burros except upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age.

REPUBLIC OF PALAU

SEC. 117. (a) IN GENERAL.—Subject to subsection (c), the United States Government, through the Secretary of the Interior shall provide to the Government of Palau for fiscal year 2017 grants in amounts equal to the annual amounts specified in subsections (a), (c), and (d) of section 211 of the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note) (referred to in this section as the ''Compact'').

(b) PROGRAMMATIC ASSISTANCE.—Subject to subsection (c), the United States shall provide programmatic assistance to the Republic of Palau for fiscal year 2017 in amounts equal to the amounts provided in subsections (a) and (b)(1) of section 221 of the Compact.

(c) LIMITATIONS ON ASSISTANCE.—

(1) IN GENERAL.—The grants and programmatic assistance provided under subsections (a) and (b) shall be provided to the same extent and in the same manner as the grants and assistance were provided in fiscal year 2009.

(2) TRUST FUND.—If the Government of Palau withdraws more than $5,000,000 from the trust fund established under section 211(f) of the Compact, amounts to be provided under subsections (a) and (b) shall be withheld from the Government of Palau.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES PROGRAM

SEC. 118. (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.

NATCHEZ NATIONAL HISTORICAL PARK

SEC. 119. The Secretary of the Interior is authorized to acquire by donation or purchase from willing sellers, any lands at the site of the historic Forks of the Road Slave Market, as generally depicted on the map entitled ''Natchez National Historical Park—Proposed Boundary Addition'', numbered 339/116045, and dated April 2016. Upon acquisition of any land or interests in land, the Secretary shall revise the boundary of Natchez National Historical Park to reflect the acquisition and the land shall be managed in accordance with the laws and regulations applicable to the park: *Provided*, That section 7 of Public Law 100–479 is amended by inserting ''land acquisition and development as authorized in'' after ''carry out''.

SPECIAL RESOURCE STUDY TO PRESERVE CIVIL RIGHTS SITES

SEC. 120. (a) STUDY.—The Secretary of the Interior (referred to in this section as the ''Secretary'') shall conduct a special resource study of significant civil rights sites in the State of Mississippi, including—

(1) the home of the late civil rights activist Medgar Evers, located at 2332 Margaret Walker Alexander Drive, Jackson, Mississippi;

(2) the Tallahatchie County Courthouse, located at 100 North Court Street, Sumner, Mississippi;

(3) the site of Bryant's Store, located at the intersection of County Road 518 and County Road 24, Money, Mississippi;

(4) the site of the former office of Dr. Gilbert Mason, Sr., located at 670 Division Street, Biloxi, Mississippi; and

(5) the Old Neshoba County Jail, located at 422 Myrtle Avenue, East, Philadelphia, Mississippi.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of each site;

(2) determine the suitability and feasibility of designating each site as a unit of the National Park System;

(3)(A) take into consideration other alternatives for preservation, protection, and interpretation of each site by—

(i) Federal, State, or local governmental entities; or

(ii) private or nonprofit organizations; and

(B) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives; and

(4) consult with interested Federal, State, and local governmental entities, private and nonprofit organizations, and other individuals.

(c) APPLICABLE LAW.—The study under subsection (a) shall be conducted in accordance with section 100507 of title 54, United States Code.

(d) STUDY RESULTS.—Not later than 3 years after the date on which funds are initially made available for the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the results of the study; and

(2) any relevant conclusions and recommendations of the Secretary.

CONTINUOUS OPERATIONS

SEC. 121. Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior shall amend the regulations issued under section 250.180 of title 30, Code of Federal Regulations—

(1) by striking each reference to ''180 days'' and inserting ''year'';

(2) by striking each reference to ''180th day'' and inserting ''year''; and

(3) by striking each reference to ''180-day period'' and inserting ''1-year period''.

BUREAU OF LAND MANAGEMENT FOUNDATION

SEC. 122. (a) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Board of Directors of the Foundation established under subsection (c).

(2) FOUNDATION.—The term ''Foundation'' means the Bureau of Land Management Foundation established by subsection (b)(1)(A).

(3) PUBLIC LAND.—The term ''public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) WILD FREE-ROAMING HORSES AND BURROS.—The term ''wild free-roaming horses and burros'' has the meaning given the term in section 2 of Public Law 92–195 (commonly known as the ''Wild Free-Roaming Horses And Burros Act'') (16 U.S.C. 1332).

(b) ESTABLISHMENT AND PURPOSES.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established a foundation, to be known as the ''Bureau of Land Management Foundation''.

(B) LIMITATION.—The Foundation shall not be considered to be an agency or establishment of the United States.

(C) TAX EXEMPTION.—The Foundation shall be considered to be a charitable and nonprofit corporation under section 501(c)(3) of the Internal Revenue Code of 1986.

(2) PURPOSES.—The purposes of the Foundation are—

(A) to encourage, accept, and administer private gifts of money and real and personal property for the benefit of, or in connection with the activities and services of, the Bureau of Land Management;

(B) to carry out activities that advance the purposes for which public land is administered;

(C) to carry out and encourage educational, technical, scientific, and other assistance or activities that support the mission of the Bureau of Land Management; and

(D) to assist the Bureau of Land Management with challenges that could be better addressed with the support of a foundation, including—

(i) reclamation and conservation activities;

(ii) activities relating to wild free-roaming horses and burros; and

(iii) the stewardship of cultural and archeological treasures on public land.

(c) BOARD OF DIRECTORS.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Foundation shall be governed by a Board of Directors.

(B) COMPOSITION.—

(i) IN GENERAL.—The Board shall consist of not more than 9 members.

(ii) EX-OFFICIO MEMBER.—The Director of the Bureau of Land Management shall be an ex-officio, nonvoting member of the Board.

(C) REQUIREMENTS.—

(i) CITIZENSHIP.—A member appointed to the Board shall be a citizen of the United States.

(ii) EXPERTISE.—A majority of members appointed to the Board shall have education or experience relating to natural, cultural, conservation, or other resource management, law, or research.

(iii) DIVERSE POINTS OF VIEW.—To the maximum extent practicable, the members of the Board shall represent diverse points of view.

(2) DATE OF INITIAL APPOINTMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall appoint the initial members of the Board.

(3) TERMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a member of the Board shall be appointed for a term of 6 years.

(B) INITIAL APPOINTMENTS.—The Secretary shall stagger the initial appointments to the Board, as the Secretary determines to be appropriate, in a manner that ensures that—

(i) 1/3 of the members shall serve for a term of 2 years;

(ii) 1/3 of the members shall serve for a term of 4 years; and

(iii) 1/3 of the members shall serve for a term of 6 years.

(C) VACANCIES.—A vacancy on the Board shall be filled—

(i) not later than 60 days after the date of the vacancy;

(ii) in the manner in which the original appointment was made; and

(iii) for the remainder of the term of the member vacating the Board.

(D) REMOVAL FOR FAILURE TO ATTEND MEETINGS.—

(i) IN GENERAL.—A member of the Board may be removed from the Board by a majority vote of the Board, if the individual fails to attend 3 consecutive regularly scheduled meetings of the Board.

(ii) REQUIREMENTS.—A vacancy as the result of a removal under clause (i) shall be filled in accordance with subparagraph (C).

(E) LIMITATION.—A member of the Board shall not serve more than 12 consecutive years on the Board.

(4) CHAIRPERSON.—

(A) IN GENERAL.—The Board shall elect a Chairperson from among the members of the Board.

(B) TERM.—The Chairperson of the Board—

(i) shall serve as Chairperson for a 2-year term; and

(ii) may be reelected as Chairperson while serving as a member of the Board.

(5) QUORUM.—A majority of the voting members of the Board shall constitute a quorum for the transaction of business of the Board.

(6) MEETINGS.—The Board shall meet—

(A) at the call of the Chairperson; but

(B) not less than once each calendar year.

(7) REIMBURSEMENT OF EXPENSES.—

(A) IN GENERAL.—Serving as a member of the Board shall not constitute employment by the Federal Government for any purpose.

(B) REIMBURSEMENT.—A member of the Board shall serve without pay, other than reimbursement for the actual and necessary traveling and subsistence expenses incurred in the performance of the duties of the member for the Foundation, in accordance with section 5703 of title 5, United States Code.

(8) GENERAL POWERS.—The Board may—

(A) appoint officers and employees in accordance with paragraph (9);

(B) adopt a constitution and bylaws consistent with the purposes of the Foundation and this section; and

(C) carry out any other activities that may be necessary to function and to carry out this section.

(9) OFFICERS AND EMPLOYEES.—

(A) IN GENERAL.—No officer or employee may be appointed to the Foundation until the date on which the Board determines that the Foundation has sufficient funds to pay for the service of the officer or employee.

(B) LIMITATION.—Appointment as an officer or employee of the Foundation shall not constitute employment by the Federal Government.

(10) LIMITATION AND CONFLICTS OF INTEREST.—

(A) PROHIBITION ON POLITICAL ACTIVITY.—The Foundation shall not participate or intervene in a political campaign on behalf of any candidate for public office.

(B) LIMITATION ON PARTICIPATION.—No member of the Board or officer or employee of the Foundation shall participate, directly or indirectly, in the consideration or determination of any question before the Foundation that affects—

(i) the financial interests of the member of the Board, officer, or employee; or

(ii) the interests of any corporation partnership, entity, or organization in which the member of the Board, officer, or employee—

(I) is an officer, director, or trustee; or

(II) has any direct or indirect financial interest.

(d) POWERS AND OBLIGATIONS.—

(1) IN GENERAL.—The Foundation—

(A) shall have perpetual succession; and

(B) may conduct business throughout the several States, territories, and possessions of the United States.

(2) NOTICE; SERVICE OF PROCESS.—

(A) DESIGNATED AGENT.—The Foundation shall at all times maintain a designated agent in the District of Columbia authorized to accept service of process for the Foundation.

(B) SERVICE OF PROCESS.—The serving of notice to, or service of process on, the agent required under this paragraph, or mailed to the business address of the agent, shall be deemed to be notice to, or the service of process on, the Foundation.

(3) SEAL.—The Foundation shall have an official seal, to be selected by the Board, which shall be judicially noticed.

(4) POWERS.—To carry out the purposes of the Foundation, the Foundation shall have, in addition to powers otherwise authorized by this section, the usual powers of a not-for-profit corporation in the District of Columbia, including the power—

(A) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, absolutely or in trust, of real or personal property, or any income from, or other interest in, the property;

(B) to acquire by donation, gift, devise, purchase, or exchange, and to dispose of, any real or personal property or interest in the property;

(C) to sell, donate, lease, invest, reinvest, retain, or otherwise dispose of any property or income from property, unless limited by the instrument of transfer;

(D) to borrow money and issue bonds, debentures, or other debt instruments;

(E) to sue and be sued, and complain and defend itself in any court of competent jurisdiction, except that the members of the Board shall not be held personally liable, except in a case of gross negligence;

(F)(i) to enter into contracts or other agreements with public agencies, private organizations, and persons; and

(ii) to make such payments as may be necessary to carry out the purposes of the contracts or agreements; and

(G) to carry out any activity necessary and proper to advance the purposes of the Foundation.

(5) REAL PROPERTY.—

(A) IN GENERAL.—For purposes of this section, an interest in real property shall include mineral and water rights, rights-of-way, and easements, appurtenant or in gross.

(B) ACCEPTANCE.—A gift, devise, or bequest of real property may be accepted by the Foundation, regardless of whether the property is encumbered, restricted, or subject to beneficial interests of a private person, if any current or future interest in the property is for the benefit of the Foundation.

(C) DECLINING GIFTS.—The Foundation may, at the discretion of the Foundation, decline any gift, devise, or bequest of real property.

(D) PROHIBITION ON CONDEMNATION.—No land, water, or interest in land or water, that is owned by the Foundation shall be subject to condemnation by any State, political subdivision of a State, or agent or instrumentality of a State or political subdivision of a State.

(e) ADMINISTRATIVE SERVICES AND SUPPORT.—

(1) FUNDING.—

(A) IN GENERAL.—For the purposes of assisting the Foundation in establishing an office and meeting initial administrative, project, and other expenses, the Secretary may provide to the Foundation, from funds appropriated under subsection (j), such sums as are necessary for fiscal years 2017 and 2018.

(B) AVAILABILITY OF FUNDS.—Funds made available under subparagraph (A) shall remain available to the Foundation until expended for authorized purposes.

(2) ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—The Secretary may provide to the Foundation personnel, facilities, equipment, and other administrative services, subject to such limitations, terms, and conditions as the Secretary may establish.

(B) REIMBURSEMENT.—The Foundation may reimburse the Secretary for any support provided under subparagraph (A), in whole or in part, and any reimbursement received by the Secretary under this subparagraph shall be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of providing the services.

(f) VOLUNTEERS.—The Secretary may accept, without regard to the civil service classification laws (including regulations), the services of the Foundation, the Board, and the officers, employees, and agents of the Foundation, without compensation from the Department of the Interior, as volunteers for the performance of the functions under section 307(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737(d)).

(g) AUDITS AND REPORT REQUIREMENTS.—

(1) AUDITS.—For purposes of section 10101 of title 36, United States Code, the Foundation shall be considered to be a private corporation established under Federal law.

(2) ANNUAL REPORTS.—At the end of each fiscal year, the Board shall submit to Congress a report that describes the proceedings and activities of the Foundation during that fiscal year, including a full and complete statement of the receipts, expenditures, and investments.

(h) UNITED STATES RELEASE FROM LIABILITY.—

(1) IN GENERAL.—The United States shall not be liable for any debt, default, act, or omission of the Foundation.

(2) FULL FAITH AND CREDIT.—The full faith and credit of the United States shall not extend to any obligation of the Foundation.

(i) LIMITATION ON AUTHORITY.—Nothing in this section authorizes the Foundation to perform any function the authority for which is provided to the Bureau of Land Management under any other provision of law.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING RESCISSION OF FUNDS)

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $713,823,000, to remain available until September 30, 2018: *Provided*, That of the funds included under this heading, $4,100,000 shall be for Research: National Priorities as specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That of the unobligated balances from appropriations made available under this heading, $7,350,000 are permanently rescinded: *Provided further*, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Research: National Priorities: *Provided further*, That such rescission shall be applied to program project areas, to the extent practicable, to reflect changes to funding projections due to routine attrition during fiscal year 2017.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING RESCISSION OF FUNDS)

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $9,000 for official reception and representation expenses, $2,619,799,000, to remain available until September 30, 2018: *Provided*, That of the funds included under this heading, $12,700,000 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, $435,857,000 shall be for Geographic Programs specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That of the unobligated balances from appropriations made available under this heading, $21,800,000 are permanently rescinded: *Provided further*, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Environmental Protection: National Priorities, from amounts made available in the second proviso for Geographic Programs, or from the National Estuary Program (33 U.S.C. 1330): *Provided further*, That such rescission shall be applied to program project areas, to the extent practicable, to reflect changes to funding projections due to routine attrition during fiscal year 2017.

In addition, $3,000,000 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 2017 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 2017 shall be reduced by the amount of discretionary offsetting receipts received during fiscal year 2017, so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $0: *Provided further*, That to the extent that amounts realized from such receipts exceed $3,000,000, those amount in excess of $3,000,000 shall be deposited in the ''TSCA Service Fee Fund'' as discretionary offsetting receipts in fiscal year 2017, 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, $3,178,000, to remain available until September 30, 2019.

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, 2018.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $34,467,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,088,769,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2016, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,088,769,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $8,778,000 shall be paid to the ''Office of Inspector General'' appropriation to remain available until September 30, 2018, and $15,496,000 shall be paid to the ''Science and Technology'' appropriation to remain available until September 30, 2018.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, $91,941,000, to remain available until expended, of which $66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,209,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,527,161,000, to remain available until expended, of which—

(1) $1,393,887,000 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 $863,233,000 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 2017, 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 2017, 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 2017 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 2017, notwithstanding the provisions of sections 201(g)(1), (h), and (l) of the Federal Water Pollution Control Act, grants under title II of the Federal Water Pollution Control 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, specification, 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 2017, notwithstanding the provisions of 201(g)(1), (h), and (l) 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; 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 defined by the Secretary of the Interior) and Native Villages (as defined in Public Law 92–203): *Provided further*, That for fiscal year 2017, notwithstanding any provision of the Clean Water 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 the Federal Water Pollution Control 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; 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 2017, 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 2017, 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 2017, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients where such debt was incurred on or after the date of enactment of this Act, or where such debt was incurred prior to the date of enactment of this Act if the State, with concurrence from the Administrator, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;

(2) $10,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission: *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) $20,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: *Provided*, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) $80,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: *Provided*, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA: *Provided further*, That at least 10 percent shall be allocated for assistance in persistent poverty counties: *Provided further*, That for purposes of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;

(5) $60,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $30,000,000 shall be for targeted airshed grants in accordance with the terms and conditions of the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);

(7) $4,000,000 shall be to carry out the water quality program authorized in section 5004(d) of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322); and

(8) $1,066,041,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: $47,745,000 shall be for carrying out section 128 of CERCLA; $9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading ''Leaking Underground Storage Tank Trust Fund Program'' to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs.

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, $8,000,000, 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 $976,000,000: *Provided further*, That amounts made available under this heading in this Act are in addition to amounts appropriated or otherwise made available for the Water Infrastructure Finance and Innovation Program for fiscal year 2017.

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, $2,000,000, to remain available until September 30, 2018.

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

For fiscal year 2017, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs

for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 112–177, the Pesticide Registration Improvement Extension Act of 2012.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2017.

The Administrator is authorized to transfer up to $300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading ''Environmental Programs and Management'' to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities provided that the cost does not exceed $150,000 per project.

For fiscal year 2017, 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 2017 to provide grants to implement the Southeastern New England Watershed Restoration Program.

Notwithstanding the limitation on amounts in section 320(i) of the Federal Water Pollution Control Act, funds made available under this title for the National Estuary Program shall be used for the development, implementation, and monitoring of comprehensive conservation and management plans.

Of the unobligated balances available for ''State and Tribal Assistance Grants'' account, $61,198,000 are permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985 or from amounts that were made available by subsection (a) of section 196 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254).

TITLE III
RELATED AGENCIES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $288,514,000, to remain available through September 30, 2020: *Provided*, That of the funds provided, $77,000,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $228,923,000, to remain available through September 30, 2020, as authorized by law; of which $62,347,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

Of the unobligated balances from amounts made available for the Forest Legacy Program and derived from the Land and Water Conservation Fund, $12,002,000 is hereby permanently rescinded from projects with cost savings or failed or partially failed projects that had funds returned.

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,513,318,000, to remain available through September 30, 2020: *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, $367,805,000 shall be for forest products: *Provided further*, That of the funds provided, up to $81,941,000 is for the Integrated Resource Restoration pilot program for Region 1, Region 3 and Region 4: *Provided further*, That of the funds provided for forest products, up to $65,560,000 may be transferred to support the Integrated Resource Restoration pilot program in the preceding proviso: *Provided further*, That the Secretary of Agriculture may transfer to the Secretary of the Interior any unobligated funds appropriated in a previous fiscal year for operation of the Valles Caldera National Preserve: *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, $364,014,000, to remain available through September 30, 2020, 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 $40,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered, or sensitive species or community water sources: *Provided further*, That funds becoming available in fiscal year 2017 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: *Provided further*, That of the funds provided for decommissioning of roads, up to $14,743,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

LAND ACQUISITION

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $54,415,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $950,000, 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, 2020, (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, 2020, 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, 2020, 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 (Public Law 96–487), $2,500,000, to remain available through September 30, 2020.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels management on or adjacent to such lands, emergency rehabilitation of burned-over National Forest System lands and water, and for State and volunteer fire assistance, $2,833,415,000, to remain available through September 30, 2020: *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 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 emergency rehabilitation and restoration, hazardous fuels management activities, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, $390,000,000 is for hazardous fuels management activities, $19,795,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, (16 U.S.C. 1641 et seq.), $78,000,000 is for State fire assistance, and $15,000,000 is for volunteer fire assistance under section 10 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106): *Provided further*, That amounts in this paragraph may be transferred to the ''National Forest System'', and ''Forest and Rangeland Research'' accounts to fund forest and rangeland research, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *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 up to $15,000,000 of the funds provided herein 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 Forest 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'' appropriation: *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 of the funds provided for hazardous fuels management, 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 funds designated for wildfire suppression, including funds transferred from the ''FLAME Wildfire Suppression Reserve Fund'', shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs: *Provided further*, That of the funds for hazardous fuels management, up to $24,000,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities, $342,000,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the ''Wildland Fire Management'' account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a): *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS AND RESCISSIONS 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 headings ''Wildland Fire Management'' and ''FLAME Wildfire Suppression Reserve Fund'' 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.

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 Wildland Fire Management Account, or reprogram funds within the Wildland Fire Management Account, to be used for the purposes of hazardous fuels management and emergency rehabilitation of burned-over National Forest System lands and water, such transferred funds shall remain available through September 30, 2020: *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 appropriated to the FLAME Wildfire Suppression Reserve Fund or 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 United States, 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 United States Agency for International Development, the Department of State, and the Millennium Challenge Corporation), United States private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–171 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center and the Department of Agriculture's International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public

Lands Corps Act of 1993, Public Law 103–82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.

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 on at least one-for-one basis funds made available by the Forest Service: *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)).

Funds available to the Forest Service, not to exceed $65,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance and decommissioning. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, 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 nonlitigation-related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

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.

The following unobligated balances identified by the following accounts are hereby rescinded: Forest and Rangeland Research, $815,000; National Forest System, $2,000,000; and State and Private Forestry, $3,500,000.

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, $3,694,462,000, together with payments received during the fiscal year pursuant to 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 $928,830,000 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 $36,000,000 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, $11,000,000 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 $29,000,000 shall be for costs related to or resulting from accreditation emergencies, of which up to $4,000,000 may be used to supplement amounts otherwise available for Purchased and Referred Care: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of the 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 the 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 the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for aftercare pilots at Youth Regional Treatment Centers, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further*, That funds provided in this Act may be used for annual contracts and grants 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 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, 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 the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Indian Health Service for fiscal year 2017, 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, $545,424,000, 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; 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), 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 associated with the provision of goods, services, or technical assistance: *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, $77,349,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $74,691,000, of which up to $1,000 per eligible employee of the Agency for Toxic Substances and Disease Registry shall remain available until expended for Individual Learning Accounts: *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 2017, 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, $3,000,000: *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, $11,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $15,431,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716): *Provided further*, That $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits

and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498 (20 U.S.C. 56 part A), $15,212,000, to remain available until September 30, 2018: *Provided*, That of the funds made available under this heading, not to exceed $7,377,000 shall become available on July 1, 2017, and shall remain available until September 30, 2018.

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, $729,444,000, to remain available until September 30, 2018, except as otherwise provided herein; of which not to exceed $48,467,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $133,903,000, 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, $132,961,000, to remain available until September 30, 2018, of which not to exceed $3,620,000 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, $22,564,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $22,260,000.

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, $14,140,000, 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, $10,500,000, to remain available until September 30, 2018.

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, $149,849,000 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, $149,848,000, to remain available until expended, of which $139,148,000 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 $10,700,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $8,500,000 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, $2,762,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education: *Provided further*, That one-tenth of one percent of the funds provided under this heading may be used for official reception and representation expenses.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,493,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $8,099,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $57,000,000, of which $1,215,000 shall remain available until September 30, 2019, for the Museum's equipment

replacement program; and of which $2,500,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses, including the costs of construction design, of the Dwight D. Eisenhower Memorial Commission, $1,600,000, to remain available until expended.

CAPITAL CONSTRUCTION

For necessary expenses of the Dwight D. Eisenhower Memorial Commission for design and construction of a memorial in honor of Dwight D. Eisenhower, as authorized by Public Law 106–79, $45,000,000, to remain available until expended: *Provided*, That the contract with respect to the procurement shall contain the ''availability of funds'' clause described in section 52.232.18 of title 48, Code of Federal Regulations: *Provided further*, That the funds appropriated herein shall be deemed to satisfy the criteria for issuing a permit contained in 40 U.S.C. 8906(a)(4) and (b).

WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Women's Suffrage Centennial Commission, as authorized by this Act, $2,000,000, to remain available until expended.

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, 2018, 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 2017.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2017 LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2017 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 2017 with the Bureau of Indian Affairs or the Indian Health Service: *Provided*, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

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

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

(2) the report contains proprietary information.

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

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

REPORT ON USE OF CLIMATE CHANGE FUNDS

SEC. 416. Not later than 120 days after the date on which the President's fiscal year 2018 budget request is submitted to the Congress, the President shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate describing in detail all Federal agency funding, domestic and international, for climate change programs, projects, and activities in fiscal years 2016 and 2017, including an accounting of funding by agency with each agency identifying climate change programs, projects, and activities and associated costs by line item as presented in the President's Budget Appendix, and including citations and linkages where practicable to each strategic plan that is driving funding within each climate change program, project, and activity listed in the report.

PROHIBITION ON USE OF FUNDS

SEC. 417. 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. 418. 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.

MODIFICATION OF AUTHORITIES

SEC. 419. Section 8162(m)(3) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) is amended by striking ''September 30, 2016'' and inserting ''September 30, 2017''.

FUNDING PROHIBITION

SEC. 420. 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.

EXTENSION OF GRAZING PERMITS

SEC. 421. 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 2017.

STEWARDSHIP CONTRACTING AMENDMENTS

SEC. 422. Section 604(d) of the Healthy Forest Restoration Act of 2003 (16 U.S.C. 6591c(d)), as amended by the Agricultural Act of 2014 (Public Law 113–79), is further amended—

(1) in paragraph (5), by adding at the end the following: ''Notwithstanding the Materials Act of 1947 (30 U.S.C. 602(a)), the Director may enter into an agreement or contract under subsection (b).''; and

(2) in paragraph (7), by striking ''and the Director''.

FUNDING PROHIBITION

SEC. 423. (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.

CLARIFICATION OF EXEMPTIONS

SEC. 424. None of the funds made available in this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

USE OF AMERICAN IRON AND STEEL

SEC. 425. (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.

NATIONAL GALLERY OF ART

SEC. 426. Section 6301(2) of title 40, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''The National Gallery of Art'' and inserting ''(A) The National Gallery of Art'';

(2) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively; and

(3) by adding at the end the following new subparagraph: ''(B) All other buildings, service roads, walks, and other areas within the exterior boundaries of any real estate or land or interest in land (including temporary use) that the National Gallery of Art acquires and that the Director of the National Gallery of Art determines to be necessary for the adequate protection of individuals or property in the National Gallery of Art and suitable for administration as a part of the National Gallery of Art.''.

MIDWAY ISLAND

SEC. 427. None of the funds made available by this Act may be used to destroy any buildings or structures on Midway Island that have been recommended by the United States Navy for inclusion in the National Register of Historic Places (54 U.S.C. 302101).

POLICIES RELATING TO BIOMASS ENERGY

SEC. 428. 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.

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 429. 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), $22,260,000 for fiscal year 2017.

''(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), $14,140,000 for fiscal year 2017.''.

BOUNDARY ADJUSTMENT, BOB MARSHALL WILDERNESS, HELENA-LEWIS AND CLARK NATIONAL FOREST

SEC. 430. The boundary of the Patrick's Basin Addition to the Bob Marshall Wilderness designated by section 3065(c)(1)(A) of the ''Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015'' (Public Law 113–291; 128 Stat. 3835) is modified to exclude approximately 603 acres of land as generally depicted as items 1 and 2 on the map entitled ''Patrick's Basin Addition to the Bob Marshall Wilderness—Kenck Cabin and South Fork Sun River Packbridge Adjustments'' and dated April 21, 2016, which shall be on file and available for public inspection in the appropriate offices of the Forest Service. The lands excluded from the wilderness shall be added to and administered as part of the Rocky Mountain Front Conservation Management Area established in section 3065(b).

INCORPORATION BY REFERENCE

SEC. 431. (a) The provisions of the following bills of the 115th Congress are hereby enacted into law:

(1) H.R. 2104 (the Morley Nelson Snake River Birds of Prey National Conservation Area Boundary Modification Act of 2017), as introduced on April 20, 2017.

(2) S. 131 (the Alaska Mental Health Trust Land Exchange Act of 2017), as ordered to be reported on March 30, 2017, by the Committee on Energy and Natural Resources of the Senate.

(3) S. 847 (the Women's Suffrage Centennial Commission Act), as introduced on April 5, 2017.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bills referred to in subsection (a).

This division may be cited as the ''Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017''.

DIVISION H—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

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''), the Second Chance Act of 2007, and the National Apprenticeship Act, $3,338,699,000, 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, $2,709,832,000 as follows:

(A) $815,556,000 for adult employment and training activities, of which $103,556,000 shall be available for the period July 1, 2017 through June 30, 2018, and of which $712,000,000 shall be available for the period October 1, 2017 through June 30, 2018;

(B) $873,416,000 for youth activities, which shall be available for the period April 1, 2017 through June 30, 2018; and

(C) $1,020,860,000 for dislocated worker employment and training activities, of which $160,860,000 shall be available for the period July 1, 2017 through June 30, 2018, and of which $860,000,000 shall be available for the period October 1, 2017 through June 30, 2018: *Provided*, That pursuant to section 128(a)(1) of the WIOA, the amount available to the Governor for statewide workforce investment activities shall not exceed 15 percent of the amount allotted to the State from each of the appropriations under the preceding subparagraphs: *Provided further*, 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, $628,867,000 as follows:

(A) $220,859,000 for the dislocated workers assistance national reserve, of which $20,859,000 shall be available for the period July 1, 2017 through September 30, 2018, and of which $200,000,000 shall be available for the period October 1, 2017 through September 30, 2018: *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, $20,000,000 shall be made available for applications submitted in accordance with section 170 of the WIOA for training and employment assistance for workers dislocated from coal mines and coal-fired power plants;

(B) $50,000,000 for Native American programs under section 166 of the WIOA, which shall be available for the period July 1, 2017 through June 30, 2018;

(C) $81,896,000 for migrant and seasonal farmworker programs under section 167 of the WIOA, including $75,885,000 for formula grants (of which not less than 70 percent shall be for employment and training services), $5,517,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $494,000 for other discretionary purposes, which shall be available for the period July 1, 2017 through June 30, 2018: *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) $84,534,000 for YouthBuild activities as described in section 171 of the WIOA, which shall be available for the period April 1, 2017 through June 30, 2018;

(E) $2,500,000 for technical assistance activities under section 168 of the WIOA, which shall be available for the period July 1, 2017 through June 30, 2018;

(F) $88,078,000 for ex-offender activities, under the authority of section 169 of the WIOA and section 212 of the Second Chance Act of 2007, which shall be available for the period April 1, 2017 through June 30, 2018: *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;

(G) $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, 2017 through June 30, 2018; and

(H) $95,000,000 to expand opportunities relating to apprenticeship programs registered under the National Apprenticeship Act, 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 April 1, 2017 through June 30, 2018.

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, $1,704,155,000, plus reimbursements, as follows:

(1) $1,587,325,000 for Job Corps Operations, which shall be available for the period July 1, 2017 through June 30, 2018;

(2) $84,500,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2017 through June 30, 2020, 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 proviso shall not be available for obligation after June 30, 2018: *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, 2016 through September 30, 2017:

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''), $400,000,000, which shall be available for the period April 1, 2017 through June 30, 2018, 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 2017 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, $849,000,000 together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2017: *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, $89,066,000, together with not to exceed $3,434,625,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund (''the Trust Fund''), of which:

(1) $2,687,600,000 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 $115,000,000 to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and to provide reemployment services and referrals to training as appropriate, for claimants of unemployment insurance for ex-service members under 5 U.S.C. 8521 et. seq. and for claimants of regular unemployment compensation, including those who are profiled as most likely to exhaust their benefits in each State, and $5,500,000 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, 2017, except that funds used for automation shall be available for Federal obligation through December 31, 2017, and for State obligation through September 30, 2019, or, if the automation is being carried out through consortia of States, for State obligation through September 30, 2022, and for expenditure through September 30, 2023, 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, 2017, and for obligation by the States through September 30, 2019, and funds for the Unemployment Insurance Integrity Center of Excellence shall be available for obligation by the State through September 30, 2018, and funds used for unemployment insurance workloads experienced by the States through September 30, 2017 shall be available for Federal obligation through December 31, 2017;

(2) $14,897,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) $650,000,000 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, 2017 through June 30, 2018;

(4) $19,818,000 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) $62,310,000 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 $48,028,000 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) $67,653,000 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, 2017 through June 30, 2018:

Provided, That to the extent that the Average Weekly Insured Unemployment (''AWIU'') for fiscal year 2017 is projected by the Department of Labor to exceed 2,453,000, 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 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, 2018, 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, 2018.

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.

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, 2017, for the Corporation: *Provided*, That none of the funds available to the Corporation for fiscal year 2017 shall be available for obligations for administrative expenses in excess of $421,006,000: *Provided further*, That an amount not to exceed an additional $98,500,000 shall be available through September 30, 2021, for costs associated with the acquisition, occupancy, and related costs of headquarters space: *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 2017, an amount not to exceed an additional $9,200,000 shall be available through September 30, 2018, for obligation for administrative expenses for every 20,000 additional terminated participants: *Provided further*, That obligations in excess of the amounts provided in this paragraph may be incurred for unforeseen and extraordinary pretermination 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.

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, $227,500,000.

OFFICE OF LABOR-MANAGEMENT STANDARDS

SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, $38,187,000.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, $104,476,000.

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. 2004); 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, $220,000,000, 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, 2016, 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, 2017: *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, $66,675,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems operations and telecommunications systems, $22,740,000;

(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, $16,866,000;

(4) For program integrity, $4,101,000; 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, $61,319,000, 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 2018, $16,000,000, 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 2017 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 $31,994,000 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, $552,787,000, including not to exceed $100,850,000 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, 2017, 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 $10,537,000 shall be available for Susan Harwood training grants: *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, $373,816,000, 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 amounts available for State assistance grants may be used for the purchase and maintenance of new equipment required by the final rule entitled ''Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors'' published by the Department of Labor in the Federal Register on May 1, 2014 (79 Fed. Reg. 24813 et seq.), for operators that demonstrate financial need as determined by the Secretary: *Provided further*, 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, $544,000,000, together with not to exceed $65,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

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, $38,203,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, $334,536,000, together with not to exceed $308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: *Provided*, That $59,825,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2017: *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 $6,000,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: *Provided further*, That $8,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2018: *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, $994,000 shall be used for grants authorized by the Women in Apprenticeship and Nontraditional Occupations Act.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $234,041,000 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) $175,000,000 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, 2017, 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) $14,600,000 is for carrying out the Transition Assistance Program under 38 U.S.C. 4113 and 10 U.S.C. 1144: *Provided*, That, up to $300,000 of such funds may be used to enter into a cooperative agreement with a State relating to a mobile application to provide transition assistance to separating service members, veterans and eligible spouses;

(3) $41,027,000 is for Federal administration of chapters 41, 42, and 43 of title 38, United States Code; 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, $45,000,000 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, 2017, to provide services under such section: *Provided further*, 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.

IT MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, $18,778,000, which shall be available through September 30, 2018.

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, $82,061,000, 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.

(INCLUDING RESCISSION)

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: *Provided*, That of such funds available before September 30, 2017 up to $20,000,000 shall be available for obligation through September 30, 2018 by the Employment and Training Administration of the Department of Labor to process foreign labor certifications, including wage determinations and associated tasks and grants to States, submitted by employers to employ nonimmigrants described in section 101(a)(15)(H)(ii) of the Immigration and Nationality Act, to the extent necessary to eliminate backlogs and delays: *Provided further*, That of the unobligated funds available under section 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)), $46,000,000 are permanently rescinded.

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 funds transferred from under paragraphs (1) and (2) of the ''Office of Job Corps'' account shall be available under paragraph (3) of such account in order to carry out program integrity activities relating to the Job Corps program: *Provided further*, That funds transferred under this subsection shall be available for obligation through September 30, 2018.

(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, 2018: *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. Notwithstanding any other provision of law, beginning October 1, 2016, the Secretary of Labor, in consultation with the Secretary of Agriculture may select an entity to operate a Civilian Conservation Center on a competitive basis in accordance with section 147 of the WIOA, if the Secretary of Labor determines such Center has had consistently low performance under the performance accountability system in effect for the Job Corps program prior to July 1, 2016, or with respect to expected levels of performance established under section 159(c) of such Act beginning July 1, 2016.

SEC. 109. (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.

(RESCISSION)

SEC. 110. Of the funds made available under the heading ''Employment and Training Administration–Training and Employment Services'' in division H of Public Law 114–113, $75,000,000 is rescinded, to be derived from the amount made available in paragraph (2)(A) under such heading for the period October 1, 2016, through September 30, 2017.

SEC. 111. (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. 112. 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. 113. 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).

This title may be cited as the ''Department of Labor Appropriations Act, 2017''.

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, $1,491,522,000: *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 $99,893,000 shall be available until expended for carrying out the provisions of sections 224(g)–(n) and (q) 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: *Provided further*, That of funds provided for the Health Centers program, as defined by section 330 of the PHS Act, by this Act or any other Act for fiscal year 2017, not less than $100,000,000 shall be obligated in fiscal year 2017 to support grants to expand medical services, behavioral health, oral health, pharmacy, or vision services.

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, $838,695,000: *Provided*, That sections 747(c)(2), 751(j)(2), 762(k), 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 sections.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health, title V of the Social Security Act, and section 712 of the American Jobs Creation Act of 2004, $848,617,000: *Provided*, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than $80,593,000 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, $2,318,781,000, of which $1,970,881,000 shall remain available to the Secretary through September 30, 2019, 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.

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, $104,193,000, 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, $156,060,000, of which $43,609,000 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, $14,942,000 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, $10,000,000 shall be available for State Offices of Rural Health.

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, $154,000,000: *Provided*, That funds made available under this heading may be used to supplement program support funding provided under the headings ''Primary Health Care'', ''Health Workforce'', ''Maternal and Child Health'', ''Ryan White HIV/AIDS Program'', ''Health Care Systems'', and ''Rural Health''.

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 $7,750,000 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, $455,000,000.

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, $1,117,278,000.

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, $532,922,000.

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, $777,646,000: *Provided*, That funds appropriated under this account 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 available under this heading, $10,000,000 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, $137,560,000.

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, $489,397,000.

ENVIRONMENTAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to environmental health, $163,750,000.

INJURY PREVENTION AND CONTROL

For carrying out titles II, III, and XVII of the PHS Act with respect to injury prevention and control, $286,059,000: *Provided*, That of the funds provided under this heading, $112,000,000 shall be available for an evidence-based opioid drug overdose prevention program.

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, $335,200,000.

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, $435,121,000, of which $128,421,000 for international HIV/AIDS shall remain available through September 30, 2018: *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, $1,405,000,000, of which $575,000,000 shall remain available until expended for the Strategic National Stockpile: *Provided*, That in the event the Director of the Centers for Disease Control and Prevention (referred to in this title as ''CDC'') activates the Emergency Operations Center, the Director of the CDC may detail CDC staff without reimbursement for up to 90 days to support the work of the CDC Emergency Operations Center, so long as the Director 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, demolition, and renovation of facilities, $10,000,000, which shall remain available until September 30, 2021: *Provided*, 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

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, $113,570,000: *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, 2018.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, $5,389,329,000, of which up to $50,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland: *Provided*, That of the $5,689,329,000 provided for in direct obligations under this heading, $5,389,329,000 is appropriated from the general fund and $300,000,000 was previously appropriated for fiscal year 2017 by section 194 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254) to support cancer research pursuant to section 1001 of the 21st Century Cures Act.

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, $3,206,589,000.

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, $425,751,000.

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, $1,870,595,000.

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, $1,783,654,000.

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, $4,906,638,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, $2,650,838,000, of which $824,443,000 shall be from funds available under section 241 of the PHS Act: *Provided*, That not less than $333,361,000 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, $1,380,295,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, $732,618,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, $714,261,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, $2,048,610,000.

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, $557,851,000.

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, $436,875,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, $150,273,000.

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, $483,363,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, $1,090,853,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to mental health, $1,601,931,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, $528,566,000.

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, $357,080,000.

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, $134,689,000.

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, $289,069,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), $72,213,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, $407,510,000: *Provided*, That of the amounts available for improvement of information systems, $4,000,000 shall be available until September 30, 2018: *Provided further*, That in fiscal year 2017, 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, $705,903,000: *Provided*, That up to $25,835,000 shall be available to implement section 480 of the PHS Act, relating to the Cures Acceleration Network: *Provided further*, That at least $516,120,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, NIH, $1,665,183,000 (in addition to the $52,000,000 in the NIH Innovation Fund previously appropriated for fiscal year 2017 pursuant to section 1001 of the 21st Century Cures Act, 2017 (division C of Public Law 114–254)): *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 $165,000,000 shall be for the National Children's Study Follow-on: *Provided further*, That $682,856,000 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 up to $190,000,000 (in addition to the $40,000,000 to support the Precision Medicine Initiative in the NIH Innovation Fund previously appropriated for fiscal year 2017 pursuant to section 1001 of the 21st Century Cures Act by section 194 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–254)), of the funds provided herein are available to support the trans-NIH Precision Medicine Initiative.

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, $128,863,000, to remain available through September 30, 2021.

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, $1,147,998,000: *Provided*, 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 section 520E(b)(2) of the PHS Act shall not apply to funds appropriated in this Act for fiscal year 2017: *Provided further*, That notwithstanding section 565(b)(1) of the PHS Act, technical assistance may be provided to a public entity to establish or operate a system of comprehensive community mental health services to children with a serious emotional disturbance, without regard to whether the public entity receives a grant under section 561(a) of such Act: *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 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, $15,000,000 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, $2,131,306,000: *Provided*, 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 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, $223,219,000.

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, $116,830,000: *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(m) of the PHS Act shall remain available through September 30, 2018: *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, $324,000,000: *Provided*, That section 947(c) of the PHS Act shall not apply in fiscal year 2017: *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, 2018.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $262,003,967,000, to remain available until expended.

For making, after May 31, 2017, 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 2017 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 2018, $125,219,452,000, 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 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, $299,187,700,000.

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 and 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 302 of the Tax Relief and Health Care Act of 2006; 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 September 30, 2022: *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 2017 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.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, $725,000,000, to remain available through September 30, 2018, 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 $486,936,000 shall be for the Medicare Integrity Program at the Centers for Medicare and Medicaid Services, including administrative costs, to conduct oversight activities for Medicare Advantage under Part C and the Medicare Prescription Drug Program under Part D of the Social Security Act and for activities described in section 1893(b) of such Act, of which $82,132,000 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, of which $82,132,000 shall be for the Medicaid and Children's Health Insurance Program (''CHIP'') program integrity activities, and of which $73,800,000 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 2017 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 $414,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(C) of such Act: *Provided further*, That the Secretary shall support the full cost of 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, $3,010,631,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2018, $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, $3,390,304,000: *Provided*, That all but $491,000,000 of this amount shall be allocated as though the total appropriation for such payments for fiscal year 2017 was less than $1,975,000,000: *Provided further*, That notwithstanding section 2609A(a), of the amounts appropriated under section 2602(b), not more than $2,988,000 of such amounts may be reserved by the Secretary for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures and 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.

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, $1,674,691,000, of which $1,645,201,000 shall remain available through September 30, 2019 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 the limitation in section 205 of this Act regarding transfers increasing any appropriation shall apply to transfers to appropriations under this heading by substituting ''10 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 2014 (''CCDBG Act''), $2,856,000,000 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.

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''); 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 2014, the Assets for Independence Act, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; and for the administration of prior year obligations made by the Administration for Children and Families under the Developmental Disabilities Assistance and Bill of Rights Act and the Help America Vote Act of 2002, $11,294,368,000, of which $37,943,000, to remain available through September 30, 2018, 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, 2017: *Provided*, That $9,253,095,000 shall be for making payments under the Head Start Act: *Provided further*, That of the amount in the previous proviso, $8,588,095,000 shall be available for payments under section 640 of the Head Start Act, of which $80,000,000 shall

be available for a cost of living adjustment notwithstanding section 640(a)(3)(A) of such Act: *Provided further*, That of the amount provided for making payments under the Head Start Act, $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 such Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Provided further*, That notwithstanding such section 640, of the amount provided for making payments under the Head Start Act, and in addition to funds otherwise available under such section 640, $640,000,000 shall be available through March 31, 2018 for Early Head Start programs as described in section 645A of such Act, for conversion of Head Start services to Early Head Start services as described in section 645(a)(5)(A) of such Act, for discretionary grants for high quality infant and toddler care through Early Head Start-Child Care Partnerships, to entities defined as eligible under section 645A(d) of such Act, for training and technical assistance for such activities, and for up to $14,000,000 in Federal costs of administration and evaluation, and, notwithstanding section 645A(c)(2) of such Act, these funds are available to serve children under age 4: *Provided further*, That funds described in the preceding two provisos 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: *Provided further*, That $250,000,000 shall be available until December 31, 2017 for carrying out sections 9212 and 9213 of the Every Student Succeeds Act: *Provided further*, That, in accordance with section 9212(j) of such Act, funds made available in the preceding proviso may be allocated to the Department of Education to issue continuation grants on behalf of the Secretary: *Provided further*, That up to 3 percent of the funds in the second preceding proviso shall be available for technical assistance and evaluation related to grants awarded under such section 9212: *Provided further*, That $742,383,000 shall be for making payments under the CSBG Act: *Provided further*, That $27,733,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than $19,883,000 shall be for section 680(a)(2) and not less than $7,500,000 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 the Secretary shall issue performance standards for entities receiving funds from State and territorial grantees under the CSBG Act, and such States and territories shall assure the implementation of such standards prior to September 30, 2017, and include information on such implementation in the report required by section 678E(a)(2) of such Act: *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, $325,000,000 and, for carrying out, except as otherwise provided, section 437 of such Act, $59,765,000: *Provided*, That notwithstanding sections 438(c)(3)(A) and 436(b)(2) of such Act, $10,000,000 shall be available for such section 436(b)(2), of which no funds shall be available for carrying out sections 438(c)(3)(A)(ii) and (iii) of such Act.

PAYMENTS FOR FOSTER CARE AND PERMANENCY

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, $5,764,000,000.

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, for the first quarter of fiscal year 2018, $2,500,000,000.

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''), 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, $1,919,000,000, together with $47,115,000 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: *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 buydown 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, $460,629,000, 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, $15,000,000 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).

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for the Office of Medicare Hearings and Appeals, $107,381,000, 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 nonpayment 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, $950,958,000, of which $511,700,000 shall remain available through September 30, 2018, 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, 2019.

For expenses necessary for procuring security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act), $510,000,000, to remain available until expended.

For an additional amount for expenses necessary to prepare for or respond to an influenza pandemic, $57,000,000; of which $40,000,000 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.

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 execution of a contract awarded in fiscal year 2017 under section 338B of such Act.

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 2017:

(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 establish a publicly accessible Web site to provide information regarding the uses of funds made available under section 4002 of the Patient Protection and Affordable Care Act of 2010 (''ACA'').

(b) With respect to funds provided under section 4002 of the ACA, the Secretary shall include on the Web site established under subsection (a) at a minimum the following information:

(1) In the case of each transfer of funds under section 4002(c), a statement indicating the program or activity receiving funds, the operating division or office that will administer the funds, and the planned uses of the funds, to be posted not later than the day after the transfer is made.

(2) Identification (along with a link to the full text) of each funding opportunity announcement, request for proposals, or other announcement or solicitation of proposals for grants, cooperative agreements, or contracts intended to be awarded using such funds, to be posted not later than the day after the announcement or solicitation is issued.

(3) Identification of each grant, cooperative agreement, or contract with a value of $25,000 or more awarded using such funds, including the purpose of the award and the identity of the recipient, to be posted not later than 5 days after the award is made.

(4) A report detailing the uses of all funds transferred under section 4002(c) during the fiscal year, to be posted not later than 90 days after the end of the fiscal year.

(c) With respect to awards made in fiscal years 2013 through 2017, the Secretary shall also include on the Web site established under subsection (a), semi-annual reports from each entity awarded a grant, cooperative agreement, or contract from such funds with a value of $25,000 or more, summarizing the activities undertaken and identifying any sub-grants or sub-contracts awarded (including the purpose of the award and the identity of the recipient), to be posted not later than 30 days after the end of each 6-month period.

(d) In carrying out this section, the Secretary shall—

(1) present the information required in subsection (b)(1) on a single webpage or on a single database;

(2) ensure that all information required in this section is directly accessible from the single webpage or database; and

(3) ensure that all information required in this section is able to be organized by program or State.

SEC. 220. (a) The Secretary shall publish in the fiscal year 2018 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. 221. The Secretary shall publish, as part of the fiscal year 2018 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 and 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 2018. 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. 222. (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. 223. 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 and Medicaid Services—Program Management'' account, may be used for payments under section 1342(b)(1) of Public Law 111–148 (relating to risk corridors).

SEC. 224. In addition to the amounts otherwise available for ''Centers for Medicare and 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. 225. The Secretary shall include in the fiscal year 2018 budget justification an analysis of how section 2713 of the PHS Act will impact eligibility for discretionary HHS programs.

SEC. 226. Effective during the period beginning on November 1, 2015 and ending January 1, 2019, 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)).

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 2017''.

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''), $16,143,790,000, of which $5,225,990,000 shall become available on July 1, 2017, and shall remain available through September 30, 2018, and of which $10,841,177,000 shall become available on October 1, 2017, and shall remain available through September 30, 2018, for academic year 2017–2018: *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, 2016, 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 $3,819,050,000 shall be for targeted grants under section 1125 of the ESEA: *Provided further*, That $3,819,050,000 shall be for education finance incentive grants under section 1125A of the ESEA: *Provided further*, That $217,000,000 shall be for carrying out subpart 2 of part B of title II: *Provided further*, That $44,623,000 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, $1,328,603,000, of which $1,189,233,000 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, to remain available for obligation through September 30, 2018, shall be for construction under section 7007(b), $68,813,000 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 2016–2017, 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, $4,408,567,000, of which $2,588,002,000 shall become available on July 1, 2017, and remain available through September 30, 2018, and of which $1,681,441,000 shall become available on October 1, 2017, and shall remain available through September 30, 2018, for academic year 2017–2018: *Provided*, That $369,100,000 shall be for part B of title I: *Provided further*, That $1,191,673,000 shall be for part B of title IV: *Provided further*, That $33,397,000 shall be for part B of title VI and may be used for construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: *Provided further*, That $32,453,000 shall be for part C of title VI and shall be awarded on a competitive basis, and also may be used for construction: *Provided further*, That $50,000,000 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 $175,840,000 shall be for part B of title V: *Provided further*, That $400,000,000 shall be available for grants under subpart 1 of part A of title IV: *Provided further*, That notwithstanding subsections (a) and (b) of section 4105 of such Act, each State may use funds reserved under section 4104(a)(1) of such Act to award subgrants, on a competitive basis, to local educational agencies receiving a grant under part A of title I, or consortia of such local educational agencies, of such Act, to enable the agencies or consortia to support activities authorized under one or more of sections 4107, 4108, and 4109(a) of such Act: *Provided further*, That each such subgrant shall be subject to the same terms and conditions as an allocation provided under section 4105 of such Act, except as otherwise provided in this Act: *Provided further*, That each State that awards such subgrants shall award such subgrants with priority given to local educational agencies, or consortia of local educational agencies, with the greatest need based on the number or percentage of children counted under section 1124(c), in a manner that ensures geographic diversity among subgrant recipients representing rural, suburban, and urban areas, and in a manner that distributes the total amount of funds available to the State under section 4104(a)(1) consistent with the requirements described in subparagraphs (C) through (E) of section 4106(e)(2) of such Act: *Provided further*, That each such subgrant awarded shall be for a term of one year and in an amount of not less than $10,000, and a subgrant recipient shall not be subject to any of the distribution requirements described in subparagraphs (C) through (E) of subsections (e)(2) and (f), of section 4106 of such Act: *Provided further*, That notwithstanding section 4109(b) of such Act, a subgrant recipient using such subgrant funds to carry out only activities authorized under section 4109(a) of such Act may use not more than 25 percent of the subgrant funds for purchasing technology infrastructure as described in such section 4109(b): *Provided further*, That amounts made available under this heading to a State agency awarding such subgrants shall remain available until September 30, 2018.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VI, part A of the ESEA, $164,939,000, of which $57,993,000 shall be for subpart 2 of part A of title VI and $6,565,000 shall be for subpart 3 of part A of title VI.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by subparts 1, 3 and 4 of part B of title II, and parts C and D and subparts 1 and 4 of part F of title IV of the ESEA, $887,575,000: *Provided*, That $283,015,000 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 $504,560,000 shall be for parts C and D 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 not less than $26,000,000 to carry out section 4304, of which not more than $10,000,000 shall be available to carry out section 4304(k), not more than $100,000,000 to carry out section 4305(b), and not less than $11,000,000 to carry out the activities in section 4305(a)(3): *Provided further*, That notwithstanding section 4601(b), $100,000,000 shall be available through December 31, 2017 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, $151,254,000: *Provided*, That $68,000,000 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 to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis: *Provided further*, That $10,000,000 shall be available for section 4625: *Provided further*, That $73,254,000 shall be available through December 31, 2017, for section 4624: *Provided further*, That section 4623(b) of the ESEA shall apply to funds appropriated for Promise Neighborhoods under this heading in prior appropriations acts.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $737,400,000, which shall become available on July 1, 2017, and shall remain available through September 30, 2018, except that 6.5 percent of such amount shall be available on October 1, 2016, and shall remain available through September 30, 2018, 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, $13,064,358,000, of which $3,546,259,000 shall become available on July 1, 2017, and shall remain available through September 30, 2018, and of which $9,283,383,000 shall become available on October 1, 2017, and shall remain available through September 30, 2018, for academic year 2017–2018: *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 2016, 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 2016: *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.

REHABILITATION SERVICES

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973 and the Helen Keller National Center Act, $3,535,589,000, of which $3,398,554,000 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, 2018.

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, $25,431,000.

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, $70,016,000: *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, $121,275,000: *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 and the Adult Education and Family Literacy Act (''AEFLA''), $1,720,686,000, of which $929,686,000 shall become available on July 1, 2017, and shall remain available through September 30, 2018, and of which $791,000,000 shall become available on October 1, 2017, and shall remain available through September 30, 2018: *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, $24,198,210,000, which shall remain available through September 30, 2018.

The maximum Pell Grant for which a student shall be eligible during award year 2017–2018 shall be $4,860.

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, $1,576,854,000, to remain available through September 30, 2018: *Provided*, That the Secretary shall allocate new student loan borrower accounts to eligible student loan servicers on the basis of their 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 the Secretary shall, no later than September 30, 2017, allow student loan borrowers who are consolidating Federal student loans to select from any student loan servicer to service their new consolidated student loan.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, and VII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, $2,055,439,000: *Provided*, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to

United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: *Provided further*, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: *Provided further*, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV of the HEA may be used for evaluation : *Provided further*, That, in making awards under section 402C of the HEA with funds appropriated by this Act, the Secretary shall announce new grant awards for which the notice inviting applications was published in the Federal Register on October 17, 2016 (81 F.R. 71,492) by June 1, 2017, and for all other new grant awards under such section by August 1, 2017: *Provided further*, That, in making continuation grant awards under subpart 2 of chapter 1 of part A of title IV of the HEA with funds appropriated by this Act, the Secretary shall issue continuation notifications no later than August 1, 2017.

HOWARD UNIVERSITY

For partial support of Howard University, $221,821,000, 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, 2018: *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 $282,212,885: *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, 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, $605,267,000, which shall remain available through September 30, 2018: *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, $432,000,000, of which up to $1,000,000, to remain available until expended, may be for relocation of, and renovation of buildings occupied by, Department staff: *Provided*, That $2,000,000 of the unobligated funds available under this heading and ''Student Aid Administration'' in this and prior appropriations acts that may be used for travel, printing, supplies and other administrative expenses shall be available for obligation for the Ready to Learn program.

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, $108,500,000.

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, $59,256,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing, or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. 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. 304. 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. 305. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting ''2017'' for ''2016''.

SEC. 306. Funds appropriated in this Act and consolidated for evaluation purposes under section 8601(c) of the ESEA shall be available from July 1, 2017, through September 30, 2018.

SEC. 307. (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 2017 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. 308. Section 114(f) of the HEA (20 U.S.C. 1011c(f)) is amended by striking ''2016'' and inserting ''2017''.

SEC. 309. Section 458(a) of the HEA (20 U.S.C. 1087h(a)) is amended in paragraph (4) by striking ''2016'' and inserting ''2017''.

(INCLUDING RESCISSION)

SEC. 310. (a) Section 401(b) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)) is amended by adding at the end the following:

''(8)(A) Effective in the 2017–2018 award year and thereafter, the Secretary shall award an eligible student not more than one and one-half Federal Pell Grants during a single award year to permit such student to work toward completion of an eligible program if, during that single award year, the student—

''(i) has received a Federal Pell Grant for an award year and is enrolled in an eligible program for one or more additional payment periods during the same award year that are not otherwise fully covered by the student's Federal Pell Grant; and

''(ii) is enrolled on at least a half-time basis while receiving any funds under this section.

''(B) In the case of a student receiving more than one Federal Pell Grant in a single award year under subparagraph (A), the total amount of Federal Pell Grants awarded to such student for the award year may exceed the maximum basic grant level specified in the appropriate appropriations Act for such award year.

''(C) Any period of study covered by a Federal Pell Grant awarded under subparagraph (A) shall be included in determining a student's duration limit under subsection (c)(5).

''(D) In any case where an eligible student is receiving a Federal Pell Grant for a payment period that spans two award years, the Secretary shall allow the eligible institution in which the student is enrolled to determine the award year to which the additional period shall be assigned, as it determines is most beneficial to students.''.

(b) Section 401(b)(7)(A)(iv)(VII) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(VII)) is amended by striking ''$1,574,000,000'' and inserting ''$1,320,000,000''.

(RESCISSION)

SEC. 311. Of the unobligated balances available from Public Law 114–113 under the heading ''Student Financial Assistance'' for carrying out subpart 1 of part A of title IV of the HEA, $1,310,000,000 are hereby rescinded.

This title may be cited as the ''Department of Education Appropriations Act, 2017''.

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 established under section 8502 of title 41, United States Code, $8,000,000:

Provided, That in order to authorize any central nonprofit agency designated pursuant to section 8503(c) of title 41, United States Code, to perform contract 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 entered into under the preceding proviso 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 this heading in the explanatory statement accompanying Public Law 114–113: *Provided further*, That a fee may not be charged under section 51–3.5 of title 41, Code of Federal Regulations, unless such fee is under the terms of the written agreement between the Committee and any such central nonprofit agency: *Provided further*, That no less than $1,000,000 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''), $736,029,000, 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) $16,538,000 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) $30,000,000 shall be available to carry out subtitle E of the 1990 Act; and (4) $3,800,000 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, $206,842,000, 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, $81,737,000.

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 2017, 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.

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 2019, $445,000,000: *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: *Provided further*, That none of the funds made available to CPB by this Act shall be used to support the Television Future Fund or any similar purpose.

In addition, for the costs associated with replacing and upgrading the public broadcasting interconnection system, $50,000,000.

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, $46,650,000, including up to $900,000 to remain available through September 30, 2018, 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, $231,000,000.

MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, $7,765,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $11,925,000, 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, $3,250,000.

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. 406. 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, $13,800,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

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

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $25,000,000, which shall include amounts becoming available in fiscal year 2017 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, 2018, 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, $113,500,000, 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.

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 $10,000,000, 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, $11,400,000.

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, $43,618,163,000, 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 $58,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act, and remain available through September 30, 2019.

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 2018, $15,000,000,000, 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 $12,357,945,000 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 $2,300,000 shall be for the Social Security Advisory Board: *Provided further*, That, $90,000,000 to remain available through September 30, 2018, shall be used for activities to address the hearing backlog within the Office of Disability Adjudication and Review: *Provided further*, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2017 not needed for fiscal year 2017 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further*, That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: *Provided further*, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

Of the total amount made available under this heading, not more than $1,819,000,000, to remain available through March 31, 2018, 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 $1,546,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act: *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, $123,000,000 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. To the extent that the amounts collected pursuant to such sections in fiscal year 2017 exceed $123,000,000, the amounts shall be available in fiscal year 2018 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, $29,787,000, together with not to exceed $75,713,000, 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 2017, 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 2017, 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 2017 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 2017 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 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2017, 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. 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. 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 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. 523. 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. 524. 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. 525. (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 2017'' for ''FISCAL YEAR 2014'' in the title of subsection (b) and by substituting ''September 30, 2021'' 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, and section 525 of division H of Public Law 114–113.

(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. 526. Not later than 30 days after the end of each calendar quarter, beginning with the first quarter of fiscal year 2013, 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 quarterly report on the status of balances of appropriations: *Provided*, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the quarterly 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. 527. Section 5 of the Special Olympics Sport and Empowerment Act of 2004 (Public Law 108–406; 118 Stat. 2296) is amended—

(1) in paragraph (1), by striking all that follows after ''3(a),'' and inserting ''such sums as may be necessary for fiscal year 2017 and each of the 4 succeeding fiscal years;'';

(2) in paragraph (2), by striking all that follows after ''3(b),'' and inserting ''such sums as may be necessary for fiscal year 2017 and each of the 4 succeeding fiscal years; and''; and

(3) in paragraph (3), by striking all that follows after ''3(c),'' and inserting ''such sums as may be necessary for fiscal year 2017 and each of the 4 succeeding fiscal years.''.

(RESCISSION)

SEC. 528. Of the funds made available for fiscal year 2017 under section 3403 of Public Law 111–148, $15,000,000 are rescinded.

SEC. 529. Amounts deposited in the Child Enrollment Contingency Fund from the appropriation to the Fund for the first semi-annual allotment period for fiscal year 2017 under section 2104(n)(2)(A)(ii) of the Social Security Act and the income derived from investment of those funds pursuant to section 2104(n)(2)(C) of that Act, shall not be available for obligation in this fiscal year.

(RESCISSION)

SEC. 530. Of any available amounts appropriated under section 108 of Public Law 111–3, as amended, $541,900,000 are hereby rescinded.

(RESCISSION)

SEC. 531. Of the funds made available for purposes of carrying out section 2105(a)(3) of the Social Security Act, $5,750,000,000 are hereby rescinded.

(RESCISSION)

SEC. 532. Of any available amounts appropriated under section 301(b)(3) of Public Law 114-10, $1,132,000,000 are hereby rescinded.

SEC. 533. As of the date of enactment of this Act, section 170(b) of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114-254), shall no longer have any force or effect: *Provided*, That any amounts made available pursuant to that section of that Act as of the date of enactment of this Act shall remain available until September 30, 2017: *Provided further*, That if any amounts made available pursuant to that section of that Act remain unobligated as of the date of enactment of this Act, then the balances available from those amounts shall be hereby rescinded immediately upon enactment of this Act.

This division may be cited as the ''Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2017''.

DIVISION I—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

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;

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, $174,840.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

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, $182,287,812, which shall be paid from this appropriation as follows:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $2,417,248.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $723,466.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $5,255,576.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $3,359,424.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $15,142,000.

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, $1,658,000 for each such committee; in all, $3,316,000.

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, $817,402.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,692,905 for each such committee; in all, $3,385,810.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $436,886.

OFFICE OF THE SECRETARY

For Office of the Secretary, $24,772,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $70,900,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,810,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $49,952,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $5,808,500.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,120,000.

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, 2019.

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, $10,250,000 of which $4,350,000 shall remain available until September 30, 2021 and of which $4,000,000 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, $126,535,000, which shall remain available until September 30, 2021.

MISCELLANEOUS ITEMS

For miscellaneous items, $20,870,349 which shall remain available until September 30, 2019.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $390,000,000 of which $19,109,218 shall remain available until September 30, 2019.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 1. 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).

AUTHORITY FOR TRANSFER OF FUNDS

SEC. 2. Section 3(c)(3) of the Legislative Branch Appropriations Act, 2004 (2 USC 2108(c)(3)) is amended—

(1) in the paragraph heading, by striking ''**and disbursements**'' and inserting ''**disbursements, and transfers**''; and

(2) by adding at the end the following:

''(D) TRANSFERS.—

''(i) IN GENERAL.—The Commission may, for individual conservation or restoration projects estimated to cost greater than $100,000, transfer amounts in the fund to the Architect of the Capitol for the cost of conservation or restoration, in whole or in part, by the Architect of the Capitol of works of art, historical objects, documents, or material relating to historical matters placed or exhibited, or to be placed or exhibited, within the Senate wing of the United States Capitol or any Senate Office Building.

''(ii) AVAILABILITY.—Amounts transferred to the Architect of the Capitol under clause (i) and not subject to return under clause (v) shall remain available until expended.

''(iii) APPROVAL AND OVERSIGHT OF CONSERVATION OR RESTORATION.—Before authorizing transfers under clause (i), in whole or in part, the Commission, or the chairman and vice chairman acting jointly on behalf of the Commission and after giving notice to the Commission, shall review and approve a conservation or restoration project for which such amounts are intended (referred to in this section as the 'Project'). The Commission may require updated reports on the Project before any additional amounts are transferred for the Project. No disbursements may be made from funds transferred under clause (i) that are inconsistent with the Project approved by the Commission upon which the relevant transfer is based.

''(iv) ACCEPTANCE OF DONATIONS.—The Commission retains the discretion whether or not to approve the acceptance of any donation to the fund regardless of whether the donation is intended for a conservation or restoration Project under clause (i).

''(v) ISSUANCE OF GUIDELINES.—The Commission may prescribe such guidelines as it deems necessary for the approval and transfer of any amounts under clause (i) and the return of any undisbursed amounts.

''(vi) RETURN OF UNUSED FUNDS.—The Commission may require the return of amounts transferred to the Architect of the Capitol under clause (i) and not disbursed pursuant to an approved Project within five years of the transfer. Such amounts will be returned to the fund for use or disposition as the Commission shall determine appropriate. For purposes of this subsection, the Commission may, at any time, specify a date of return greater than five years from the transfer.

''(vii) DISBURSEMENT AND AUDIT RESPONSIBILITY.—Once amounts are transferred pursuant to clause (i), disbursements from transferred funds shall be made by the Architect of the Capitol upon review of vouchers by the Architect of the Capitol and not subject to the audit provisions of clause (c)(6) of this section. Such disbursements shall be limited to purposes for which funds may be disbursed pursuant to this section.

''(viii) TERMINATION.—The authority to transfer amounts to the Architect of the Capitol under clause (i) shall expire ten years after the date of its initial enactment. Any amounts transferred prior to the termination of authority to transfer may continue to be expended in accordance with this section.''.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $1,189,050,766, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $22,278,891, including: Office of the Speaker, $6,645,417, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,180,048, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $7,114,471, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy

Majority Whip, $1,886,632, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,459,639, including $5,000 for official expenses of the Minority Whip; Republican Conference, $1,505,426; Democratic Caucus, $1,487,258: *Provided*, That such amount for salaries and expenses shall remain available from January 3, 2017 until January 2, 2018.

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, $562,632,498.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $127,053,373: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2018, except that $3,150,200 of such amount shall remain available until expended for committee room upgrading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $23,271,004, 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, 2018.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $181,487,000, 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, $26,268,000; 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, $15,505,000, of which $5,618,902 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, $117,165,000, of which $2,120,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $4,963,000; for salaries and expenses of the Office of the General Counsel, $1,444,000; 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, $1,999,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $3,167,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $8,979,000; for salaries and expenses of the Office of Interparliamentary Affairs, $814,000; and for other authorized employees, $1,183,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $272,328,000, including: supplies, materials, administrative costs and Federal tort claims, $3,625,000; 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, $245,334,000, to remain available until March 31, 2018; Business Continuity and Disaster Recovery, $16,217,000, of which $5,000,000 shall remain available until expended; transition activities for new Members and staff $2,084,000, to remain available until expended; Wounded Warrior Program $2,500,000, to remain available until expended; Office of Congressional Ethics, $1,658,000; 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, $720,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 101. (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 2017. Any amount remaining after all payments are made under such allowances for fiscal year 2017 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) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—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.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 102. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

DELIVERY OF CONGRESSIONAL RECORD

SEC. 103. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 104. 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.

LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 105. None of the funds made available by this Act may be used to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

DELIVERY OF REPORTS OF DISBURSEMENTS

SEC. 106. None of the funds made available by this Act may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

DELIVERY OF DAILY CALENDAR

SEC. 107. None of the funds made available by this Act may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy of the Daily Calendar of the House of Representatives which is prepared by the Clerk of the House of Representatives.

DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

SEC. 108. None of the funds made available by this Act may be used to deliver a printed copy of the Congressional Pictorial Directory to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

DELIVERY OF HOUSE TELEPHONE DIRECTORY

SEC. 109. None of the funds made available by this Act may be used to deliver a printed copy of the United States House of Representatives Telephone Directory to the office of any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

OVERSEAS TRAVEL TO ACCOMPANY MEMBERS OF HOUSE LEADERSHIP

SEC. 110. (a) TRAVEL AUTHORIZED.—

(1) IN GENERAL.—A member of the Capitol Police may travel outside of the United States for official duty if—

(A) that travel is with, or in preparation for, travel of a Member of the House of Representatives who holds a position in a House Leadership Office, including travel of the Member as part of a congressional delegation; and

(B) the Sergeant at Arms of the House of Representatives gives prior approval to the travel of the member of the Capitol Police.

(2) DEFINITIONS.—In this subsection—

(A) the term ''House Leadership office'' means an office of the House of Representatives for which the appropriation for salaries and expenses of the office for the year involved is provided under the heading ''House Leadership Offices'' in the act making appropriations for the Legislative Branch for the fiscal year involved;

(B) the term ''Member of the House of Representatives'' includes a Delegate or Resident Commissioner to the Congress; and

(C) the term ''United States'' means each of the several States of the United States, the District of Columbia, and the territories and possessions of the United States.

(b) REIMBURSEMENT FROM SERGEANT AT ARMS.—

(1) IN GENERAL.—From amounts made available for salaries and expenses of the Office of the Sergeant at Arms of the House of Representatives, the Sergeant at Arms of the House of Representatives shall reimburse the Capitol Police for the overtime pay, travel, and related expenses of any member of the Capitol Police who travels under the authority of this section.

(2) USE OF AMOUNTS RECEIVED.—Any amounts received by the Capitol Police for reimbursements under paragraph (1) shall be credited to the accounts established for the general expenses or salaries of the Capitol Police, and shall be available to carry out the purposes of such accounts during the fiscal year in which the amounts are received and the following fiscal year.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

DELIVERY OF PRINTED BUDGET

SEC. 111. None of the funds made available by this Act may be used to deliver a printed

copy of the Budget of the United States Government; Analytical Perspectives, Budget of the United States Government; or the Appendix, Budget of the United States Government, to the office of any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

DELIVERY OF PRINTED FEDERAL REGISTER

SEC. 112. None of the funds made available by this Act may be used to deliver a printed copy of the Federal Register to a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

CYBERSECURITY ASSISTANCE FOR HOUSE OF REPRESENTATIVES

SEC. 113. 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.

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 COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $10,095,000, 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) $2,780,000 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, $3,838,000, 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, $1,429,000, 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, $325,300,000 of which overtime shall not exceed $36,805,000 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, $68,000,000, 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 2017 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISION

AUTHORITY TO DISPOSE OF FORFEITED AND ABANDONED PROPERTY AND TO ACCEPT SURPLUS OR OBSOLETE PROPERTY OFFERED BY OTHER FEDERAL AGENCIES

SEC. 1001. (a) Section 1003(a) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1906(a)) is amended by striking ''surplus or obsolete property of the Capitol Police'' and inserting the following: ''surplus or obsolete property of the Capitol Police, and property which is in the possession of the Capitol Police because it has been disposed, forfeited, voluntarily abandoned, or unclaimed,''.

(b) Upon notifying the Committees of Appropriations of the House of Representatives and Senate, the United States Capitol Police may accept surplus or obsolete property offered by another Federal department, agency, or office.

(c) This section and the amendment made by this section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $3,959,000, of which $450,000 shall remain available until September 30, 2018: *Provided*, That not more than $500 may be expended on the certification of the Executive Director of the Office of Compliance 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, $46,500,000.

ADMINISTRATIVE PROVISION

ESTABLISHMENT OF SENIOR LEVEL POSITIONS

SEC. 1101. (a) Notwithstanding the fourth sentence of section 201(b) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 601(b)), the Director of the Congressional Budget Office may establish and fix the compensation of senior level positions in the Congressional Budget Office to meet critical scientific, technical, professional, or executive needs of the Office.

(b) LIMITATION ON COMPENSATION.—The annual rate of pay for any position established under this section may not exceed the annual rate of pay for level II of the Executive Schedule.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

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, $92,957,000, of which $1,368,000 shall remain available until September 30, 2021.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $32,584,000, of which $8,584,000 shall remain available until September 30, 2021.

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, $12,826,000, of which $2,946,000 shall remain available until September 30, 2021.

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, $88,406,000, of which $27,944,000 shall remain available until September 30, 2021.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $185,731,000, of which $61,404,000 shall remain available until September 30, 2021, and of which $62,000,000 shall remain available until expended for the restoration and renovation of the Cannon House Office Building.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, $17,000,000, to remain available until expended.

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, $86,646,000, of which $9,505,000 shall remain available until September 30, 2021: *Provided*, That not more than $9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2017.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $47,080,000, of which $22,137,000 shall remain available until September 30, 2021.

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, $20,033,000, of which $2,500,000 shall remain available until September 30, 2021.

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, $14,067,000, of which $4,054,000 shall remain available until September 30, 2021: *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, $20,557,000.

ADMINISTRATIVE PROVISIONS

NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 1201. 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.

SCRIMS

SEC. 1202. None of the funds made available by this Act may be used for scrims containing photographs of building facades during restoration or construction projects performed by the Architect of the Capitol.

FLAG OFFICE REVOLVING FUND

SEC. 1203. (a) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund to be known as the ''Flag Office Revolving Fund'' (in this section referred to as the ''Fund'') for services provided by the Flag Office of the Architect of the Capitol (in this section referred to as the ''Flag Office'').

(b) DEPOSIT OF FEES.—The Architect of the Capitol shall deposit any fees charged for services described in subsection (a) into the Fund.

(c) CONTENTS OF FUND.—The Fund shall consist of the following amounts:

(1) Amounts deposited by the Architect of the Capitol under subsection (b).

(2) Any other amounts received by the Architect of the Capitol which are attributable to services provided by the Flag Office.

(3) Such other amounts as may be appropriated under law.

(d) USE OF AMOUNTS IN FUND.—Amounts in the Fund shall be available for disbursement by the Architect of the Capitol, without fiscal year limitation, for expenses in connection with the services provided by the Flag Office, including—

(1) supplies, inventories, equipment, and other expenses;

(2) the reimbursement of any applicable appropriations account for amounts used from such appropriations account to pay the salaries of employees of the Flag Office; and

(3) amounts necessary to carry out the authorized levels in the Fallen Heroes Flag Act of 2016.

USE OF EXPIRED FUNDS FOR UNEMPLOYMENT COMPENSATION PAYMENTS

SEC. 1204. (a) Available balances of expired Architect of the Capitol appropriations shall be available to the Architect of the Capitol for reimbursing the Federal Employees Compensation Account (as established by section 909 of the Social Security Act) for any amounts paid with respect to unemployment compensation payments for former employees of the Architect of the Capitol, notwithstanding any other provision of law, without regard to the fiscal year for which the obligation to make such payments is incurred.

(b) This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

ARCHITECT OF THE CAPITOL CONTRACTING

SEC. 1205. In addition to recourses available under current policies and procedures, the Architect of the Capitol shall establish, document, and follow policies and procedures for suspension and debarment of firms or individuals the Architect has determined should be excluded from future contracts. The Architect shall provide for notice to other government agencies of suspension or debarment actions taken via the government-wide excluded parties system administered by the General Services Administration. The Architect shall consult the list of excluded parties when making responsibility determinations prior to the award of any contract.

AUTHORITY FOR A HOUSE OFFICE BUILDINGS SHUTTLE

SEC. 1206. (a) The proviso in the item relating to ''Capitol Grounds'' in title VI of the Legislative Branch Appropriations Act, 1977 (90 Stat. 1453; 2 U.S.C. 2163) is amended by striking ''appropriated under this heading'' and inserting ''appropriated for any available account of the Architect of the Capitol''.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

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; 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, $457,017,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2017, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2017 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *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 $6,350,000: *Provided further*, That of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, $8,444,000 shall remain available until expended for the digital collections and educational curricula program: *Provided further*, That of the total amount appropriated, $1,300,000 shall remain available until expended for upgrade of the Legislative Branch Financial Management System: *Provided further*, That of the total amount appropriated, $4,039,000 shall remain available until September 30, 2019 to complete the first of three phases of the shelving replacement in the Law Library's collection storage areas.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, $68,825,000, of which not more than $33,619,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2017 under section 708(d) 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 $5,929,000 shall be derived from collections during fiscal year 2017 under sections 111(d)(2), 119(b)(3), 803(e), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $39,548,000: *Provided further*, That $6,179,000 shall be derived from prior year unobligated balances: *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, $107,945,234: *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.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

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), $50,248,000: *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 PROVISIONS

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1301. (a) IN GENERAL.—For fiscal year 2017, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $188,188,000.

(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.

LIBRARY OF CONGRESS NATIONAL COLLECTION STEWARDSHIP FUND

SEC. 1302. (a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States, as an account for the Librarian of Congress, the ''Library of Congress National Collection Stewardship Fund'' (hereafter in this section referred to as the ''Fund'').

(b) CONTENTS OF FUND.—The Fund shall consist of the following amounts:

(1) Such amounts as may be transferred by the Librarian from available amounts appropriated for any fiscal year for the Library of Congress under the heading ''Salaries and Expenses''.

(c) USE OF AMOUNTS.—Amounts in the Fund may be used by the Librarian as follows:

(1) The Librarian may use amounts directly for the purpose of preparing collection materials of the Library of Congress for long-term storage.

(2) The Librarian may transfer amounts to the Architect of the Capitol for the purpose of designing, constructing, altering, upgrading, and equipping collections preservation and storage facilities for the Library of Congress, or for the purpose of acquiring real property by lease for the preservation and storage of Library of Congress collections in accordance with section 1102 of the Legislative Branch Appropriations Act, 2009 (2 U.S.C. 1823a).

(d) CONTINUING AVAILABILITY OF FUNDS.—Any amounts in the Fund shall remain available until expended.

(e) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the Librarian shall submit a joint report on the Fund to the Joint Committee on the Library and the Committees on Appropriations of the House of Representatives and Senate.

(f) INITIAL 5–YEAR PLAN.—Not later than 6 months after the date of the enactment of this Act, the Librarian shall submit to the Joint Committee on the Library and the Committees on Appropriations of the House of Representatives and Senate a report providing a plan for expenditures from the Fund for the first 5 fiscal years of the Fund's operation.

(g) NOTIFICATION OF TRANSFERS.—Prior to any transfer into the Fund, the Librarian shall notify the Joint Committee on the Library and the Committees on Appropriations of the House and the Senate of the amount and origin of funds to be transferred.

(h) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); 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, $79,736,000: *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 any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and 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 and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $29,500,000: *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 2015 and 2016 to depository and other designated libraries: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, $7,832,000, 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, $544,505,919: *Provided*, That, in addition, $23,350,000 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), $5,600,000: *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 2017 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.

(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.

COMPUTER NETWORK ACTIVITY

SEC. 208. (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 to carry out criminal investigations, prosecution, or adjudication activities, or for any committee or other entity of Congress to carry out investigations or reports on any matter, or for the Library of Congress or the Copyright Office to carry out any of its responsibilities under law.

This division may be cited as the ''Legislative Branch Appropriations Act, 2017''.

DIVISION J—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2017

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, $6,147,254,000, of which up to $637,166,000 may remain available until September 30, 2018, and of which up to $1,899,479,000 may remain available until expended for Worldwide Security Protection: *Provided*, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, $2,529,387,000, of which up to $463,417,000 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, $1,401,847,000.

(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, $757,713,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $1,458,307,000, of which up to $1,436,062,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

(B) not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

(6) TRANSFER OF FUNDS, REPROGRAMMING, AND OTHER MATTERS.—

(A) Notwithstanding any other provision of this Act, funds may be reprogrammed within and between paragraphs (1) through (4) under this heading subject to section 7015 of this Act.

(B) Of the amount made available under this heading, not to exceed $10,000,000 may be transferred to, and merged with, funds made available by this Act under the heading ''Emergencies in the Diplomatic and Consular Service'', to be available only for emergency evacuations and rewards, as authorized.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to section 1108(g) of title 31, United States Code, for the field examination of programs and activities in the United States funded from any account contained in this title.

(D) Funds appropriated under this heading may be made available for Conflict Stabilization Operations and for related reconstruction and stabilization assistance to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife.

(E) Funds appropriated under this heading in this Act that are designated for Worldwide Security Protection shall continue to be made available for support of security-related training at sites in existence prior to the enactment of this Act.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, as authorized, $12,600,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $87,069,000, notwithstanding section 209(a)(1) of the Foreign Service Act

of 1980 (Public Law 96–465), as it relates to post inspections: *Provided*, That of the funds appropriated under this heading, $13,060,000 may remain available until September 30, 2018.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $634,143,000, to remain available until expended, of which not less than $240,000,000 shall be for the Fulbright Program and not less than $111,360,000 shall be for Citizen Exchange Program, including $4,125,000 for the Congress-Bundestag Youth Exchange: *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 Department of State-designated sponsors may not issue a Form DS–2019 (Certificate of Eligibility for Exchange Visitor (J–1) Status) to place student participants in seafood product preparation or packaging positions in the Summer Work Travel program in fiscal year 2017 unless prior to issuing such Form the sponsor provides to the Secretary of State a description of such program and verifies in writing to the Secretary that such program fully complies with part 62 of title 22 of the Code of Federal Regulations, notwithstanding subsection 62.32(h)(16) of such part, and with the requirements specified in Senate Report 114–290: *Provided further*, That any substantive modifications from the prior fiscal year to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

REPRESENTATION EXPENSES

For representation expenses as authorized, $8,030,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $30,344,000, to remain available until September 30, 2018.

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 buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $759,161,000, to remain available until expended, of which not to exceed $25,000 may be used for domestic and 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, $358,698,000, to remain available until expended: *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations the proposed allocation of funds made available under this heading and the actual and anticipated proceeds of sales for all projects in fiscal year 2017.

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, $7,900,000, 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'', subject to the same terms and conditions.

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 $2,433,545.

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, $1,320,000, 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, $1,262,966,000: *Provided*, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further*, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: *Provided further*, That not later than June 1, 2017, and 30 days after the end of fiscal year 2017, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including from the United Nations Tax Equalization Fund, and provide updated fiscal year 2017 and fiscal year 2018 assessment costs including offsets from available credits and updated foreign currency exchange rates: *Provided further*, That any such credits shall only be available for United States assessed contributions to the United Nations regular budget, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs including offsets from available credits and updated foreign currency exchange rates: *Provided further*, That any payment of arrearages under this heading shall be directed to activities that are mutually agreed upon by the United States and the respective international organization and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $552,904,000, of which 15 percent shall remain available until September 30, 2018: *Provided*, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified of: (1) the estimated cost and duration of the mission, the objectives of the mission, the national interest that will be served, and the exit strategy; and (2) the sources of funds, including any reprogrammings or transfers, that will be used to pay the cost of the new or expanded mission, and the estimated cost in future fiscal years: *Provided further*, That none of the funds appropriated under this heading may be made available for obligation unless the Secretary of State certifies and reports to the Committees on Appropriations on a peacekeeping mission-by-mission basis that the United Nations is implementing effective policies and procedures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation and abuse or other violations of human rights, and to bring to justice 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 Web site of the United Nations: *Provided further*, That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: *Provided further*, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that United States manufacturers and suppliers are not being given opportunities to provide

equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interest of the United States and the President has submitted to Congress such a recommendation: *Provided further*, That not later than June 1, 2017, and 30 days after the end of fiscal year 2017, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including those resulting from United Nations peacekeeping missions or the United Nations Tax Equalization Fund, and provide updated fiscal year 2017 and fiscal year 2018 assessment costs including offsets from available credits: *Provided further*, That any such credits shall only be available for United States assessed contributions to United Nations peacekeeping missions, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs including offsets from available credits: *Provided further*, That any payment of arrearages with funds appropriated by this Act shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall work with the United Nations and members of the United Nations Security Council to evaluate and prioritize peacekeeping missions, and to consider a draw down when mission goals have been substantially achieved.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation expenses; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $48,134,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $29,400,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by the North American Free Trade Agreement Implementation Act (Public Law 103–182), $12,258,000: *Provided*, That of the amount provided under this heading for the International Joint Commission, up to $500,000 may remain available until September 30, 2018, and $9,000 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, $37,502,000: *Provided*, That the United States share of such expenses may be advanced to the respective commissions pursuant to section 3324 of title 31, United States Code.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the Broadcasting Board of Governors (BBG), as authorized, to carry out international communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, $772,108,000: *Provided*, That in addition to amounts otherwise available for such purposes, up to $32,501,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $13,800,000 shall be for Internet freedom programs: *Provided further*, That of the total amount appropriated under this heading, not to exceed $35,000 may be used for representation expenses, of which $10,000 may be used for such expenses within the United States as authorized, and not to exceed $30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty: *Provided further*, That the BBG shall notify the Committees on Appropriations within 15 days of any determination by the BBG that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in subsections (a) and (b) of section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity's journalistic code of ethics: *Provided further*, That significant modifications to BBG broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all BBG language services shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to $5,000,000 in receipts from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television, and digital transmission and reception; the purchase, rent, and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide, in addition to amounts otherwise available for such purposes, $9,700,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), $17,000,000, to remain available until expended.

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.), $37,884,000, to remain available until September 30, 2018, 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, 2017, 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, 2017, 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), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2017, 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.

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), $170,000,000, to remain available until expended, of which $117,500,000 shall be allocated in the traditional and customary manner, including for the core institutes, and $52,500,000 shall be for democracy programs.

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, $888,000, 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, 2017: *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, as authorized by title II of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.), $3,500,000, to remain available until September 30, 2018, including not more than $4,000 for representation expenses.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $2,579,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2018.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911 et seq.), $2,000,000, including not more than $3,000 for representation expenses, to remain available until September 30, 2018.

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, 2018: *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 2017 and shall apply to funds appropriated under this heading as if included in this Act.

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, $1,204,609,000, of which up to $180,691,000 may remain available until September 30, 2018: *Provided*, That none of the funds appropriated under this heading and under the heading ''Capital Investment Fund'' in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: *Provided further*, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to ''Operating Expenses'' in accordance with the provisions of those sections: *Provided further*, That of the funds appropriated or made available under this heading, not to exceed $250,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses, and not to exceed $100,500 shall be for official residence expenses, for USAID during the current fiscal year.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $174,985,000, 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, $67,600,000, of which up to $10,140,000 may remain available until September 30, 2018, 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, $3,054,950,000, to remain available until September 30, 2018, and which shall be apportioned directly to the United States Agency for International Development: *Provided*, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; (7) programs to prevent, prepare for, and respond to, unanticipated and emerging global health threats; and (8) family planning/reproductive health: *Provided further*, That funds appropriated under this paragraph may be made available for a United States contribution to the GAVI Alliance: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: *Provided further*, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds made available under this Act may be used to lobby for or against abortion: *Provided further*, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That

for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term ''motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $5,670,000,000, to remain available until September 30, 2021, which shall be apportioned directly to the Department of State: *Provided*, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), as amended, for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That the amount of such contribution should be $1,350,000,000: *Provided further*, That section 202(d)(4)(A)(i) and (vi) of Public Law 108–25, as amended, shall be applied with respect to such funds made available for fiscal years 2015 through 2017 by substituting ''2004'' for ''2009'': *Provided further*, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2017 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, $2,995,465,000, to remain available until September 30, 2018.

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, $498,483,000, to remain available until expended.

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, $35,600,000, to remain available until expended, to support transition to democracy and long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the Secretary of State determines that it is important to the national interest of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

COMPLEX CRISES FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to support programs and activities to prevent or respond to emerging or unforeseen foreign challenges and complex crises overseas, $10,000,000, 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 subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days prior to the obligation of funds.

DEVELOPMENT CREDIT AUTHORITY

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to $50,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading ''Assistance for Europe, Eurasia and Central Asia'': *Provided*, That funds provided under this paragraph and funds provided as a gift that are used for purposes of this paragraph pursuant to section 635(d) of the Foreign Assistance Act of 1961 shall be made available only for micro- and small enterprise programs, urban programs, and other programs which further the purposes of part I of such Act: *Provided further*, That funds provided as a gift that are used for purposes of this paragraph shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further*, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, and funds used for such cost, including if the cost results in a negative subsidy, shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading, except that the principal amount of loans made or guaranteed under this heading with respect to any single country shall not exceed $300,000,000: *Provided further*, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $1,750,000,000.

In addition, for administrative expenses to carry out credit programs administered by USAID, $10,000,000, which may be transferred to, and merged with, funds made available under the heading ''Operating Expenses'' in title II of this Act: *Provided*, That funds made available under this heading shall remain available until September 30, 2019.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $1,041,761,000, to remain available until September 30, 2018.

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), $145,375,000, to remain available until September 30, 2018, which shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State: *Provided*, That funds appropriated under this heading that are made available to the National Endowment for Democracy and its core institutes are in addition to amounts otherwise available by this Act for such purposes: *Provided further*, That the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall consult with the Committees on Appropriations prior to the obligation of funds appropriated under this paragraph.

For an additional amount for such purposes, $65,125,000, to remain available until September 30, 2018, which shall be made available for the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act (Public Law 102–511), and the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179), $291,638,000, to remain available until September 30, 2018, which shall be available, notwithstanding any other provision of law, except section 7070 of this Act, for assistance and related programs for countries identified in section 3 of Public Law 102–511 and section 3(c) of Public Law 101–179, in addition to funds otherwise available for such purposes: *Provided*, That funds appropriated by this Act under the headings ''Global Health Programs'' and ''Economic Support Fund'' that are made available for assistance for such countries shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 102 of Public Law 102–511 and section 601 of Public Law 101–179: *Provided further*, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $912,802,000, to remain available until expended, of which not less than $35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements, and $7,500,000 shall be made available for refugees resettling in Israel.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $10,000,000, to remain available until expended.

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, $410,000,000, of which $5,500,000 is for the Office of Inspector General, to remain available until September 30, 2018: *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 any decision to open, close, significantly reduce, or suspend a domestic or overseas office or country program shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, except that prior consultation and regular notification procedures may be waived when there is a substantial security risk to volunteers or other Peace Corps personnel, pursuant to section 7015(e) of this Act: *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 (MCC): *Provided further*, That up to 5 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the MCA for fiscal year 2017: *Provided further*, That section 605(e) of the MCA shall apply to funds appropriated under this heading: *Provided further*, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: *Provided further*, That the MCC Chief Executive Officer shall notify the Committees on Appropriations not later than 15 days prior to commencing negotiations for any country compact or threshold country program; signing any such compact or threshold program; or terminating or suspending any such compact or threshold program: *Provided further*, That funds appropriated under this heading by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are available to implement section 609(g) of the MCA shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That no country should be eligible for a threshold program after such country has completed a country compact: *Provided further*, That any funds that are deobligated from a Millennium Challenge Compact shall be subject to the regular notification procedures of the Committees on Appropriations prior to re-obligation: *Provided further*, That notwithstanding section 606(a)(2) of the MCA, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: *Provided further*, That notwithstanding section 606(b)(1) of the MCA, in addition to countries described in the preceding proviso, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is not among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: *Provided further*, That any MCC candidate country under section 606 of the MCA with a per capita income that changes in the fiscal year such that the country would be reclassified from a low income country to a lower middle income country or from a lower middle income country to a low income country shall retain its candidacy status in its former income classification for the fiscal year and the 2 subsequent fiscal years: *Provided further*, That publication in the Federal Register of a notice of availability of a copy of a Compact on the MCC Web site shall be deemed to satisfy the requirements of section 610(b)(2) of the MCA for such Compact: *Provided further*, That none of the funds made available by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be available for a threshold program in a country that is not currently a candidate country: *Provided further*, That of the funds appropriated under this heading, not to exceed $100,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $22,500,000, to remain available until September 30, 2018: *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 title V of the International Security and Development Cooperation Act of 1980 (Public Law 96–533), $30,000,000, to remain available until September 30, 2018, 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 Committees on Appropriations 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 September 30, 2019, which shall be available notwithstanding any other provision of law.

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, $889,664,000, to remain available until September 30, 2018: *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, and other judicial authorities, utilizing regional partners: *Provided further*, That not less than $72,565,000 of the funds appropriated under this heading shall be transferred to, and merged with, funds appropriated by this Act under the heading ''Assistance for Europe, Eurasia and Central Asia'', which shall be available for the same purposes as funds appropriated under this heading: *Provided further*, That of the funds appropriated under this heading, not less than $7,000,000 shall be made available, on a competitive basis, for rule of law programs for transitional and post-conflict states, and for activities to coordinate rule of law programs among foreign governments, international and nongovernmental organizations, and other United States Government agencies: *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, $500,696,000, to remain available until September 30, 2018, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act, or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): *Provided*, That the Secretary of State shall inform the appropriate congressional committees of information regarding any separate arrangements relating to the ''Road-map for the Clarification of Past and Present Outstanding Issues Regarding Iran's Nuclear Program'' between the IAEA and the Islamic Republic of Iran, in classified form if necessary, if such information becomes known to the Department of State: *Provided further*, That for the clearance of unexploded ordnance, the Secretary of State should prioritize those areas where such ordnance was caused by the United States: *Provided further*, 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, $135,041,000: *Provided*, That funds appropriated under this heading may be used, notwithstanding section 660 of such Act, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: *Provided further*, That of the funds appropriated under this heading, not less than $34,500,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: *Provided further*, That none of the funds appropriated under this heading shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $110,300,000, of which up to $6,000,000 may remain available until September 30, 2018: *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 $55,000 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, $4,785,805,000: *Provided*, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: *Provided further*, That of the funds appropriated under this heading, not less than $3,100,000,000 shall be available for grants only for Israel: *Provided further*, That funds appropriated under this heading for grants only for Israel in fiscal year 2017 shall be disbursed within 30 days of enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than $815,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That none of the funds made available under this heading shall be made available to support or continue any program initially funded under the authority of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), section 2282 of title 10, United States Code, section 333 of title 10, United States Code, as added by section 1241 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), or any successor authorities, unless the Secretary of State, in coordination with the Secretary of Defense, has justified such program to the Committees on Appropriations: *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 $80,000,000 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 $920,200,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2017 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the

United Nations Environment Program Participation Act of 1973, $339,000,000: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $146,563,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,197,128,000, to remain available until expended.

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, $5,963,421, to remain available until expended.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $21,939,727, 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, $99,233,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $32,418,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $507,860,808.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, $214,332,000, 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 expended.

GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

For payment to the Global Agriculture and Food Security Program by the Secretary of the Treasury, $23,000,000, to remain available until expended.

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $5,700,000, to remain available until September 30, 2018.

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 104 of the Government Corporation Control Act, 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 the 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: *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, as amended, and the Federal Credit Reform Act of 1990, as amended, 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: *Provided further*, That amounts collected in fiscal year 2017 in excess of obligations, up to $10,000,000 shall become available on September 1, 2017, and shall remain available until September 30, 2020.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided*, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $70,000,000: *Provided further*, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $20,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account: *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 sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2017, 2018, and 2019: *Provided further*, That funds so obligated in fiscal year 2017 remain available for disbursement through 2025; funds obligated in fiscal year 2018 remain available for disbursement through 2026; and funds obligated in fiscal year 2019 remain available for disbursement through 2027: *Provided further*, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 in Iraq: *Provided further*, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $75,000,000, to remain available until September 30, 2018: *Provided*, That of the amounts made available under this heading, up to $2,500,000 may be made available to provide comprehensive procurement advice to foreign governments to support local procurements funded by the United States Agency for International Development, the Millennium Challenge Corporation, and the Department of State: *Provided further*, 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 2017 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

DIPLOMATIC FACILITIES

SEC. 7004. (a) CAPITAL SECURITY COST SHARING INFORMATION.—The Secretary of State shall promptly inform the Committees on Appropriations of each instance in which a Federal department or agency is delinquent in providing the full amount of funding required by section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note).

(b) EXCEPTION.—Notwithstanding paragraph (2) of section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act), as amended by section 111 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323), a project to construct a facility of the United States may include office space or other accommodations for members of the United States Marine Corps.

(c) NEW DIPLOMATIC FACILITIES.—For the purposes of calculating the fiscal year 2017 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the contribution of the Department of State for this purpose.

(d) CONSULTATION AND NOTIFICATION REQUIREMENTS.—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 2017, 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 114–693 and Senate Report 114–290: *Provided further*, That any such notification for a new diplomatic facility justified to the Committees on Appropriations in Appendix 1 of the Congressional Budget Justification, Department of State, Diplomatic Engagement, Fiscal Year 2017, or not previously justified to such Committees, shall also include confirmation that the Department of State has completed the requisite value engineering studies required pursuant to OMB Circular A–131, Value Engineering December 31, 2013 and the Bureau of Overseas Building Operations Policy and Procedure Directive, P&PD, Cost 02: Value Engineering.

(e) INTERIM AND TEMPORARY FACILITIES ABROAD.—

(1) Funds appropriated by this Act under the heading ''Embassy Security, Construction, and Maintenance'' may be made available 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: *Provided*, That the uses of such funds should be the responsibility of the Assistant Secretary for Diplomatic Security, Department of State, in consultation with the Director of the Bureau of Overseas Buildings Operations, Department of State: *Provided further*, That such funds shall be subject to prior consultation with the Committees on Appropriations.

(2) Notwithstanding any other provision of law, the opening, closure, or any significant modification to an interim or temporary United States diplomatic facility shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations, except that such consultation and notification may be waived if there is a security risk to personnel.

(f) TRANSFER OF FUNDS AUTHORITY.—Funds appropriated under the heading ''Diplomatic and Consular Programs'', including for Worldwide Security Protection, and under the heading ''Embassy Security, Construction, and Maintenance'' in titles I and VIII of this Act may be transferred to, and merged with, funds appropriated by such titles 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, 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 under any other provision of law.

(g) SOFT TARGETS.—Funds appropriated by this Act under the heading ''Embassy Security, Construction, and Maintenance'' may be made available for security upgrades to soft targets, including schools, recreational facilities, and residences used by United States diplomatic personnel and their dependents, except that the amount made available for such purposes shall be a minimum of $10,000,000: *Provided*, That the uses of such funds should be the responsibility of the Assistant Secretary for Diplomatic Security, Department of State, in consultation with the Director of the Bureau of Overseas Building Operations.

(h) REPORTS.—

(1) None of the funds appropriated under the heading ''Embassy Security, Construction, and Maintenance'' in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, made available through Federal agency Capital Security Cost Sharing contributions and reimbursements, or generated from the proceeds of real property sales, other than from real property sales located in London, United Kingdom, may be made available for site acquisition and mitigation, planning, design, or construction of the New London Embassy: *Provided*, That the reporting requirement contained in section 7004(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall remain in effect during fiscal year 2017.

(2) Within 45 days of enactment of this Act and every 4 months thereafter until September 30, 2018, the Secretary of State shall submit to the Committees on Appropriations a report on the new Mexico City Embassy and Beirut Embassy projects: *Provided*, That such report shall include, for each of the projects—

(A) a detailed breakout of the project factors that formed the basis of the initial cost estimate used to justify such project to the Committees on Appropriations, as described under the heading ''Embassy Security Construction and Maintenance'' in House Report 114–693;

(B) a comparison of the current project factors as compared to the project factors submitted pursuant to subparagraph (A) of this subsection, and an explanation of any changes; and

(C) the impact of currency exchange rate fluctuations on project costs.

(i) STRENGTHENING OVERSIGHT.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ''Diplomatic and Consular Programs'' for Worldwide Security Protection shall be made available to strengthen oversight of the local guard force at a critical post abroad through the use of United States Government employees or contractors who are United States citizens: *Provided*, That such funds are in addition to funds otherwise made available by such Acts for such purposes: *Provided further*, That the total annual operating costs associated with providing such oversight in fiscal year 2017 and subsequent fiscal years shall be shared among agencies through the International Cooperative Administrative Support Services program: *Provided further*, That not later than 45 days after enactment of this Act, and prior to the obligation of funds for such purposes, the Secretary of State shall consult with the Committees on Appropriations on plans to carry out the requirement of this subsection: *Provided further*, That amounts made available pursuant to this subsection 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 Operation/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.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act.

DEPARTMENT OF STATE MANAGEMENT

SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVEMENT.—Funds appropriated by this Act for

the operations of the Department of State under the headings ''Diplomatic and Consular 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 a plan, including timeline and costs, 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 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 Appendix 1 of the Congressional Budget Justification, Department of State, Diplomatic Engagement, Fiscal Year 2017: *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 REQUIREMENT.—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 oversight or management 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 management policies, procedures and regulations, as appropriate: *Provided*, That if the Secretary is unable to make such certification for an individual bureau or office, the Secretary shall submit a plan and timeline to such Committees detailing the steps to be taken to ensure such compliance.

(d) REPORT ON SOLE SOURCE AWARDS.—Not later than December 31, 2017, the Secretary of State shall submit a report to the appropriate congressional committees detailing all sole-source awards made by the Department of State during the previous fiscal year in excess of $2,000,000: *Provided*, That such report should be posted on the Department of State Web site.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 7007. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance, and guarantees of the Export-Import Bank or its agents.

COUPS D'ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'état or decree or, after the date of enactment of this Act, a coup d'état or decree in which the military plays a decisive role: *Provided*, That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER OF FUNDS AUTHORITY

SEC. 7009. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—

(1) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading ''Representation Expenses''.

(2) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(3) Any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) TITLE VI AGENCIES.—Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2017, for programs under title VI of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) LIMITATION ON TRANSFERS OF FUNDS BETWEEN AGENCIES.—

(1) 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) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(3) Any agreement entered into by the United States Agency for International Development or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Global Health Programs'', ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided*, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—None of the funds made available under titles II through V of this Act may be obligated under an appropriations account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) AUDIT OF INTER-AGENCY TRANSFERS OF FUNDS.—Any agreement for the transfer or allocation of funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations and related programs, entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds and report to the Department of State or USAID, as appropriate, upon completion of such audits: *Provided*, That such audits shall be transmitted to the Committees on Appropriations by the Department of State or USAID, as appropriate: *Provided further*, That funds transferred under such authority may be made available for the cost of such audits.

(f) REPORT.—Not later than 90 days after enactment of this Act, the Secretary of State and the USAID Administrator shall each submit a report to the Committees on Appropriations detailing all transfers to another agency of the United States Government made pursuant to sections 632(a) and 632(b) of the Foreign Assistance Act of 1961 with funds provided in the Department of

State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114–113) as of the date of enactment of this Act: *Provided*, That such reports shall include a list of each transfer made pursuant to such sections with the respective funding level, appropriation account, and the receiving agency.

PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the funds made available by this Act may be used for first-class travel by employees of United States Government departments and agencies funded by this Act in contravention of section 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

(b) COMPUTER NETWORKS.—None of the funds made available by this Act for the operating expenses of any United States Government department or agency may be used to establish or maintain a computer network for use by such department or agency unless such network has filters designed to block access to sexually explicit Web sites: *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 Web sites 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.

AVAILABILITY OF FUNDS

SEC. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided by this Act: *Provided*, That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the headings ''Development Credit Authority'' and ''Assistance for Europe, Eurasia and Central Asia'' shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That 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 30, 2017, 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 consultations 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 2017 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 2018 and for prior fiscal years and allocated for the central government of such country or for the West Bank and Gaza program if, not later than September 30, 2018, 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) 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) 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 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) 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; and

(2) 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.—The Secretary of State, in consultation with the heads of other relevant departments or agencies of the United States Government, shall submit a report to the Committees on Appropriations, not later than 90 days after the enactment of this Act, detailing steps taken by such departments or agencies to comply with the requirements of this section, including rules, regulations, and policy guidance issued pursuant to subsection (f).

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 2017, 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) eliminate a program, project, or activity;

(3) close, suspend, open, or reopen a mission or post;

(4) create, close, reorganize, 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 2017, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the department and agency funded under title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less, that—

(1) augments or changes existing programs, projects, or activities;

(2) relocates an existing office or employees;

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

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

unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) NOTIFICATION REQUIREMENT.—None of the funds made available by this Act under the headings ''Global Health Programs'', ''Development Assistance'', ''International Organizations and Programs'', ''Trade and Development Agency'', ''International Narcotics Control and Law Enforcement'', ''Economic Support Fund'', ''Democracy Fund'', ''Assistance for Europe, Eurasia and Central Asia'', ''Peacekeeping Operations'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Millennium Challenge Corporation'', ''Foreign Military Financing Program'', ''International Military Education and Training'', and ''Peace Corps'', shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III through VI of this Act of less than 10 percent of the amount previously justified to Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That any notification submitted pursuant to subsection (f) of this section shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: *Provided further*, That if subsequent to the notification of assistance it becomes necessary to rely on notwithstanding authority, the Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

(d) NOTIFICATION OF TRANSFER OF FUNDS.—Notwithstanding any other provision of law, with the exception of funds transferred to, and merged with, funds appropriated under title I of this Act, 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, and funds made available for programs previously authorized under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), section 2282 of title 10, United States Code, section 333 of title 10, United States Code, as added by section 1241 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), or any successor authorities, shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) WAIVER.—The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided*, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(f) COUNTRY NOTIFICATION REQUIREMENTS.—None of the funds appropriated under titles III through VI of this Act may be obligated or expended for assistance for Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Colombia, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico, 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 as defined by section 7034(r)(3) of this Act shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided*, That such notification shall include the information specified under this section in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(h) PILOT PROGRAM NOTIFICATION REQUIREMENT.—Funds appropriated under Title I of this Act under the heading ''Diplomatic and Consular Programs'' that are made available for a pilot program for lateral entry into the Foreign Service shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(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.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 7016. 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.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 7017. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under titles I and III through V of this Act, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2019: *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.

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

SEC. 7019. (a) ALLOCATION TABLES.—Subject to subsection (b), funds appropriated by this Act under titles III through V shall be made available in the amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided*, That such designated amounts for foreign countries and international organizations shall serve as the amounts for such countries and international organizations transmitted to Congress in the report required by section 653(a) of the Foreign Assistance Act of 1961.

(b) AUTHORIZED DEVIATIONS.—Unless otherwise provided for by this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as applicable, may only deviate up to 5 percent from the amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided*, That such percentage may be exceeded only to respond to significant, exigent, or unforeseen events, or to address other exceptional circumstances directly related to the national interest: *Provided further*, That deviations pursuant to the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) LIMITATION.—For specifically designated amounts that are included, pursuant to subsection (a), in the report required by section 653(a) of the Foreign Assistance Act of 1961, no deviations authorized by subsection (b) may take place until submission of such report.

(d) EXCEPTIONS.—

(1) Subsections (a) and (b) shall not apply to—

(A) amounts designated for ''International Military Education and Training'' in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act); and

(B) funds for which the initial period of availability has expired.

(2) The authority in subsection (b) to deviate below amounts designated in the respective tables included in the joint 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 joint explanatory statement.

REPRESENTATION AND ENTERTAINMENT EXPENSES

SEC. 7020. (a) USES OF FUNDS.—Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests—

(1) are primarily for fostering relations outside of the Executive Branch;

(2) are principally for meals and events of a protocol nature;

(3) are not for employee-only events; and

(4) do not include activities that are substantially of a recreational character.

(b) LIMITATIONS.—None of the funds appropriated or otherwise made available by this Act under the headings ''International Military Education and Training'' or ''Foreign Military Financing Program'' for International 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 but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) PROHIBITION.—None of the funds appropriated or otherwise made available by titles III through VI of this Act may be made available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 6(j) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act: *Provided*, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: *Provided further*, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) DETERMINATION.—Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President determines that to do so is important to the national interest of the United States.

(3) REPORT.—Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interest.

(b) BILATERAL ASSISTANCE.—

(1) LIMITATIONS.—Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

(A) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) WAIVER.—The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: *Provided*, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading ''Trade and Development Agency'', may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act ''program, project, and activity'' shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''Foreign Military Financing Program'', ''program, project, and activity'' shall also be considered to include country, regional, and central program level funding within each such account; and for the development assistance accounts of the United States Agency for International Development, ''program, project, and activity'' shall also be considered to include central, country, regional, and program level funding, either as—

(1) justified to Congress; or

(2) allocated by the Executive Branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961 or as modified pursuant to section 7019 of this Act.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act: *Provided*, That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) WORLD MARKETS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance, or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations: *Provided further*, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural

commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) EXPORTS.—None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

(2) research activities intended primarily to benefit United States producers;

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions, as defined in section 7034(r)(3) of this Act, to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

SEPARATE ACCOUNTS

SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

(1) AGREEMENTS.—If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The USAID Administrator shall report as part of the congressional budget justification submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) IN GENERAL.—If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by such assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of paragraph (1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'': *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2017, 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): *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) REPORTING REQUIREMENT.—In addition to the requirements of subsection (a)(1), the USAID Administrator shall report to the appropriate congressional committees not later than 45 days after the end of fiscal year 2017 on all awards subject to limited or no competition for local entities: *Provided*, That such report should be posted on the USAID Web site: *Provided further*, That the requirements of this subsection shall only apply to awards in excess of $3,000,000 and sole source awards to local entities in excess of $2,000,000.

(c) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74), as amended, shall continue in effect during fiscal year 2017.

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) EVALUATIONS AND REPORT.—The Secretary of the Treasury shall instruct the United States executive director of each

international financial institution to seek to require that such institution adopts and implements a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 25 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution's goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken by the United States executive directors and the international financial institutions consistent with this subsection.

(b) SAFEGUARDS.—

(1) The Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development and the International Development Association to vote against any loan, grant, policy, or strategy if such institution has adopted and is implementing any social or environmental safeguard relevant to such loan, grant, policy, or strategy that provides less protection than World Bank safeguards in effect on September 30, 2015.

(2) The Secretary of the Treasury should instruct the United States executive director of each international financial institution to vote against loans or other financing for projects unless such projects—

(A) provide for accountability and transparency, including the collection, verification and publication of beneficial ownership information related to extractive industries and on-site monitoring during the life of the project;

(B) will be developed and carried out in accordance with best practices regarding environmental conservation; cultural protection; and empowerment of local populations, including free, prior and informed consent of affected indigenous communities;

(C) do not provide incentives for, or facilitate, forced displacement; and

(D) do not partner with or otherwise involve enterprises owned or controlled by the armed forces.

(c) COMPENSATION.—None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) HUMAN RIGHTS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution conducts rigorous human rights due diligence and risk management, as appropriate, in connection with any loan, grant, policy, or strategy of such institution: *Provided*, That prior to voting on any such loan, grant, policy, or strategy the executive director shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, if the executive director has reason to believe that such loan, grant, policy, or strategy could result in forced displacement or other violation of human rights.

(e) FRAUD AND CORRUPTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to promote in loan, grant, and other financing agreements improvements in borrowing countries' financial management and judicial capacity to investigate, prosecute, and punish fraud and corruption.

(f) BENEFICIAL OWNERSHIP INFORMATION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution collects, verifies, and publishes, to the maximum extent practicable, beneficial ownership information (excluding proprietary information) for any corporation or limited liability company, other than a publicly listed company, that receives funds from any such financial institution: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken by the United States executive directors and the international financial institutions consistent with this subsection.

(g) WHISTLEBLOWER PROTECTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that each such institution is effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(1) protection against retaliation for internal and lawful public disclosure;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

(4) access to independent adjudicative bodies, including external arbitration; and

(5) results that eliminate the effects of proven retaliation.

DEBT-FOR-DEVELOPMENT

SEC. 7030. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) REQUIREMENTS.—Funds appropriated by this Act may be made available for direct government-to-government assistance only if—

(A)(i) each implementing agency or ministry to receive assistance has been assessed and is considered to have the systems required to manage such assistance and any identified vulnerabilities or weaknesses of such agency or ministry have been addressed;

(ii) the recipient agency or ministry employs and utilizes staff with the necessary technical, financial, and management capabilities;

(iii) the recipient agency or ministry has adopted competitive procurement policies and systems;

(iv) effective monitoring and evaluation systems are in place to ensure that such assistance is used for its intended purposes;

(v) no level of acceptable fraud is assumed; and

(vi) the government of the recipient country is taking steps to publicly disclose on an annual basis its national budget, to include income and expenditures;

(B) the recipient government is in compliance with the principles set forth in section 7013 of this Act;

(C) the recipient agency or ministry is not headed or controlled by an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(D) the Government of the United States and the government of the recipient country have agreed, in writing, on clear and achievable objectives for the use of such assistance, which should be made available on a cost-reimbursable basis; and

(E) the recipient government is taking steps to protect the rights of civil society, including freedoms of expression, association, and assembly.

(2) CONSULTATION AND NOTIFICATION.—In addition to the requirements in paragraph (1), no funds may be made available for direct government-to-government assistance without prior consultation with, and notification of, the Committees on Appropriations: *Provided*, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): *Provided further*, That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) SUSPENSION OF ASSISTANCE.—The Administrator of the United States Agency for International Development or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

(4) SUBMISSION OF INFORMATION.—The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2018 congressional budget justification materials, amounts planned for assistance described in paragraph (1) by country, proposed funding amount, source of funds, and type of assistance.

(5) REPORT.—Not later than 90 days after the enactment of this Act and 6 months thereafter until September 30, 2018, the USAID Administrator shall submit to the Committees on Appropriations a report that—

(A) details all assistance described in paragraph (1) provided during the previous 6-month period by country, funding amount, source of funds, and type of such assistance; and

(B) the type of procurement instrument or mechanism utilized and whether the assistance was provided on a reimbursable basis.

(6) DEBT SERVICE PAYMENT PROHIBITION.—None of the funds made available by this Act may be used by the government of any foreign country for debt service payments owed by any country to any international financial institution: *Provided*, That for purposes of this paragraph, the term ''international financial institution'' has the meaning given the term in section 7034(r)(3) of this Act.

(b) NATIONAL BUDGET AND CONTRACT TRANSPARENCY.—

(1) MINIMUM REQUIREMENTS OF FISCAL TRANSPARENCY.—The Secretary of State shall continue to update and strengthen the ''minimum requirements of fiscal transparency'' for each government receiving assistance appropriated by this Act, as identified in the report required by section 7031(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(2) DEFINITION.—For purposes of paragraph (1), ''minimum requirements of fiscal transparency'' are requirements consistent with those in subsection (a)(1), and the public disclosure of national budget documentation (to include receipts and expenditures by ministry) and government contracts and licenses for natural resource extraction (to include bidding and concession allocation practices).

(3) DETERMINATION AND REPORT.—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make or update any determination of ''significant progress'' or ''no significant progress'' in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual ''Fiscal Transparency Report'' to be posted on the Department of State Web site: *Provided*, That the Secretary shall identify the significant progress made by each such government to publicly disclose national budget documentation, contracts, and licenses which are additional to such information disclosed in previous fiscal years, and include specific recommendations of short- and long-term steps such government should take to improve fiscal transparency: *Provided further*, That the annual report shall include a detailed description of how funds appropriated by this Act are being used to improve fiscal transparency, and identify benchmarks for measuring progress.

(4) ASSISTANCE.—Funds appropriated under title III of this Act shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency: *Provided*, That such sums shall be in addition to funds otherwise available for such purposes: *Provided further*, That a description of the uses of such funds shall be included in the annual ''Fiscal Transparency Report'' required by paragraph (3).

(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

(1)(A) INELIGIBILITY.—Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights shall be ineligible for entry into the United States.

(B) The Secretary shall also publicly or privately designate or identify officials of foreign governments and their immediate family members about whom the Secretary has such credible information without regard to whether the individual has applied for a visa.

(2) EXCEPTION.—Individuals shall not be ineligible if entry into the United States would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: *Provided*, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) WAIVER.—The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) REPORT.—Not later than 6 months after enactment of this Act, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committees on Appropriations and the Committees on the Judiciary describing the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

(5) POSTING OF REPORT.—Any unclassified portion of the report required under paragraph (4) shall be posted on the Department of State Web site.

(6) CLARIFICATION.—For purposes of paragraphs (1)(B), (4), and (5), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall not be considered confidential.

(d) NETWORKS OF CORRUPTION.—If the Secretary of State has credible information of networks of corruption involving the participation of, or support from, a senior official in a country that receives assistance funded by this Act under titles III or IV, the Secretary shall submit a report to the Committees on Appropriations describing such networks, which shall include the information required under the heading ''Economic Support Fund'' in Senate Report 114–290.

(e) 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 to prevent the sale of conflict diamonds, and provide technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(2) UNITED STATES POLICY.—

(A) The Secretary of the Treasury shall inform the management of the international financial institutions, and post on the Department of the Treasury Web site, that it is the policy of the United States to vote against any assistance by such institutions (including any loan, credit, grant, or guarantee) to any country for the extraction and export of a natural resource if the government of such country has in place laws, regulations, or procedures to prevent or limit the public disclosure of company payments as required by United States law, and unless such government has adopted laws, regulations, or procedures in the sector in which assistance is being considered for—

(i) accurately accounting for and public disclosure of payments to the host government by companies involved in the extraction and export of natural resources;

(ii) the independent auditing of accounts receiving such payments and public disclosure of the findings of such audits; and

(iii) public disclosure of such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(B) The requirements of subparagraph (A) shall not apply to assistance for the purpose of building the capacity of such government to meet the requirements of this subparagraph.

(f) FOREIGN ASSISTANCE WEB SITE.—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 Web site: *Provided*, That all Federal agencies funded under this Act shall provide such information on foreign assistance, upon request, to the Department of State.

DEMOCRACY PROGRAMS

SEC. 7032. (a) FUNDING AND STRATEGY.—

(1) 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 $2,308,517,000 shall be made available for democracy programs.

(2) Not later than 180 days after enactment of this Act, the Secretary of State, in consultation with the relevant heads of other United States Government agencies, shall submit to the appropriate congressional committees a comprehensive, multi-year strategy for the promotion of democracy abroad, to include the identification of the national interest served by such activity, and the specific roles and responsibilities of such agencies in implementing the strategy.

(b) AUTHORITY.—Funds made available by this Act for democracy programs may be made available notwithstanding any other provision of law, and with regard to the National Endowment for Democracy (NED), any regulation.

(c) DEFINITION OF DEMOCRACY PROGRAMS.—For purposes of funds appropriated by this Act, the term ''democracy programs'' means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states, and institutions that are responsive and accountable to citizens.

(d) PROGRAM PRIORITIZATION.—Funds made available pursuant to this section that are made available for programs to strengthen government institutions shall be prioritized for those institutions that demonstrate a commitment to democracy and the rule of law, as determined by the Secretary of State or the USAID Administrator, as appropriate.

(e) RESTRICTION ON PRIOR APPROVAL.—With respect to the provision of assistance for democracy programs in this Act, the organizations implementing such assistance, the specific nature of that assistance, and the participants in such programs shall not be subject to the prior approval by the government of any foreign country: *Provided*, That the Secretary of State, in coordination with the USAID Administrator, shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(f) CONTINUATION OF CURRENT PRACTICES.—USAID shall continue to implement civil society and political competition and consensus building programs abroad with funds

appropriated by this Act in a manner that recognizes the unique benefits of grants and cooperative agreements in implementing such programs: *Provided*, That nothing in this paragraph shall be construed to affect the ability of any entity, including United States small businesses, from competing for proposals for USAID-funded civil society and political competition and consensus building programs.

(g) COUNTRY STRATEGY STRATEGIC REVIEWS.—Prior to the obligation of funds made available by this Act for Department of State and USAID democracy programs for a nondemocratic or democratic transitioning country for which a country strategy has been concluded after the date of enactment of this Act, as required by section 2111(c)(1) of the ADVANCE Democracy Act of 2007 (title XXI of Public Law 110–53; 22 U.S.C. 8211) or similar provision of law or regulation, the Under Secretary for Civilian Security, Democracy and Human Rights, Department of State, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall review such strategy to ensure that it includes—

(1) specific goals and objectives for such program, including a specific plan and timeline to measure impacts;

(2) an assessment of the risks associated with the conduct of such program to intended beneficiaries and implementers, including steps to support and protect such individuals; and

(3) the funding requirements to initiate and sustain such program in fiscal year 2017 and subsequent fiscal years, as appropriate:

Provided, That for the purposes of this subsection, the term ''nondemocratic or democratic transitioning country'' shall have the same meaning as in section 2104(6) of Public Law 110–53.

(h) COMMUNICATION AND REPORTING REQUIREMENTS.—

(1) 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.

(2) REPORT ON FUNDING INSTRUMENTS.—Not later than September 30, 2017, the Secretary of State and USAID Administrator shall each submit to the Committees on Appropriations a report detailing the use of contracts, grants, and cooperative agreements in the conduct of democracy programs with funds made available by the Department of State, Foreign Operations, and Related Programs Act, 2016 (division K of Public Law 114–113), which shall include funding level, account, program sector and subsector, and a brief summary of purpose.

(3) REPORT ON PROGRAM CHANGES.—The Secretary of State or the USAID Administrator, as appropriate, shall report to the Committees on Appropriations within 30 days of a decision to significantly change the objectives or the content of a democracy program or to close such a program due to the increasingly repressive nature of the host country government: *Provided*, That the report shall also include a strategy for continuing support for democracy promotion, if such programming is feasible, and may be submitted in classified form, if necessary.

INTERNATIONAL RELIGIOUS FREEDOM

SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELIGIOUS FREEDOM.—

(1) Funds appropriated by this Act under the heading ''Diplomatic and Consular Programs'' shall be made available for the Office of International Religious Freedom, Bureau of Democracy, Human Rights, and Labor, Department of State, the Office of the Ambassador-at-Large for International Religious Freedom, and the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia, as authorized in the Near East and South Central Asia Religious Freedom Act of 2014 (Public Law 113–161), including for support staff at not less than the amounts specified for such offices in the table under such heading in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(2) Funds appropriated under the heading ''Diplomatic and Consular Programs'' and designated for the Office of International Religious Freedom shall be made available for the development and implementation of an international religious freedom curriculum in accordance with the criteria specified under such heading in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(b) ASSISTANCE.—

(1) INTERNATIONAL RELIGIOUS FREEDOM PROGRAMS.—Of the funds appropriated by this Act under the heading ''Democracy Fund'' and available for the Human Rights and Democracy Fund (HRDF), not less than $10,000,000 shall be made available for international religious freedom programs: *Provided*, That the Ambassador-at-Large for International Religious Freedom shall consult with the Committees on Appropriations on the uses of such funds.

(2) PROTECTION AND INVESTIGATION PROGRAMS.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $10,000,000 shall be made available for programs to protect vulnerable and persecuted religious minorities: *Provided*, That a portion of such funds shall be made available for programs to investigate the persecution of such minorities by governments and non-state actors and for the public dissemination of information collected on such persecution, including on the Department of State Web site.

(3) HUMANITARIAN PROGRAMS.—Funds appropriated by this Act under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance'' shall be made available for humanitarian assistance for vulnerable and persecuted religious minorities, including victims of genocide designated by the Secretary of State and other groups that have suffered crimes against humanity and ethnic cleansing, to—

(A) accelerate the implementation of an immediate, coordinated, and sustained response to provide humanitarian assistance;

(B) enhance protection of conflict victims, including those facing a dire humanitarian crisis and severe persecution because of their faith or ethnicity; and

(C) improve access to secure locations for obtaining humanitarian and resettlement services.

(4) TRANSITIONAL JUSTICE, RECONCILIATION, AND REINTEGRATION PROGRAMS IN THE MIDDLE EAST AND NORTH AFRICA REGIONS.—

(A) Not later than 90 days after enactment of this Act and after consultation with relevant central governments in the Middle East and North Africa regions, the Secretary of State shall submit to the Committees on Appropriations a plan for transitional justice, reconciliation, and reintegration programs for vulnerable and persecuted religious minorities in such regions: *Provided*, That such plan shall include a description of actions to be taken by such governments to safeguard and promote the political and economic rights of such minorities, including the return, rehabilitation, and protection of property in areas of conflict.

(B) Of the funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for Iraq and Syria, not less than $5,000,000 shall be made available to support the implementation of the plan required by subparagraph (A): *Provided*, That such funds shall be matched, to the maximum extent practicable, from sources other than the United States Government.

(5) RESPONSIBILITY OF FUNDS.—Funds made available by paragraphs (1), (2), and (4) shall be the responsibility of the Ambassador-at-Large for International Religious Freedom, in consultation with other relevant United States Government officials.

(c) INTERNATIONAL BROADCASTING.—Funds appropriated by this Act under the heading ''Broadcasting Board of Governors, International Broadcasting Operations'' shall be made available for programs related to international religious freedom, including reporting on the condition of vulnerable and persecuted religious groups.

(d) ATROCITIES PREVENTION.—Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' shall be made available for programs to prevent atrocities and to implement the recommendations of the Atrocities Prevention Board, including with respect to the evaluation required by section 7033(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114–113): *Provided*, That the Under Secretary for Civilian Security, Democracy, and Human Rights, Department of State, shall be responsible for providing the strategic policy direction for, and policy oversight of, funds made available pursuant to this subsection to the Bureaus of International Narcotics Control and Law Enforcement and Democracy, Human Rights, and Labor, Department of State: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) DESIGNATION OF NON-STATE ACTORS.—The President shall, concurrent with the annual foreign country review required by section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)), review and identify any non-state actors in such countries that have engaged in particularly severe violations of religious freedom, and designate, in a manner consistent with such Act, each such group as a non-state actor of particular concern for religious freedom operating in such reviewed country or surrounding region: *Provided*, That whenever the President designates such a non-state actor under this subsection, the President shall, as soon as practicable after the designation is made, submit a report to the appropriate congressional committees detailing the reasons for such designation.

(f) FUNDING CLARIFICATION.—Funds made available pursuant to subsections (b) and (d) are in addition to amounts otherwise made available for such purposes.

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) LAW ENFORCEMENT AND SECURITY.—

(1) CHILD SOLDIERS.—Funds appropriated by this Act should not be used to support any military training or operations that include child soldiers.

(2) 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 undergoing democratic transition.

(3) 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 2017.

(4) FORENSIC ASSISTANCE.—

(A) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $6,500,000 shall be made available for forensic anthropology assistance related to the exhumation of mass graves and the identification of victims of war crimes, genocide, and crimes against humanity, including in Iraq, Guatemala, Colombia, El Salvador, Syria, and Sri Lanka, which shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(B) Of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'', not less than $6,000,000 shall be made available for DNA forensic technology programs to combat human trafficking in Central America and Mexico.

(5) INTERNATIONAL PRISON CONDITIONS.—Section 7065 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 2017.

(6) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other subnational entity emerging from instability, as well as a nation emerging from instability.

(7) 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 2016, by country and purpose of assistance, under the headings ''Peacekeeping Operations'', ''International Military Education and Training'', and ''Foreign Military Financing Program''.

(8) FOREIGN MILITARY SALES AND FOREIGN MILITARY FINANCING PROGRAM.—

(A) AVAILABILITY.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for the general costs of administering military assistance and sales shall be made available to increase the efficiency and effectiveness of programs authorized by Chapter 2 of the Arms Export Control Act: *Provided*, That prior to the obligation of funds for such purposes, the Secretary of State shall consult with the Committees on Appropriations.

(B) REVIEW AND REPORT.—The Secretary of State, in coordination with the Secretary of Defense, shall review the resources, personnel, and practices of the Departments of State and Defense that are associated with administering military assistance and sales programs and, not later than 120 days after enactment of this Act, submit to the appropriate congressional committees a report on steps taken or planned to be taken to increase the efficiency and effectiveness of such programs.

(C) QUARTERLY STATUS REPORT.—Following the submission of the quarterly report required by section 36 of Public Law 90–629 (22 U.S.C. 2776), the Secretary of State, in coordination with the Secretary of Defense, shall submit to the Committees on Appropriations a status report that contains the information described under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(D) FOREIGN MILITARY FINANCING PROGRAM LOANS.—Not later than 60 days after enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall submit to the Committees on Appropriations a report assessing the potential impact of transitioning assistance made available by this Act under the heading ''Foreign Military Financing Program'' from grants to loans, including the budgetary and diplomatic impacts, and the extent to which such transition would affect the foreign policy interest of the United States: *Provided*, That such report shall also include an assessment of the impact of proposals included in the fiscal year 2018 congressional budget justification that would transition such assistance from grants to loans.

(9) VETTING REPORT.—

(A) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees on foreign assistance cases submitted for vetting for purposes of section 620M of the Foreign Assistance Act of 1961 during the preceding fiscal year, including—

(i) the total number of cases submitted, approved, suspended, or rejected for human rights reasons; and

(ii) for cases rejected, a description of the steps taken to assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice, in accordance with section 620M(c) of the Foreign Assistance Act of 1961.

(B) The report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(10) ANNUAL FOREIGN MILITARY TRAINING REPORT.—For the purposes of implementing section 656 of the Foreign Assistance Act of 1961, the term ''military training provided to foreign military personnel by the Department of Defense and the Department of State'' shall be deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated by section 517(b) of such Act as a major non-NATO ally.

(11) PROLIFERATION SECURITY INITIATIVE.—Funds appropriated by this Act under the heading ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be made available for programs to increase international participation in the Proliferation Security Initiative (PSI) and endorsement of the PSI Statement of Interdiction Principles: *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing steps to be taken to implement the requirements of this paragraph.

(12) AUTHORITY TO COUNTER EXTREMISM.—Funds made available by this Act under the heading ''Economic Support Fund'' to counter extremism may be made available notwithstanding any other provision of law restricting assistance to foreign countries, except sections 502B and 620A of the Foreign Assistance Act of 1961: *Provided*, That the Secretary of State, or the USAID Administrator, as appropriate, shall consult with the Committees on Appropriations prior to exercising the authority of this paragraph.

(c) 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.

(d) DIRECTIVES AND AUTHORITIES.—

(1) RESEARCH AND TRAINING.—Funds appropriated by this Act under the heading ''Assistance for Europe, Eurasia and Central Asia'' shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501 et seq.).

(2) GENOCIDE VICTIMS MEMORIAL SITES AND TRIBUNALS.—

(A) 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.

(B) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $3,500,000 shall be made available, on a competitive basis, for reimbursement of costs related to research and documentation in support of the activities of international tribunals established to try cases of war crimes, genocide, and crimes against humanity.

(3) ADDITIONAL AUTHORITIES.—Of the amounts made available by title I of this Act under the heading ''Diplomatic and Consular Programs'', up to $500,000 may be made available for grants pursuant to section 504 of Public Law 95–426 (22 U.S.C. 2656d), including to facilitate collaboration with indigenous communities, and up to $1,000,000 may be made available for grants to carry out the activities of the Cultural Antiquities Task Force.

(4) AUTHORITY.—The USAID Administrator may use funds appropriated by this Act under title III to make innovation incentive awards: *Provided*, That each individual award may not exceed $100,000: *Provided further*, That no more than 10 such awards may be made during fiscal year 2017: *Provided further*, That for purposes of this paragraph the term ''innovation incentive award'' means the provision of funding on a competitive basis that—

(A) encourages and rewards the development of solutions for a particular, well-defined problem related to the alleviation of poverty; or

(B) helps identify and promote a broad range of ideas and practices facilitating further development of an idea or practice by third parties.

(e) PARTNER VETTING.—

(1) In lieu of the requirements in the second and third provisos of section 7034(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114–113), not later than 60 days after enactment of this Act, the Secretary of State and the USAID Administrator shall jointly submit a report to the Committees on Appropriations, in classified form if necessary, detailing the findings, conclusions, and recommendations of the evaluation of the Partner Vetting System pilot program and recommendations for

any new partner vetting program: *Provided*, That prior to the submission of the report, the Secretary and Administrator shall jointly consult with the Committees on Appropriations, and also consult with representatives of implementing organizations, on such findings, conclusions, and recommendations.

(2) The Secretary of State and USAID Administrator may initiate a partner vetting program to mitigate the risk of diversion of foreign assistance, or make significant modifications to any existing partner vetting program, only following consultation with the Committees on Appropriations: *Provided*, That the Secretary and Administrator should provide a direct vetting option for prime awardees in any partner vetting program initiated after the date of the enactment of this Act.

(f) CONTINGENCIES.—During fiscal year 2017, 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.

(g) 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.

(h) CULTURAL PRESERVATION PROJECT DETERMINATION.—None of the funds appropriated in titles I and III of this Act may be used for the preservation of religious sites unless the Secretary of State or the USAID Administrator, as appropriate, determines and reports to the Committees on Appropriations that such sites are historically, artistically, or culturally significant, that the purpose of the project is neither to advance nor to inhibit the free exercise of religion, and that the project is in the national interest of the United States.

(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 and Consular Programs'' for fiscal year 2017, 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) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.—Section 7034(k) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2017.

(k) 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, 2017'' 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, 2017.

(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, 2017'' 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; 123 Stat. 1904) shall remain in effect through September 30, 2017.

(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) 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 2016'' and inserting ''2016, and 2017''; and

(ii) in subsection (e), by striking ''2016'' each place it appears and inserting ''2017''; and

(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking ''2016'' and inserting ''2017''.

(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, 2017.

(7) 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 ''2017'' and inserting ''2018''.

(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 2017'' and inserting ''2017, and 2018''.

(8) MODIFICATION OF LIFE INSURANCE SUPPLEMENT.—Section 415(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3975(a)(1)) is amended by adding—''The group life insurance supplement employee benefit paid or scheduled to be paid pursuant to this section should not be used to reduce any other payment to which a recipient is otherwise eligible under Federal law.''.

(l) DEPARTMENT OF STATE AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Prior to implementing any reorganization of the Department of State or the United States Agency for International Development, including any action taken pursuant to the March 31, 2017 Executive Order 13781 on a Comprehensive Plan for Reorganizing the Executive Branch, the Secretary of State shall submit a report to the Committees on Appropriations on such reorganization: *Provided*, That such report shall include a detailed justification and analysis containing—

(1) the impact on personnel, both foreign service and civil service;

(2) the process used to identify the merger, closing or termination of any operating unit, including the process used to assess the impact of such action on programs, projects, and activities funded by this Act;

(3) the impact any such merger, closing or termination would have on the ability to conduct adequate monitoring and oversight of foreign assistance programs; and

(4) the national security interest served by each such merger, closing or termination, including a determination that such merger, closing or termination will not expand the influence of any adversary or competitor of the United States, including foreign terrorist organizations.

(m) HUMANITARIAN ASSISTANCE.—Funds appropriated by this Act that are available for monitoring and evaluation of assistance under the headings ''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 conduct regular oversight to ensure that such feedback is collected and used by implementing partners to maximize the cost-effectiveness and utility of such assistance, and require such partners that receive funds under such headings to establish procedures for collecting and responding to such feedback and inform the Department of State or USAID, as appropriate, of such procedures.

(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 108–477) 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 108–477) 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 AND ENTERPRISE FUNDS.—

(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 Jordan, Ukraine, Iraq, Egypt, and Tunisia, 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) ENTERPRISE FUNDS.—Funds appropriated under the heading ''Economic Support Fund'' in this Act may be made available to establish and operate one or more enterprise funds for Egypt and Tunisia: *Provided*, That the first, third and fifth provisos under section 7041(b) 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 under the heading ''Economic Support Fund'' for an enterprise fund or funds to the same extent and in the same manner as such provision of law applied to funds made available under such section (except that the clause excluding subsection (d)(3) of section 201 of the SEED Act shall not apply): *Provided further*, That in addition to the previous proviso, the authorities in the matter preceding the first proviso

of such section may apply to any such enterprise fund or funds: *Provided further*, That the authority of any such enterprise fund or funds to provide assistance shall cease to be effective on December 31, 2027.

(3) 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.

(4) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to the authorities of this subsection shall be subject to prior consultation with the appropriate congressional committees, and subject to the regular notification procedures of the Committees on Appropriations.

(p) SMALL GRANTS AND ENTITIES.—

(1) Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'', not less than $47,000,000 shall be made available for the Small Grants Program 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, 2021.

(2) For the purposes of section 7080 of 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) EXCEPTION.—Notwithstanding section 201 of the Security Assistance Appropriations Act, 2017 (division B of Public Law 114–254), funds appropriated or otherwise made available by title II of such Act are in addition to amounts specifically designated by this Act or in the respective tables in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(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 Asian Development Bank, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

(4) SOUTHERN KORDOFAN REFERENCE.—Any reference to Southern Kordofan in this or any other Act making appropriations for the Department of State, foreign operations, and related programs shall be deemed to include portions of Western Kordofan that were previously part of Southern Kordofan prior to the 2013 division of Southern Kordofan.

(5) USAID.—In this Act, the term ''USAID'' means the United States Agency for International Development.

(6) CLARIFICATION.—Unless otherwise provided for in this Act, for the purposes of this Act the terms ''under this heading'', ''under the heading'', ''under the headings'', or similar phrases mean funds appropriated or otherwise made available under such heading or headings in all titles of this Act: *Provided*, That the term ''under the heading in this title'' or similar phrases means funds appropriated or otherwise made available only in such title.

(7) SPEND PLAN.—In this Act, the term ''spend plan'' means a plan for the uses of funds appropriated for a particular entity, country, program, purpose, or account and which shall include, at a minimum, a description of—

(A) realistic and sustainable goals, and a timeline for achieving such goals;

(B) amounts and sources of funds by account;

(C) criteria for measuring progress in achieving such goals;

(D) how such funds will complement other ongoing or planned programs; and

(E) implementing partners, to the maximum extent practicable.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 7035. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

PALESTINIAN STATEHOOD

SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated under titles III through VI of this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel; and

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if the President determines that it is important to the national security interest of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act (''Limitation on Assistance for the Palestinian Authority'').

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 7037. None of the funds appropriated under titles II through VI of this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem: *Provided further*, That as has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 7038. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

ASSISTANCE FOR THE WEST BANK AND GAZA

SEC. 7039. (a) OVERSIGHT.—For fiscal year 2017, 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 the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts 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) AUDITS 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 $500,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, inspections, 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 2017 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.

(g) REPORT.—Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations updating the report contained in section 2106 of chapter 2 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13).

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interest of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: *Provided*, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas and over which Hamas exercises undue influence.

(2) Notwithstanding the limitation of paragraph (1), assistance may be provided to a power-sharing government only if the President certifies and reports to the Committees on Appropriations that such government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended.

(3) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act of 1961, as added by the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446) with respect to this subsection.

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: *Provided*, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds appropriated by this Act that are available for assistance for Egypt may be made available notwithstanding any other provision of law restricting assistance for Egypt, except for this subsection and section 620M of the Foreign Assistance Act of 1961, and may only be made available for assistance for the Government of Egypt if the Secretary of State certifies and reports to the Committees on Appropriations that such government is—

(A) sustaining the strategic relationship with the United States; and

(B) meeting its obligations under the 1979 Egypt-Israel Peace Treaty.

(2) ECONOMIC SUPPORT FUND.—

(A) FUNDING.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', up to $112,500,000 may be made available for assistance for Egypt, of which not less than $35,000,000 should be made available for higher education programs including not less than $10,000,000 for scholarships for Egyptian students with high financial need to attend not-for-profit institutions of higher education: *Provided*, That such funds may be made available for democracy programs and for development programs in the Sinai: *Provided further*, That such funds may not be made available for cash transfer assistance or budget support unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Egypt is taking consistent and effective steps to stabilize the economy and implement market-based economic reforms.

(B) WITHHOLDING.—The Secretary of State shall withhold from obligation funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for Egypt, an amount of such funds that the Secretary determines to be equivalent to that

expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt until the Secretary certifies and reports to the Committees on Appropriations that the Government of Egypt has dismissed the convictions issued by the Cairo Criminal Court on June 4, 2013, in ''Public Prosecution Case No. 1110 for the Year 2012''.

(3) FOREIGN MILITARY FINANCING PROGRAM.—

(A) CERTIFICATION.—Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', $1,300,000,000, to remain available until September 30, 2018, may be made available for assistance for Egypt: *Provided*, That 15 percent 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 effective steps to—

(i) advance democracy and human rights in Egypt, including to govern democratically and protect religious minorities and the rights of women, which are in addition to steps taken during the previous calendar year for such purposes;

(ii) implement reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations 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; and

(v) provide regular access for United States officials to monitor such assistance in areas where the assistance is used:

Provided further, That such funds may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations: *Provided further*, That the certification requirement of this paragraph shall not apply to funds appropriated by this Act under such heading for counterterrorism, border security, and nonproliferation programs for Egypt.

(B) WAIVER.—The Secretary of State may waive the certification requirement in subparagraph (A) if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national security interest of the United States, and submits a report to such Committees containing a detailed justification for the use of such waiver and the reasons why any of the requirements of subparagraph (A) cannot be met.

(4) OVERSIGHT AND CONSULTATION REQUIREMENTS.—

(A) The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Egypt.

(B) Not later than 90 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on any plan to restructure military assistance for Egypt, which should include an assessment of the potential benefits of such restructuring on the capabilities of the Egyptian military, and a description of any planned modifications regarding the procurement of military equipment.

(b) IRAN.—

(1) FUNDING.—Funds appropriated by this Act under the headings ''Diplomatic and Consular Programs'', ''Economic Support Fund'', and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be used by the Secretary of State—

(A) to support the United States policy to prevent Iran from achieving the capability to produce or otherwise obtain a nuclear weapon;

(B) to support an expeditious response to any violation of the Joint Comprehensive Plan of Action or United Nations Security Council Resolution 2231;

(C) to support the implementation and enforcement of sanctions against Iran for support of terrorism, human rights abuses, and ballistic missile and weapons proliferation; and

(D) for democracy programs for Iran, to be administered by the Assistant Secretary for Near Eastern Affairs, Department of State, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(2) CONTINUATION OF PROHIBITION.—The terms and conditions of paragraph (2) of section 7041(c) in division I of Public Law 112–74 shall continue in effect during fiscal year 2017.

(3) REPORTS.—

(A) The Secretary of State shall submit to the Committees on Appropriations the semiannual report required by section 2 of the Iran Nuclear Agreement Review Act of 2015 (42 U.S.C. 2160e(d)(4)).

(B) Not later than 180 days after the date of enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on the status of the implementation and enforcement of bilateral United States and multilateral sanctions against Iran and actions taken by the United States and the international community to enforce such sanctions against Iran: *Provided*, That the report shall also include any entities involved in providing significant support for the development of a ballistic missile by the Government of Iran after October 1, 2015, including shipping and financing, and note whether such entities are currently under United States sanctions: *Provided further*, That such report shall be submitted in an unclassified form, but may contain a classified annex if necessary.

(C) The Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees the report on Iran contained in section 7041(b)(3)(C) of S. 3117, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (as introduced in the Senate on June 29, 2016), in the manner described.

(c) IRAQ.—

(1) PURPOSES.—Funds appropriated by this Act shall be made available for assistance for Iraq to promote governance, security, and internal and regional stability, including in the Kurdistan Region of Iraq and other areas impacted by the conflict in Syria, and among religious and ethnic minority populations in Iraq.

(2) EXPLOSIVE ORDNANCE DISPOSAL PROGRAMS.—Funds appropriated by this Act under the heading ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be made available for explosive ordnance disposal programs in areas liberated from extremist organizations in Iraq.

(3) KURDISTAN REGIONAL GOVERNMENT.—

(A) Funds appropriated by this Act under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' that are available for assistance for Iraq shall be made available to enhance the capacity of Kurdistan Regional Government security services and for security programs in the Kurdistan Region of Iraq to address requirements arising from the violence in Syria and Iraq: *Provided*, That the Secretary of State shall consult with the Committees on Appropriations prior to obligating such funds.

(B) Funds appropriated by this Act under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance'' should be made available for assistance for the Kurdistan Region of Iraq to address the needs of internally displaced persons (IDPs) and refugees: *Provided*, That funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for programs to mitigate the impact of such IDPs and refugees in such Region, including for assistance for communities hosting such persons.

(4) 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) ISRAEL.—Title II of the Security Assistance Appropriations Act, 2017 (division B of Public Law 114–254), under the heading ''Foreign Military Financing Program'', is amended by inserting after ''Middle East'' and before the colon the following, '', of which $75,000,000 shall be made available for grants only for Israel in fiscal year 2017'': *Provided*, That amounts 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.

(e) JORDAN.—

(1) FUNDING LEVELS.—Of the funds appropriated by this Act under titles III and IV, not less than $1,279,950,000 shall be made available for assistance for Jordan, of which not less than $475,000,000 shall be for budget support for the Government of Jordan.

(2) RESPONSE TO THE SYRIAN CRISIS.—Funds appropriated by this Act shall be made available for programs to implement the Jordan Compact Action Plan and the Jordan Response Plan for the Syria Crisis 2016–2018, including assistance for host communities in Jordan.

(f) LEBANON.—

(1) LIMITATION.—None of the funds appropriated by this Act may be made available for the Lebanese Internal Security Forces (ISF) or the Lebanese Armed Forces (LAF) if the ISF or the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) CONSULTATION REQUIREMENT.—Funds appropriated by this Act under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' that are available for assistance for Lebanon may be made available for programs and equipment for the ISF and the LAF to address security and stability requirements in areas affected by the conflict in Syria, following consultation with the appropriate congressional committees.

(3) ECONOMIC SUPPORT FUND.—Funds appropriated by this Act under the heading ''Economic Support Fund'' that are available for assistance for Lebanon may be made available notwithstanding section 1224 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2346 note).

(4) FOREIGN MILITARY FINANCING PROGRAM.—In addition to the activities described in paragraph (2), funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Lebanon may be made available only to professionalize the LAF and to strengthen border security and combat terrorism, including

training and equipping the LAF to secure Lebanon's borders, interdicting arms shipments, preventing the use of Lebanon as a safe haven for terrorist groups, and to implement United Nations Security Council Resolution 1701: *Provided*, That funds may not be obligated for assistance for the LAF until the Secretary of State submits to the Committees on Appropriations a spend plan, including actions to be taken to ensure equipment provided to the LAF is only used for the intended purposes, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2017: *Provided further*, That any notification submitted pursuant to such sections shall include any funds specifically intended for lethal military equipment.

(g) LIBYA.—

(1) FUNDING.—

(A) Funds appropriated by titles III and IV of this Act shall be made available for assistance for Libya for programs to strengthen governing institutions and civil society, improve border security, and promote democracy and stability in Libya, and for activities to address the humanitarian needs of the people of Libya.

(B) Funds appropriated by this Act under the heading ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be made available for explosive ordnance disposal programs in areas liberated from extremist organizations in Libya.

(C) The Secretary of State shall promptly inform the appropriate congressional committees of each instance in which assistance provided pursuant to this subsection has been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State.

(2) LIMITATIONS.—

(A) COOPERATION ON THE SEPTEMBER 2012 ATTACK ON UNITED STATES PERSONNEL AND FACILITIES.—None of the funds appropriated by this Act may be made available for assistance for the central Government of Libya unless the Secretary of State certifies and reports to the Committees on Appropriations that such government is cooperating with United States Government efforts to investigate and bring to justice those responsible for the attack on United States personnel and facilities in Benghazi, Libya in September 2012: *Provided*, That the limitation in this paragraph shall not apply to funds made available for the purpose of protecting United States Government personnel or facilities.

(B) INFRASTRUCTURE PROJECTS.—The limitation on the uses of funds 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 funds appropriated by this Act that are made available for assistance for Libya.

(3) CERTIFICATION REQUIREMENT.—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 funds made available by this subsection for assistance for Libya.

(h) MOROCCO.—

(1) AVAILABILITY AND CONSULTATION REQUIREMENT.—Funds appropriated under title III of this Act shall be made available for assistance for the Western Sahara: *Provided*, That not later than 90 days after enactment of this Act and prior to the obligation of such funds, the Secretary of State, in consultation with the USAID Administrator, shall consult with the Committees on Appropriations on the proposed uses of such funds.

(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' that are available for assistance for Morocco may only be used for the purposes requested in the Congressional Budget Justification, Foreign Operations, Fiscal Year 2017.

(i) REFUGEE ASSISTANCE IN NORTH AFRICA.—Not later than 45 days after enactment of this Act, the Secretary of State, after consultation with the United Nations High Commissioner for Refugees and the Executive Director of the World Food Programme, shall submit a report to the Committees on Appropriations describing steps taken to strengthen monitoring of the delivery of humanitarian assistance provided for refugees in North Africa, including any steps taken to ensure that all vulnerable refugees are receiving such assistance.

(j) SYRIA.—

(1) NON-LETHAL ASSISTANCE.—Funds appropriated by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', and ''Peacekeeping Operations'' shall be made available, to the extent practicable and notwithstanding any other provision of law, for non-lethal assistance for programs to address the needs of civilians affected by conflict in Syria, and for programs that seek to—

(A) establish governance in Syria that is representative, inclusive, and accountable;

(B) empower women through political and economic programs, and address the psychosocial needs of women and their families in Syria and neighboring countries;

(C) develop and implement political processes that are democratic, transparent, and strengthen the rule of law;

(D) further the legitimacy and viability of the Syrian opposition through cross-border programs;

(E) develop and sustain civil society and independent media in Syria;

(F) promote stability and economic development in Syria;

(G) document, investigate, and prosecute human rights violations in Syria, including through transitional justice programs and support for nongovernmental organizations;

(H) expand the role of women in negotiations to end the violence and in any political transition in Syria;

(I) assist Syrian refugees whose education has been interrupted by the ongoing conflict to complete higher education requirements at universities and other academic institutions in the region, and through distance learning;

(J) assist vulnerable populations in Syria and in neighboring countries;

(K) protect and preserve the cultural identity of the people of Syria as a counterbalance to extremism, particularly those living in neighboring countries and among youth;

(L) protect and preserve cultural heritage sites in Syria, particularly those damaged and destroyed by extremists; and

(M) counter extremism in Syria.

(2) EXPLOSIVE ORDNANCE DISPOSAL PROGRAMS.—Funds appropriated by this Act under the heading ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be made available for explosive ordnance disposal programs in areas liberated from extremist organizations in Syria.

(3) SYRIAN ORGANIZATIONS.—Funds appropriated by this Act that are made available for assistance for Syria pursuant to the authority of this subsection shall be made available, on an open and competitive basis, to continue a program to strengthen the capability of Syrian civil society organizations to address the immediate and long-term needs of the Syrian people inside Syria in a manner that supports the sustainability of such organizations in implementing Syrian-led humanitarian and development programs and the comprehensive strategy required in section 7041(i)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76): *Provided*, That funds made available by this paragraph shall be the responsibility of the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(4) STRATEGY UPDATE.—Funds appropriated by this Act that are made available for assistance for Syria pursuant to the authority of this subsection may only be made available after the Secretary of State, in consultation with the heads of relevant United States Government agencies, submits, in classified form if necessary, an update to the comprehensive strategy required in section 7041(i)(3) of Public Law 113–76.

(5) MONITORING AND OVERSIGHT.—Prior to the obligation of funds appropriated by this Act and made available for assistance for Syria, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such assistance inside Syria: *Provided*, That the Secretary shall promptly inform the appropriate congressional committees of each instance in which assistance provided pursuant to this subsection has been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State.

(6) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(k) TUNISIA.—Of the funds appropriated under titles III and IV of this Act, not less than $165,400,000 shall be made available for assistance for Tunisia.

(l) 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) taken any action with respect to the ICC that is intended to influence a determination by the ICC to initiate a judicially authorized investigation, or to actively support such an investigation, that subjects Israeli nationals to an investigation 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 2017 prior to the obligation of funds for the Palestinian Authority.

(4) SECURITY REPORT.—The reporting requirements contained 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.

(5) INCITEMENT REPORT.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing steps taken by the Palestinian Authority to counter incitement of violence against Israelis and to promote peace and coexistence with Israel.

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) BOKO HARAM.—Funds appropriated by this Act that are made available for assistance for Cameroon, Chad, Niger, and Nigeria—

(1) shall be made available for assistance for women and girls who are targeted by the terrorist organization Boko Haram, consistent with the provisions of section 7059 of this Act, and for individuals displaced by Boko Haram violence; and

(2) may be made available for counterterrorism programs to combat Boko Haram.

(c) CENTRAL AFRICAN REPUBLIC.—Funds made available by this Act for assistance for the Central African Republic shall be made available for reconciliation and peacebuilding programs, including activities to promote inter-faith dialogue at the national and local levels, and for programs to prevent crimes against humanity.

(d) ETHIOPIA.—

(1) FORCED EVICTIONS.—

(A) Funds appropriated by this Act for assistance for Ethiopia may not be made available for any activity that supports forced evictions.

(B) 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 projects in Ethiopia only if such projects are developed and carried out in accordance with the requirements of section 7029(b)(2) of this Act.

(2) CONSULTATION REQUIREMENT.—Programs and activities to improve livelihoods shall include prior consultation with, and the participation of, affected communities, including in the South Omo and Gambella regions.

(3) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Ethiopia may only be made available for border security and counterterrorism programs, support for international peacekeeping efforts, and assistance for professional military education.

(e) LAKE CHAD BASIN COUNTRIES.—Funds appropriated by this Act for democracy and other development programs for Cameroon, Chad, Niger, and Nigeria should be made available, following consultation with the Committees on Appropriations, to protect freedoms of expression, association and religion, including support for journalists, civil society, and opposition political parties, and should be used to assist the governments of such countries to strengthen accountability and the rule of law, including within the security forces.

(f) LORD'S RESISTANCE ARMY.—Funds appropriated by this Act shall be made available for programs and activities in areas affected by the Lord's Resistance Army (LRA) consistent with the goals of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act (Public Law 111–172), including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers.

(g) MALAWI.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $56,000,000 shall be made available for assistance for Malawi, of which up to $10,000,000 shall be made available for higher education programs.

(h) POWER AFRICA INITIATIVE.—Funds appropriated by this Act that are made available for the Power Africa initiative shall be subject to the regular notification procedures of the Committees on Appropriations.

(i) SOUTH SUDAN.—

(1) STRATEGY REQUIREMENT.—Not later than 45 days after enactment of this Act and prior to the initial obligation of funds made available by this Act for assistance for the central Government of South Sudan, the Secretary of State, in consultation with the USAID Administrator, shall submit to the appropriate congressional committees a United States diplomatic and assistance strategy for South Sudan, consistent with the requirements under this section in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided*, That such strategy shall include a description of how the cessation of hostilities and the delivery of humanitarian assistance and essential services will be prioritized: *Provided further*, That the Secretary of State shall consult with such committees prior to submitting such strategy.

(2) CERTIFICATION.—None of the funds appropriated by this Act that are available for assistance for the central Government of South Sudan may be made available until the Secretary of State certifies and reports to the Committees on Appropriations that such government is taking effective steps to—

(A) end hostilities and pursue good faith negotiations for a political settlement of the conflict;

(B) provide access for humanitarian organizations;

(C) end the recruitment and use of child soldiers;

(D) protect freedoms of expression, association, and assembly;

(E) reduce corruption related to the extraction and sale of oil and gas;

(F) establish democratic institutions;

(G) establish accountable military and police forces under civilian authority; and

(H) investigate and prosecute individuals credibly alleged to have committed gross violations of human rights, including at the Terrain compound in Juba, South Sudan on July 11, 2016.

(3) EXCLUSIONS.—The limitation of paragraph (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance to support South Sudan peace negotiations or to advance or implement a peace agreement; and

(C) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement and mutual arrangements related to such Agreement.

(4) CONSULTATION.—Prior to the initial obligation of funds made available for the central Government of South Sudan pursuant to paragraphs (3)(B) and (C), the Secretary of State shall consult with the Committees on Appropriations on the intended uses of such funds, steps taken by such government to advance or implement a peace agreement, and progress made by the Government of South Sudan in meeting the requirements in paragraph (2).

(j) SUDAN.—

(1) LIMITATION.—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.

(2) LIMITATION ON LOANS.—None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(3) EXCLUSIONS.—The limitations of paragraphs (1) and (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance for democracy programs;

(C) assistance for the Darfur region, Southern Kordofan State, Blue Nile State, other marginalized areas and populations in Sudan, and Abyei; and

(D) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement, mutual arrangements related to post-referendum issues associated with such Agreement, or any other internationally recognized viable peace agreement in Sudan.

(k) 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) LIMITATIONS.—None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State certifies and reports as required in paragraph (1), and funds may be made available for macroeconomic growth assistance if the Secretary reports to the Committees on Appropriations that such government is implementing transparent fiscal policies, including public disclosure of revenues from the extraction of natural resources.

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) ASIA REBALANCING INITIATIVE.—Except for paragraphs (1)(C), (4), (5)(B) and (C), and 6(B), section 7043(a) 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 2017: *Provided*, That section 7043(a)(8) of such Act shall be applied to funds appropriated by this Act by adding ''East Asia,'' before ''Southeast Asia''.

(b) BURMA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—

(A) Funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for Burma may be made available notwithstanding any other provision of law, except for this subsection, and following consultation with the appropriate congressional committees.

(B) Funds appropriated under title III of this Act for assistance for Burma—

(i) shall be made available to strengthen civil society organizations in Burma and for programs to strengthen independent media;

(ii) shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading ''Migration and Refugee Assistance'';

(iii) shall be made available for programs to promote ethnic and religious tolerance, including in Rakhine and Kachin states;

(iv) shall be made available to promote rural economic development in Burma, including through microfinance and sustainable power generation programs;

(v) shall be made available to increase opportunities for foreign direct investment by strengthening the rule of law, transparency, and accountability;

(vi) may not be made available to any individual or organization if the Secretary of State has credible information that such individual or organization has committed a gross violation of human rights, including against Rohingya and other minority groups, or that advocates violence against ethnic or religious groups and individuals in Burma;

(vii) may not be made available to any organization or entity controlled by the military of Burma; and

(viii) may be made available for programs administered by the Office of Transition Initiatives, United States Agency for International Development, 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.

(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) MULTILATERAL ASSISTANCE.—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 projects in Burma only if such projects are developed and carried out in accordance with the requirements of section 7029(b)(2) of this Act.

(4) PROGRAMS, POSITION, AND RESPONSIBILITIES.—

(A) Any new program or activity in Burma initiated in fiscal year 2017 shall be subject to prior consultation with the appropriate congressional committees.

(B) Section 7043(b)(7) 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 2017.

(C) The United States Chief of Mission in Burma, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall be responsible for democracy and human rights programs in Burma.

(c) CAMBODIA.—

(1) HUMAN RIGHTS CONDITIONS.—Of the funds appropriated in title IV of this Act that are made available for assistance for the central Government of Cambodia, 25 percent shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that such government—

(A) is taking effective steps to strengthen regional security and stability, particularly regarding territorial disputes in the South China Sea;

(B) has ceased efforts to intimidate civil society and the political opposition in Cambodia, is credibly investigating the murder of social and political activists, and is taking actions to address the concerns detailed in the September 14, 2016 United Nations Human Rights Situation in Cambodia—Joint Statement; and

(C) is establishing conditions for the holding of free and fair elections in Cambodia in 2017 and 2018 through a non-partisan election commission; fair election processes; credible post-election dispute resolution mechanisms; open and inclusive participation, to include the return of exiled former opposition leaders; and respect for freedoms of assembly and speech.

(2) KHMER ROUGE TRIBUNAL.—Of the funds appropriated by this Act that are made available for assistance for Cambodia under the heading ''Economic Support Fund'', not more than $1,500,000 may be made available for a contribution to the Extraordinary Chambers in the Court of Cambodia (ECCC): *Provided*, That such funds may only be made available if the Secretary of State certifies and reports to the Committees on Appropriations that such contribution is in the national interest of the United States and will support the prosecution and punishment of individuals responsible for genocide in Cambodia in a credible manner: *Provided further*, That if the Secretary of State is unable to make the certification required by the previous proviso, such funds shall be made available for research and education programs associated with the Khmer Rouge genocide in Cambodia, which are in addition to funds otherwise made available under paragraph (3): *Provided further*, That such funds shall be subject to prior consultation with, and the regular notification procedures of, such Committees: *Provided further*, That the Secretary of State shall seek reimbursements from the Principal Donors Group for the Documentation Center of Cambodia for costs incurred in support of the ECCC.

(3) RESEARCH AND EDUCATION.—Funds made available by this Act for democracy programs in Cambodia shall be made available for research and education programs associated with the Khmer Rouge genocide in Cambodia.

(d) NORTH KOREA.—

(1) 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.

(2) REFUGEES.—Funds appropriated by this Act under the heading ''Migration and Refugee Assistance'' should be made available for assistance for refugees from North Korea, including protection activities in the People's Republic of China and other countries in Asia.

(3) DATABASE AND REPORT.—Funds appropriated by this Act under title III shall be made available to maintain a database of prisons and gulags in North Korea, in accordance with section 7032(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(4) LIMITATION ON USE OF FUNDS.—None of the funds made available by this Act under the heading ''Economic Support Fund'' may be made available for assistance for the Government of North Korea.

(e) PEOPLE'S REPUBLIC OF CHINA.—

(1) LIMITATION ON USE OF FUNDS.—None of the funds appropriated under the heading ''Diplomatic and Consular 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) COUNTER INFLUENCE PROGRAMS.—Funds appropriated by this Act for public diplomacy under title I and for assistance under titles III and IV shall be made available to counter the influence of the PRC, in accordance with the strategy required by section 7043(e)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76), following consultation with the Committees on Appropriations.

(4) AUTHORITY AND NOTIFICATION REQUIREMENT.—

(A) The uses of funds made available by this Act for the promotion of democracy in the PRC, except for funds made available under subsection (g), shall be the responsibility of the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(B) Funds appropriated by this Act that are made available for trilateral programs conducted with the PRC shall be subject to the regular notification procedures of the Committees on Appropriations.

(f) PHILIPPINES.—Prior to the initial obligation of funds appropriated by this Act for assistance for the Philippines, but not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations, which shall include the information required under this section in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(g) TIBET.—

(1) FINANCING OF PROJECTS IN TIBET.—The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing of projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) PROGRAMS FOR TIBETAN COMMUNITIES.—

(A) Notwithstanding any other provision of law, funds appropriated by this Act under the heading ''Economic Support Fund'' 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 Tibetan Autonomous Region and in other Tibetan communities in China.

(B) Funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for programs to promote and preserve Tibetan culture, development, and the resilience of Tibetan communities in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: *Provided*, That such funds are in addition to amounts made available in subparagraph (A) for programs inside Tibet.

(h) VIETNAM.—

(1) DIOXIN REMEDIATION.—Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $20,000,000 shall be made available for activities related to the remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes.

(2) HEALTH AND DISABILITY PROGRAMS.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $10,000,000 shall be made available for health and disability programs in areas sprayed with Agent Orange and otherwise contaminated with dioxin, to assist individuals with severe upper or lower body mobility impairment and/or cognitive or developmental disabilities.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) STRATEGY AND PERSONNEL.—

(A) STRATEGY.—Not later than 90 days after enactment of this Act and prior to the initial obligation of funds made available for assistance for Afghanistan by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'', the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a revised strategy for United States engagement in Afghanistan: *Provided*, That such strategy shall include detailed information on the roles and responsibilities of the Department of State, the United States Agency for International Development, and other non-defense United States Government agencies in Afghanistan, including the anticipated number of government and contractor personnel to be assigned in Afghanistan in fiscal years 2018 and 2019: *Provided further*, That such strategy shall also include detailed information on development programs to be supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, including a description of specific safeguards to ensure that any such funds supporting projects in areas under the control of the Taliban or other extremist organizations do not further the legitimacy of such organizations: *Provided further*, That such strategy shall also include detailed information, in classified form if necessary, on specific steps to be taken to encourage a negotiated political resolution of the conflict in Afghanistan.

(B) PERSONNEL REPORT.—Not later than 30 days after enactment of this Act and every 120 days thereafter until September 30, 2018, the Secretary of State shall submit a report, in classified form if necessary, to the appropriate congressional committees detailing by agency the number of personnel present in Afghanistan under Chief of Mission authority per section 3927 of title 22, United States Code, at the end of the 120 day period preceding the submission of such report: *Provided*, That such report shall also include the number of locally employed staff and contractors supporting United States Embassy operations in Afghanistan during the reporting period.

(2) ASSISTANCE AND CONDITIONS.—

(A) FUNDING AND LIMITATIONS.—Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' may be made available for assistance for Afghanistan: *Provided*, That such funds may not be obligated for any project or activity that—

(i) includes the participation of any Afghan individual or organization, including government entity, that the Secretary of State determines to be involved in corrupt practices, illicit narcotics production or trafficking, or a violation of human rights;

(ii) cannot be sustained, as appropriate, by the Government of Afghanistan or another Afghan entity;

(iii) is not regularly accessible for the purposes of conducting effective oversight in accordance with applicable Federal statutes and regulations;

(iv) initiates any new, major infrastructure development; or

(v) legitimizes the Taliban or other extremist organizations in areas not under the control of the Government of Afghanistan.

(B) CERTIFICATION AND REPORT.—Prior to the initial obligation of funds made available by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' for assistance for the central Government of Afghanistan, the Secretary of State shall certify and report to the Committees on Appropriations, after consultation with the Government of Afghanistan, that—

(i) goals and benchmarks for the specific uses of such funds have been established by the Governments of the United States and Afghanistan;

(ii) conditions are in place that increase the transparency and accountability of the Government of Afghanistan for funds obligated under the New Development Partnership;

(iii) the Government of Afghanistan is implementing laws and policies to govern democratically and protect the rights of individuals, civil society, and the media;

(iv) the Government of Afghanistan is taking consistent steps to protect and advance the rights of women and girls in Afghanistan;

(v) the Government of Afghanistan is effectively implementing a whole-of-government, anti-corruption strategy that has been endorsed by the High Council on Rule of Law and Anti-Corruption, as agreed to at the Brussels Conference on Afghanistan in October 2016, and is prosecuting individuals alleged to be involved in corrupt or illegal activities in Afghanistan;

(vi) monitoring and oversight frameworks for programs implemented with such funds are in accordance with all applicable audit policies of the Department of State and USAID, including in areas under the control of the Taliban or other extremist organizations;

(vii) the necessary policies and procedures are in place to ensure Government of Afghanistan compliance with section 7013 of this Act, ''Prohibition on Taxation of United States Assistance''; and

(viii) the Government of Afghanistan is publicly reporting its national budget, including revenues and expenditures.

(C) WAIVER.—The Secretary of State may waive the certification requirement of subparagraph (B) if the Secretary determines that to do so is important to the national security interest of the United States and the Secretary submits a report to the Committees on Appropriations, in classified form if necessary, on the justification for the waiver and the reasons why any of the requirements of subparagraph (B) cannot be met.

(D) PROGRAMS.—Funds appropriated by this Act that are made available for assistance for Afghanistan shall be made available in the following manner—

(i) for programs that protect and strengthen the rights of women and girls and promote the political and economic empowerment of women, including their meaningful inclusion in political processes: *Provided*,

That such assistance to promote economic empowerment of women shall be made available as grants to Afghan and international organizations, to the maximum extent practicable;

(ii) for programs in South and Central Asia to expand linkages between Afghanistan and countries in the region, subject to the regular notification procedures of the Committees on Appropriations; and

(iii) to assist the Government of Afghanistan to increase revenue collection and expenditure.

(E) TAXATION.—None of the funds appropriated by this Act for assistance for Afghanistan may be made available for direct government-to-government assistance unless the Secretary of State certifies and reports to the Committees on Appropriations that United States companies and organizations that are implementing United States foreign assistance programs in Afghanistan in a manner consistent with United States laws and regulations are not subjected by such government to taxes or other fees in contravention of diplomatic and other agreements between the Governments of the United States and Afghanistan, or to retaliation for the nonpayment of taxes or fees imposed in the past: *Provided*, That not later than 90 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an assessment of the dollar value of improper taxes or fees levied by such government against such companies and organizations in fiscal years 2014, 2015, and 2016.

(3) GOALS AND BENCHMARKS.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report describing the goals and benchmarks required in paragraph (2)(B)(i): *Provided*, That not later than 6 months after the submission of such report and every 6 months thereafter until September 30, 2018, the Secretary of State shall submit a report to such committees on the status of achieving such goals and benchmarks: *Provided further*, That the Secretary of State should suspend assistance for the Government of Afghanistan if any report required by this paragraph indicates that such government is failing to make measurable progress in meeting such goals and benchmarks.

(4) AUTHORITIES.—

(A) Funds appropriated by this Act under title III through VI that are made available for assistance for Afghanistan may be made available—

(i) notwithstanding section 7012 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961;

(ii) for reconciliation programs and disarmament, demobilization, and reintegration activities for former combatants who have renounced violence against the Government of Afghanistan, in accordance with section 7046(a)(2)(B)(ii) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74); and

(iii) for an endowment to empower women and girls.

(B) Section 7046(a)(2)(A) of division I of Public Law 112–74 shall apply to funds appropriated by this Act for assistance for Afghanistan.

(C) Section 1102(c) of the Supplemental Appropriations Act, 2009 (title XI of Public Law 111–32) shall continue in effect during fiscal year 2017.

(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) NEPAL.—

(1) ASSISTANCE.—Not less than $112,500,000 of the funds appropriated by this Act under the headings ''Global Health Programs'', ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be made available for assistance for Nepal, including for earthquake recovery and reconstruction programs.

(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' shall only be made available for humanitarian and disaster relief and reconstruction activities in Nepal, and in support of international peacekeeping operations: *Provided*, That such funds may only be made available for any additional uses if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the laws of war, and the Nepal Army is cooperating fully with civilian judicial authorities in such cases.

(c) PAKISTAN.—

(1) CERTIFICATION REQUIREMENT.—None of the funds appropriated or otherwise made available by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', and ''Foreign Military Financing Program'' for assistance for the Government of Pakistan may be made available unless the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Pakistan is—

(A) 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 effective 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;

(B) 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;

(C) not financing or otherwise supporting schools supported by, affiliated with, or run by the Taliban or any designated foreign terrorist organization;

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

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

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

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

(2) WAIVER AND REPORTS.—

(A) The Secretary of State may waive the certification requirement of paragraph (1) with respect to funds appropriated or otherwise made available by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' for assistance for the Government of Pakistan if the Secretary determines that to do so is important to the national security interest of the United States.

(B) The Secretary of State may waive the certification requirement of paragraph (1) with respect to 95 percent of the funds appropriated or otherwise made available by this Act under the heading ''Foreign Military Financing Program'' for assistance for the Government of Pakistan if the Secretary determines that to do so is important to the national security interest of the United States: *Provided*, That funds withheld by application of this subparagraph shall be withheld from obligation until the Secretary submits to the Committees on Appropriations the certification required by paragraph (1).

(C) In exercising the authority of this paragraph, the Secretary of State shall submit a report to the Committees on Appropriations, in classified form if necessary, on the justification for any waivers in subparagraphs (A) and (B) and the reasons why any of the requirements of paragraph (1) cannot be met.

(3) ASSISTANCE.—

(A) Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan.

(B) Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' that are available for assistance for Pakistan shall be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture IEDs, including calcium ammonium nitrate; to support programs to train border and customs officials in Pakistan and Afghanistan; and for agricultural extension programs that encourage alternative fertilizer use among Pakistani farmers.

(C) Funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for infrastructure projects in Pakistan shall be implemented in a manner consistent with section 507(6) of the Trade Act of 1974 (19 U.S.C. 2467(6)).

(D) Funds appropriated by this Act under titles III and IV for assistance for Pakistan may be made available notwithstanding any other provision of law, except for section 620M of the Foreign Assistance Act of 1961.

(E) Of the funds appropriated under titles III and IV of this Act that are made available for assistance for Pakistan, $33,000,000 shall be withheld from obligation until the Secretary of State reports to the Committees on Appropriations that Dr. Shakil Afridi has been released from prison and cleared of all charges relating to the assistance provided to the United States in locating Osama bin Laden.

(4) SCHOLARSHIPS FOR WOMEN.—The authority and directives of section 7044(d)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall apply to funds appropriated by this Act that are made available for assistance for Pakistan: *Provided*, That prior to the obligation of funds for such purposes, the USAID Administrator shall consult with the Committees on Appropriations.

(5) REPORTS.—

(A)(i) The spend plan required by section 7076 of this Act for assistance for Pakistan shall include achievable and sustainable goals, benchmarks for measuring progress, and expected results regarding combating poverty and furthering development in Pakistan, countering terrorism and extremism, and establishing conditions conducive to the rule of law and transparent and accountable governance: *Provided*, That not later than 6 months after submission of such spend plan, and each 6 months thereafter until September 30, 2018, the Secretary of State shall submit a report to the Committees on Appropriations on the status of achieving the goals and benchmarks in such plan.

(ii) The Secretary of State should suspend assistance for the Government of Pakistan if any report required by clause (i) indicates that Pakistan is failing to make measurable progress in meeting such goals or benchmarks.

(B) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the costs and objectives associated with significant infrastructure projects supported by the United States in Pakistan, and an assessment of the extent to which such projects achieve such objectives.

(6) OVERSIGHT.—The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Pakistan.

(d) SRI LANKA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—Funds appropriated by this Act under the heading ''Economic Support Fund'' 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 may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Sri Lanka is taking steps to—

(A) repeal laws that do not comply with international standards for arrest and detention, and to ensure that any successor legislation meets such standards;

(B) increase accountability and transparency in governance;

(C) support a credible justice mechanism in compliance with United Nations Human Rights Council Resolution (A/HCR/30/L.29) of October, 2015; and

(D) return land in former conflict zones to former owners or to compensate those whose land was confiscated without due process, which are in addition to steps taken during the previous calendar year.

(3) INTERNATIONAL SECURITY ASSISTANCE.—Funds appropriated under title IV of this Act that are available for assistance for Sri Lanka shall be subject to the following conditions—

(A) not to exceed $500,000 under the heading ''Foreign Military Financing Program'' may only be made available for programs to support humanitarian and disaster response efforts; to redeploy out of former conflict zones; and to restructure and reduce the size of the Sri Lankan armed forces; and

(B) funds under the heading ''Peacekeeping Operations'' may only be made available for training and equipment related to international peacekeeping operations.

(e) REGIONAL PROGRAMS.—

(1) CROSS BORDER PROGRAMS.—Funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for Afghanistan and Pakistan may be provided, notwithstanding any other provision of law that restricts assistance to foreign countries, for cross border stabilization and development programs between Afghanistan and Pakistan, or between either country and the Central Asian countries.

(2) SECURITY AND JUSTICE PROGRAMS.—Funds appropriated by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', and ''Assistance for Europe, Eurasia and Central Asia'' that are available for assistance for countries in South and Central Asia shall be made available to enhance the recruitment, retention, and professionalism of women in the judiciary, police, and other security forces.

LATIN AMERICA AND THE CARIBBEAN

SEC. 7045. (a) CENTRAL AMERICA.—

(1) STRATEGY REVIEW AND UPDATE.—The Secretary of State, in consultation with the heads of other relevant United States Government agencies, shall review the United States Strategy for Engagement in Central America (the Strategy) and submit an updated Strategy to the appropriate congressional committees not later than 90 days after enactment of this Act: *Provided*, That such Strategy shall address the key factors in countries in Central America that contribute to the migration of undocumented Central Americans to the United States: *Provided further*, That such Strategy should support regional security and economic initiatives, including the Plan of the Alliance for Prosperity in the Northern Triangle in Central America (the Plan), to the extent the Secretary of State determines such initiatives are consistent with the national interest of the United States.

(2) FUNDING.—Subject to the requirements of this subsection, of the funds appropriated under titles III and IV of this Act, $655,000,000 should be made available for assistance for countries in Central America to implement the United States Strategy for Engagement in Central America: *Provided further*, That such funds shall be made available to the maximum extent practicable on a cost-matching basis.

(3) PRE-OBLIGATION REQUIREMENTS.—Prior to the obligation of funds made available pursuant to paragraph (2) and following the submission of the Strategy as required in paragraph (1), the Secretary of State shall submit to the Committees on Appropriations a multi-year spend plan as described under this section in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act), including a description of how such funds shall prioritize addressing the key factors in countries in Central America that contribute to the migration of undocumented Central Americans to the United States.

(4) ASSISTANCE FOR THE CENTRAL GOVERNMENTS OF EL SALVADOR, GUATEMALA, AND HONDURAS.—Of the funds made available pursuant to paragraph (2) that are available for assistance for each of the central governments of El Salvador, Guatemala, and Honduras, the following amounts shall be withheld from obligation and may only be made available as follows:

(A) 25 percent may only be obligated after the Secretary of State certifies and reports to the appropriate congressional committees that such government is taking effective steps, which are in addition to those steps taken since the certification and report submitted during the prior year, if applicable, to—

(i) inform its citizens of the dangers of the journey to the southwest border of the United States;

(ii) combat human smuggling and trafficking;

(iii) improve border security, including to prevent illegal migration, human smuggling and trafficking, and trafficking of illicit drugs and other contraband; and

(iv) cooperate with United States Government agencies and other governments in the region to facilitate the return, repatriation, and reintegration of illegal migrants arriving at the southwest border of the United States who do not qualify for asylum, consistent with international law.

(B) An additional 50 percent may only be obligated after the Secretary of State certifies and reports to the appropriate congressional committees that such government is taking effective steps, which are in addition to those steps taken since the certification and report submitted during the prior year, if applicable, to—

(i) work cooperatively with an autonomous, publicly accountable entity to provide oversight of the Plan;

(ii) combat corruption, including investigating and prosecuting current and former government officials credibly alleged to be corrupt;

(iii) implement reforms, policies, and programs to improve transparency and strengthen public institutions, including increasing the capacity and independence of the judiciary and the Office of the Attorney General;

(iv) implement a policy to ensure that local communities, civil society organizations (including indigenous and other marginalized groups), and local governments are consulted in the design, and participate in the implementation and evaluation of, activities of the Plan that affect such communities, organizations, and governments;

(v) counter the activities of criminal gangs, drug traffickers, and organized crime;

(vi) investigate and prosecute in the civilian justice system government personnel, including military and police personnel, who are credibly alleged to have violated human rights, and ensure that such personnel are cooperating in such cases;

(vii) cooperate with commissions against corruption and impunity and with regional human rights entities;

(viii) support programs to reduce poverty, expand education and vocational training for at-risk youth, create jobs, and promote equitable economic growth particularly in areas contributing to large numbers of migrants;

(ix) implement a plan that includes goals, benchmarks and timelines to create a professional, accountable civilian police force and end the role of the military in internal policing, and make such plan available to the Department of State;

(x) protect the right of political opposition parties, journalists, trade unionists, human rights defenders, and other civil society activists to operate without interference;

(xi) increase government revenues, including by implementing tax reforms and strengthening customs agencies; and

(xii) resolve commercial disputes, including the confiscation of real property, between United States entities and such government.

(5) SUSPENSION OF ASSISTANCE AND PERIODIC REVIEW.—

(A) The Secretary of State shall periodically review the progress of each of the central governments of El Salvador, Guatemala, and Honduras in meeting the requirements of paragraphs (4)(A) and (4)(B): *Provided*, That if the Secretary determines that sufficient progress has not been made by a central government, the Secretary shall suspend, in whole or in part, assistance for such government for programs supporting such requirement, and shall notify the appropriate congressional committees in writing of such action: *Provided further*, That the Secretary may resume funding for such programs only after the Secretary certifies to such committees that corrective measures have been taken.

(B) The Secretary of State shall, following a change of national government in El Salvador, Guatemala, or Honduras, determine and report to the appropriate congressional committees that any new government has committed to take the steps to meet the requirements of paragraphs (4)(A) and (4)(B): *Provided*, That if the Secretary is unable to make such a determination in a timely manner, assistance made available under this

subsection for such central government shall be suspended, in whole or in part, until such time as such determination and report can be made.

(6) TRANSFER OF FUNDS.—The Department of State and USAID may, following consultation with the Committees on Appropriations, transfer funds made available by this Act under the heading ''Development Assistance'' to the Inter-American Development Bank and the Inter-American Foundation to support the Strategy.

(b) COLOMBIA.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under titles III and IV, not less than $391,253,000 shall be made available for assistance for Colombia, including to support the efforts of the Government of Colombia to—

(A) conduct a unified campaign against narcotics trafficking, organizations designated as foreign terrorist organizations pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), and other criminal or illegal armed groups: *Provided*, That aircraft supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used to transport personnel and supplies involved in drug eradication and interdiction, including security for such activities, and to provide transport in support of alternative development programs and investigations by civilian judicial authorities;

(B) enhance security and stability in Colombia and the region;

(C) strengthen and expand governance, the rule of law, and access to justice throughout Colombia;

(D) promote economic and social development, including by improving access to areas impacted by conflict through demining programs; and

(E) implement a peace agreement between the Government of Colombia and illegal armed groups, in accordance with constitutional and legal requirements in Colombia:

Provided, That such funds shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(2) LIMITATION.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Colombia may be made available for payment of reparations to conflict victims or compensation to demobilized combatants associated with a peace agreement between the Government of Colombia and illegal armed groups.

(3) PRE-OBLIGATION REQUIREMENTS.—Prior to the initial obligation of funds made available pursuant to paragraph (1), the Secretary of State, in consultation with the USAID Administrator, shall submit to the Committees on Appropriations a multi-year spend plan as described under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(4) REFUGEES.—Funds made available by this Act under the heading ''Economic Support Fund'' for assistance for Colombia shall be apportioned directly to USAID, except that not less than $7,000,000 of such funds shall be transferred to, and merged with, funds appropriated by this Act under the heading ''Migration and Refugee Assistance'' for assistance for Colombian refugees in neighboring countries.

(5) COUNTERNARCOTICS.—Of the funds made available by this Act under the heading ''International Narcotics Control and Law Enforcement'' for assistance for Colombia, 20 percent may be obligated only in accordance with the conditions set forth under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(6) HUMAN RIGHTS.—Of the funds made available by this Act under the heading ''Foreign Military Financing Program'' for assistance for Colombia, 20 percent may be obligated only in accordance with the conditions set forth under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(7) EXCEPTIONS.—The limitations of paragraphs (5) and (6) shall not apply to funds made available for aviation instruction and maintenance, and maritime and riverine security programs.

(c) HAITI.—

(1) FUNDING.—Of the funds appropriated by this Act under the headings ''Development Assistance'' and ''Economic Support Fund'', not more than $45,000,000 may be made available for assistance for Haiti: *Provided*, That the funding limitation of this paragraph may be exceeded for food security and global health programs.

(2) CERTIFICATION.—Funds appropriated by this Act under the headings ''Development Assistance'' and ''Economic Support Fund'' that are made available for assistance for Haiti may not be made available for assistance for the central Government of Haiti unless the Secretary of State certifies and reports to the Committees on Appropriations that such government is taking effective steps, which are in addition to 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 increase expenditures on public services; and

(D) resolve commercial disputes between United States entities and the Government of Haiti.

(3) 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.

EUROPE AND EURASIA

SEC. 7046. (a) ASSISTANCE FOR UKRAINE.—Of the funds appropriated by this Act under titles III and IV, not less than $410,465,000 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 7070(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 shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2333) or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

WAR CRIMES TRIBUNALS

SEC. 7047. 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.

UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNTABILITY.—

(1) Of the funds appropriated under title I and under the heading ''International Organizations and Programs'' in title V of this Act that are available for contributions to the United Nations (including the Department of Peacekeeping Operations), any United Nations agency, or the Organization of American States, 15 percent may not be obligated for such organization, department, or agency until the Secretary of State reports to the Committees on Appropriations that the organization, department, or agency is—

(A) posting on a publicly available Web site, 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; and

(B) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(i) protection against retaliation for internal and lawful public disclosures;

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

(iv) access to independent adjudicative bodies, including external arbitration; and

(v) results that eliminate the effects of proven retaliation.

(2) 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) None of the funds made available by this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such agency, body, or commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. App. 2405(j)(1)), supports international terrorism.

(2) None of the funds made available by this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) 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 in 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 the Council is taking significant steps to remove Israel as a permanent agenda item: *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: *Provided further*, That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2017, 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.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—Prior to the initial obligation of funds for the United Nations Relief and Works Agency (UNRWA), and not later than 45 days after enactment of this Act, the Secretary of State shall submit a report in writing to the Committees on Appropriations 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) UNITED NATIONS CAPITAL PROJECTS.—None of the funds made available by this Act may be used for the design, renovation, or construction of the United Nations Headquarters in New York: *Provided*, That any operating plan submitted pursuant to this Act for funds made available under the heading ''Contributions to International Organizations'' shall include information on capital projects, as described under this section in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(g) WITHHOLDING 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 2017 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 of State shall update such report each time additional funds are withheld by operation of any provision of law: *Provided further*, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(h) SEXUAL EXPLOITATION AND ABUSE IN PEACEKEEPING OPERATIONS.—

(1) Funds appropriated by this Act shall be made available to implement section 301 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323): *Provided*, That the elements and objectives of subsection (c) of such section shall include the adoption of a United Nations policy requiring the mandatory repatriation from a United Nations peacekeeping operation of any personnel credibly alleged to have engaged in sexual exploitation or abuse, and a prohibition on the participation in such peacekeeping operations of personnel from any country the government of which is unwilling or unable to carry out its criminal or disciplinary responsibilities with respect to personnel credibly alleged to have engaged in sexual exploitation or abuse.

(2) 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 bring the responsible members of such unit to justice and to prevent future incidents: *Provided*, That the Secretary shall promptly notify the government of each country subject to any withholding of assistance pursuant to this paragraph, and shall notify the appropriate congressional committees of such withholding not later than 10 days after a determination to withhold such assistance is made: *Provided further*, That the Secretary shall, to the maximum extent practicable, assist such government in bringing the responsible members of such unit to justice.

(i) ADDITIONAL AVAILABILITY.—Funds appropriated under title I of this Act which are returned or not made available due to the implementation of subsection (a) or the second proviso under the heading ''Contributions for International Peacekeeping Activities'' of such title shall remain available for obligation until September 30, 2018.

(j) REPORT ON ARREARS.—Not later than 30 days after enactment of this Act, and updated every 90 days thereafter until September 30, 2018, the Secretary of State shall submit a report to the appropriate congressional committees detailing—

(1) a description of the treaty or other obligation of the United States to pay assessed contributions at specified rates for the United Nations and other international organizations by organization or entity;

(2) a description of relevant United States laws regarding such assessed rates and contributions;

(3) a description of, and justification for, any deviation from payment of such assessed rates and contributions, to include the cumulative amount of arrears owed, or anticipated to be owed, by the United States to any organization or entity as a result of such deviation;

(4) a specific plan for payment of such arrears;

(5) an analysis of when the amount of arrears owed by the United States may trigger Article 19 of the United Nations Charter or similar provision in a treaty, convention or charter governing participation in an international organization, resulting in the loss of a vote by the United States in the United Nations General Assembly or other governing body of an international organization; and

(6) an analysis of the impact to the national interest of the United States in international organizations, including the United Nations, as a result of arrears owed, if any, including with respect to the loss of influence within such organizations.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 7049. (a) AUTHORITY.—Funds made available by 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.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

DISABILITY PROGRAMS

SEC. 7050. (a) ASSISTANCE.—Funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for programs and activities administered by the United States Agency for International Development to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation.

(b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUPPORT.—Of the funds made available pursuant to this section, 5 percent may be used for USAID for management, oversight, and technical support.

INTERNATIONAL CONFERENCES

SEC. 7051. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

AIRCRAFT TRANSFER, COORDINATION, AND USE

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Diplomatic and Consular 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, including for the transportation of active and standby Civilian Response Corps personnel and equipment during a deployment: *Provided*, That the responsibility for policy decisions and justification for the use of such transfer authority shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

(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) 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 such aircraft may be used to transport, on a reimbursable or nonreimbursable 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 for 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) 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, 2011 (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, 2016''.

LANDMINES AND CLUSTER MUNITIONS

SEC. 7054. (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—

(1) 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

(2) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7055. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by Congress: *Provided*, That not to exceed $25,000 may be made available to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980 (Public Law 96–533).

CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF ECONOMIC AND MILITARY ASSISTANCE

SEC. 7056. (a) Under the direction of the President, the Secretary of State shall be responsible for the continuous supervision and general direction of economic assistance, law enforcement and justice sector assistance, military assistance, and military education and training programs, including but not limited to determining whether there shall be a military assistance (including civic action) or a military education and training program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby.

(b) Consistent with section 481(b) of the Foreign Assistance Act of 1961, the Secretary of State shall be responsible for coordinating all assistance provided by the United States Government to support international efforts to combat illicit narcotics production or trafficking: *Provided*, That the provision of assistance by the Department of Defense which is comparable to assistance that may be made available by this Act under the heading ''International Narcotics Control and Law Enforcement'' shall be provided in a manner consistent with the requirements of section 333(b) of title 10, United States Code, as added by section 1241 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328).

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

SEC. 7057. (a) AUTHORITY.—Up to $93,000,000 of the funds made available in title III of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', may be used by the United States Agency for International Development to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2018.

(c) CONDITIONS.—The authority of subsection (a) should only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', are eliminated.

(d) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which the responsibilities of such individual primarily relate: *Provided*, That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading ''Operating Expenses''.

(e) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980, may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(f) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(g) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83–480), 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), may be made available only for personal services contractors assigned to the Office of Food for Peace.

(h) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(i) SENIOR FOREIGN SERVICE LIMITED APPOINTMENTS.—Individuals hired pursuant to the authority provided by section 7059(o) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2011 (division F of Public Law 111–117) may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under the heading ''Global Health Programs'' and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: *Provided*, That of the funds appropriated under title III of this Act, not less than $575,000,000 should be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

(b) GLOBAL FUND.—Of the funds appropriated by this Act that are available for a contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), 10 percent should be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that the Global Fund is—

(1) maintaining and implementing a policy of transparency, including the authority of the Global Fund Office of the Inspector General (OIG) to publish OIG reports on a public Web site;

(2) providing sufficient resources to maintain an independent OIG that—

(A) reports directly to the Board of the Global Fund;

(B) maintains a mandate to conduct thorough investigations and programmatic audits, free from undue interference; and

(C) compiles regular, publicly published audits and investigations of financial, programmatic, and reporting aspects of the Global Fund, its grantees, recipients, sub-recipients, and Local Fund Agents;

(3) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(A) protection against retaliation for internal and lawful public disclosures;

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

(D) access to independent adjudicative bodies, including external arbitration; and

(E) results that eliminate the effects of proven retaliation; and

(4) implementing the recommendations contained in the Consolidated Transformation Plan approved by the Board of the Global Fund on November 21, 2011:

Provided, That such withholding shall not be in addition to funds that are withheld from the Global Fund in fiscal year 2017 pursuant to the application of any other provision contained in this or any other Act.

(c) CONTAGIOUS INFECTIOUS DISEASE OUTBREAKS.—

(1) EMERGENCY RESERVE FUND.—Of the funds appropriated by this Act under the heading ''Global Health Programs'', $70,000,000 shall be made available for an Emergency Reserve Fund to address emerging health threats, and shall remain available until expended: *Provided*, That such funds shall be in addition to funds otherwise available for such purposes, and may be transferred to, and merged with, funds appropriated by this Act under the heading ''International Disaster Assistance'' for the purposes of this paragraph: *Provided further*, That such funds may only be made available if the Secretary of State determines and reports to the Committees on Appropriations that it is in the national interest to respond to an emerging health threat that poses severe threats to human health.

(2) 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.

(3) OVERSIGHT OF FUNDS.—Funds made available by this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

GENDER EQUALITY

SEC. 7059. (a) GENDER EQUALITY.—Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.

(b) WOMEN'S LEADERSHIP.—Of the funds appropriated by title III of this Act, not less than $50,000,000 shall be made available to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

(c) GENDER-BASED VIOLENCE.—

(1)(A) Of the funds appropriated by titles III and IV of this Act, not less than $150,000,000 shall be made available to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and nonconflict settings.

(B) Funds appropriated by titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(2) Department of State and United States Agency for International Development gender programs shall incorporate coordinated efforts to combat a variety of forms of gender-based violence, including child marriage, rape, female genital cutting and mutilation, and domestic violence, among other forms of gender-based violence in conflict and nonconflict settings.

(d) WOMEN, PEACE, AND SECURITY.—Funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''International Narcotics Control and Law Enforcement'' should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

(e) WOMEN AND GIRLS AT RISK FROM EXTREMISM.—

(1) ASSISTANCE.—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 activities to—

(A) empower women and girls to counter extremism;

(B) address the needs of women and girls adversely impacted by extremism and conflict;

(C) document crimes committed by extremists against women and girls, and support investigations and prosecutions of such crimes, as appropriate;

(D) increase the participation and influence of women in formal and informal political processes and institutions at the local level and within traditional governing structures;

(E) support reconciliation programs between impacted minority, religious, and ethnic groups and the broader community;

(F) develop and implement legal reforms and protections for women and girls at the national and local government levels; and

(G) create and sustain networks for women and girls to collectively safeguard their rights on a regional basis.

(2) STRATEGY REQUIREMENT.—Not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the USAID Administrator, shall submit a comprehensive, inter-agency strategy to support women and girls who are at risk from extremism and conflict, including a description of monitoring and evaluation protocols.

(3) CLARIFICATION AND NOTIFICATION.—Funds made available pursuant to paragraph (1)—

(A) are in addition to amounts otherwise available by this Act for such purposes; and

(B) shall be made available following consultation with, and subject to the regular notification procedures of, the Committees on Appropriations.

SECTOR ALLOCATIONS

SEC. 7060. (a) BASIC EDUCATION AND HIGHER EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated under title III of this Act, not less than $800,000,000 shall be made available for assistance for basic education, and such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries: *Provided*, That such funds should be used to implement the objectives of basic education programs for each Country Development Cooperation Strategy or similar strategy regarding basic education established by the United States Agency for International Development: *Provided further*, That such funds may also be used for secondary education activities: *Provided further*, That the USAID Administrator, following consultation with the Committees on Appropriations, may reprogram such funds between countries.

(B) Not later than 30 days after enactment of this Act, the USAID Administrator shall report to the Committees on Appropriations on the status of cumulative unobligated balances and obligated, but unexpended, balances in each country where USAID provides basic education assistance and such report shall also include details on the types of contracts and grants provided and the goals and objectives of such assistance: *Provided*, That the USAID Administrator shall update such report on a quarterly basis until September 30, 2018: *Provided further*, That if the USAID Administrator determines that any unobligated balances of funds specifically designated for assistance for basic education in prior Acts making appropriations for the Department of State, foreign operations, and related programs are in excess of the absorptive capacity of recipient countries, such funds may be made available for other programs authorized under chapter 1 of part I of the Foreign Assistance Act of 1961, notwithstanding such funding designation: *Provided further*, That the authority of the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(C) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than $75,000,000 shall be made available for a contribution to multilateral partnerships that support education.

(2) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $235,000,000 shall be made available for assistance for higher education, including not less than $35,000,000 for new and ongoing partnerships for human and institutional capacity building between higher education institutions in the United States and developing countries: *Provided*, That such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) DEVELOPMENT PROGRAMS.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $26,000,000 shall be made available for the American Schools and Hospitals Abroad program, and not less than $12,000,000 shall be made available for cooperative development programs of USAID.

(c) ENVIRONMENT PROGRAMS.—

(1) AUTHORITY AND NOTIFICATION REQUIREMENT.—

(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) No funds are appropriated or otherwise made available by this Act for a contribution, grant, or other payment to the Green Climate Fund.

(C) Funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(2) CONSERVATION PROGRAMS AND LIMITATIONS.—

(A) Of the funds appropriated under title III of this Act, not less than $265,000,000 shall be made available for biodiversity conservation programs.

(B) Not less than $90,664,000 of the funds appropriated under titles III and IV of this Act shall be made available to combat the transnational threat of wildlife poaching and trafficking.

(C) None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the Committees on Appropriations that to do so is in the national security interest of the United States.

(D) Funds appropriated by this Act for biodiversity programs shall not be used to support the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forests as of December 30, 2013, and the Secretary of the Treasury shall instruct the United States executive directors of each international financial institutions (IFI) to vote against any financing of any such activity.

(3) LARGE DAMS.—The Secretary of the Treasury shall instruct the United States executive director of each IFI that it is the policy of the United States to vote in relation to any loan, grant, strategy, or policy of such institution to support the construction of any large dam consistent with the criteria set forth in Senate Report 114–79, while also considering whether the project involves important foreign policy objectives.

(4) SUSTAINABLE LANDSCAPES.—Of the funds appropriated under title III of this Act, not less than $123,500,000 shall be made available for sustainable landscapes programs.

(d) FOOD SECURITY AND AGRICULTURAL DEVELOPMENT.—Of the funds appropriated by title III of this Act, not less than $1,000,600,000 should be made available for food security and agricultural development programs, of which not less than $50,000,000 shall be made available for the Feed the Future Innovation Labs: *Provided*, That such funds may be made available for a United States contribution to the endowment of the Global Crop Diversity Trust.

(e) MICROENTERPRISE AND MICROFINANCE.—Of the funds appropriated by this Act, not less than $265,000,000 should be made available for microenterprise and microfinance development programs for the poor, especially women.

(f) PROGRAMS TO COMBAT TRAFFICKING IN PERSONS AND MODERN SLAVERY.—

(1) 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 $64,800,000 shall be made available for activities to combat trafficking in persons internationally, of which not less than $40,000,000 shall be from funds made available under the heading ''International Narcotics Control and Law Enforcement'': *Provided*, That funds made available pursuant to this paragraph shall be made available to support a multifaceted approach to combat human trafficking in Guatemala: *Provided further*, That not later than 120 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations on the requirements enumerated under this section in House Report 114–693.

(2) MODERN SLAVERY.—Funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'' shall be made available for the purposes authorized by section 1298 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328): *Provided*, That such funds are in addition to funds made available pursuant to paragraph (1), and shall be made available on an open and competitive basis: *Provided further*, That funds made available pursuant to this paragraph shall be made available subject to the regular notification procedures of the Committees on Appropriations.

(3) COORDINATION.—The Secretary of State and the USAID Administrator, as appropriate, shall establish and implement guidelines to ensure that programs funded by paragraphs (1) and (2) to combat trafficking in persons and modern slavery are coordinated and complementary, and not duplicative.

(g) RECONCILIATION PROGRAMS.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''Development Assistance'', not less than $26,000,000 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: *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.

(h) WATER AND SANITATION.—Of the funds appropriated by this Act, not less than $400,000,000 shall be made available for water supply and sanitation projects pursuant to the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121), of which not less than $145,000,000 shall be for programs in sub-Saharan Africa, and of which not less than $14,000,000 shall be made available for programs to design and build safe, public latrines in Africa and Asia.

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 7061. (a) TRANSFER OF FUNDS.—Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of $20,000,000 of the funds appropriated under title III of this Act may be transferred to, and merged with, funds appropriated by this

Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided*, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided further*, That designated funding levels in this Act shall not be transferred pursuant to this section: *Provided further*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) AUTHORITY.—Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961, the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect until September 30, 2017.

ARMS TRADE TREATY

SEC. 7062. None of the funds appropriated by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

INSPECTORS GENERAL

SEC. 7063. (a) PROHIBITION ON USE OF FUNDS.—None of the funds appropriated by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency of the United States Government over which such Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of such Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access of such Inspector General.

(b) TIMELY ACCESS.—A department or agency of the United States Government covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

(c) COMPLIANCE.—Each Inspector General covered by this section shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) REPORT REQUIREMENT.—Each Inspector General covered by this section shall report to the Committees on Appropriations within 5 calendar days of any failure by any department or agency of the United States Government to provide its Inspector General access to all requested records, documents, and other materials.

REPORTING REQUIREMENTS CONCERNING INDIVIDUALS DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

SEC. 7064. Not later than 5 days after the conclusion of an agreement with a country, including a state with a compact of free association with the United States, to receive by transfer or release individuals detained at United States Naval Station, Guantánamo Bay, Cuba, the Secretary of State shall notify the Committees on Appropriations in writing of the terms of the agreement, including whether funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs will be made available for assistance for such country pursuant to such agreement.

MULTI-YEAR PLEDGES

SEC. 7065. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was—

(1) previously justified, including the projected future year costs, in a congressional budget justification;

(2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;

(3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or

(4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

PROHIBITION ON USE OF TORTURE

SEC. 7066. (a) LIMITATION.—None of the funds made available in this Act may be used to support or justify the use of torture, cruel, or inhumane treatment by any official or contract employee of the United States Government.

(b) ASSISTANCE TO ELIMINATE TORTURE.—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 by foreign police, military or other security forces in countries receiving assistance from funds appropriated by this Act.

EXTRADITION

SEC. 7067. (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 interests of the United States.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 7068. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt, and 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.

COUNTRY TRANSITION PLAN

SEC. 7069. Any bilateral country assistance strategy developed after the date of enactment of this Act for the provision of assistance for a foreign country in this fiscal year shall include a transition plan identifying end goals and options for winding down, within a targeted period of years, such bilateral assistance: *Provided*, That such transition plan shall be developed by the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the heads of other relevant Federal agencies, and officials of such foreign government and representatives of civil society, as appropriate.

COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

SEC. 7070. (a) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b) ANNEXATION OF CRIMEA.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea: *Provided*, That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to such Committees that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) None of the funds appropriated by this Act may be made available for—

(A) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea;

(B) the facilitation, financing, or guarantee of United States Government investments in Crimea, if such activity includes the participation of Russian Government officials, or other Russian owned or controlled financial entities; or

(C) assistance for Crimea, if such assistance includes the participation of Russian Government officials, or other Russian owned or controlled financial entities.

(3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(4) The requirements and limitations of this subsection shall cease to be in effect if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Ukraine has reestablished sovereignty over Crimea.

(c) OCCUPATION OF THE GEORGIAN TERRITORIES OF ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has recognized the independence of, or has established diplomatic relations with, the Russian occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia: *Provided*, That the Secretary shall publish on the Department of State Web site a list of any such central governments in a timely manner: *Provided further*, That the Secretary may waive the restriction on assistance required by this paragraph if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) None of the funds appropriated by this Act may be made available to support the Russian occupation of the Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia.

(3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty and territorial integrity of Georgia.

(4) Not later than 90 days after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on actions taken by the Russian Federation to further consolidate the occupation of the Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia, including the estimated annual costs of such occupation.

(d) ASSISTANCE TO COUNTER INFLUENCE AND AGGRESSION.—

(1) Of the funds appropriated by this Act under the headings ''Assistance for Europe, Eurasia and Central Asia'', ''International Narcotics Control and Law Enforcement'', and ''Foreign Military Financing Program'', not less than $100,000,000 shall be made available for assistance to counter Russian influence and aggression in countries in Europe and Eurasia: *Provided*, That such funds shall be referred to as the Countering Russian Influence Fund (the Fund), and be made available to civil society organizations and other entities in such countries for rule of law, media, cyber, and other programs that strengthen democratic institutions and processes, and counter Russian influence and aggression: *Provided further*, That not later than 45 days after enactment of this Act, the Secretary of State, in consultation with the USAID Administrator, shall submit a spend plan to the Committees on Appropriations detailing the proposed uses of the Fund on a country-by-country basis: *Provided further*, That such funds shall be in addition to amounts made available for bilateral assistance for such countries.

(2) Funds appropriated by this Act and made available for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements and trade agreements with the European Union, and to reduce their vulnerability to external economic and political pressure from the Russian Federation.

(e) DEMOCRACY PROGRAMS.—Funds appropriated by this Act shall be made available to support democracy programs in the Russian Federation, including to promote Internet freedom, and shall also be made available to support the democracy and rule of law strategy required by section 7071(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(f) REPORTS.—Not later than 45 days after enactment of this Act, the Secretary of State shall update the reports required by section 7071(b)(2), (c), and (e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

INTERNATIONAL MONETARY FUND

SEC. 7071. (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 creditors.

SPECIAL DEFENSE ACQUISITION FUND

SEC. 7072. Not to exceed $900,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisition Fund (the Fund), to remain available for obligation until September 30, 2019: *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.

STABILITY AND DEVELOPMENT IN REGIONS IMPACTED BY EXTREMISM AND CONFLICT

SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS AND EXTREMIST ORGANIZATIONS, AND STRENGTHENING THE STATE SYSTEM.—

(1) Not later than 30 days after enactment of this Act and prior to the initial obligation of funds made available by this Act for the purposes of this subsection, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development and the heads of relevant United States Government agencies, shall submit to the appropriate congressional committees a joint strategy to counter and defeat violent extremism and foreign fighters abroad, which shall include components to—

(A) counter the recruitment, radicalization, movement, and financing of such extremists and foreign fighters;

(B) secure borders of countries impacted by extremism;

(C) assist countries impacted by extremism to implement and establish criminal laws and policies to counter extremists and foreign fighters; and

(D) promote and strengthen democratic institutions and practices in countries impacted by extremism:

Provided, That such strategy shall include a detailed description of proposed monitoring, oversight, and vetting procedures.

(2) Funds appropriated under titles III and IV of this Act shall be made available for programs and activities to implement the strategy required in paragraph (1) in a manner consistent with all applicable laws, regulations, and policies regarding the use of foreign assistance funds: *Provided*, That the Secretary of State shall promptly inform the appropriate congressional committees of each instance in which assistance provided pursuant to this subsection has been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State or USAID, as appropriate: *Provided further*, That the Secretary of State shall ensure such programs are coordinated with and complement the efforts of other United States Government agencies and international partners: *Provided further*, That the Secretary shall also ensure that information gained through the conduct of such programs is shared in a timely manner with relevant United States Government agencies and other international partners, as appropriate.

(3) Funds made available pursuant to this subsection are subject to the regular notification procedures of the Committees on Appropriations.

(b) COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE POPULATIONS OR INTERNALLY DISPLACED PERSONS.—Funds appropriated by this Act under the headings ''Development Assistance'' and ''Economic Support Fund'' shall be made available for programs in countries affected by significant populations of internally displaced persons or refugees to—

(1) expand and improve host government social services and basic infrastructure to accommodate the needs of such populations and persons;

(2) alleviate the social and economic strains placed on host communities, including through programs to promote livelihoods, vocational training, and formal and informal education;

(3) improve coordination of such assistance in a more effective and sustainable manner; and

(4) leverage increased assistance from donors other than the United States Government for central governments and local communities in such countries:

Provided, That the Secretary of State shall periodically inform the Committees on Appropriations of the amount and specific uses of funds made available for the purposes of this subsection.

ENTERPRISE FUNDS

SEC. 7074. (a) NOTIFICATION REQUIREMENT.—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.

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

SEC. 7075. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program and policy.

BUDGET DOCUMENTS

SEC. 7076. (a) OPERATING AND REORGANIZATION PLANS.—

(1) Not later than 45 days after the date of enactment of this Act, each department, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2017, that provides details of the uses of such funds at the program, project, and activity level: *Provided*, That such plans shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the department or agency; and a clear, concise, and informative description/justification: *Provided further*, That if such department, agency, or organization receives an additional amount under the same heading in title VIII of this Act, operating plans required by this subsection shall include consolidated information on all such funds: *Provided further*, That operating plans that include changes in levels of funding for programs, projects, and activities specified in the congressional budget justification, in this Act, or amounts specifically designated

in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act), as applicable, shall be subject to the notification and reprogramming requirements of section 7015 of this Act.

(2) Concurrent with the submission of an operating plan pursuant to paragraph (1), each covered department, agency, or organization shall submit to the Committees on Appropriations a report detailing any planned reorganization of such department, agency, or organization, including any action planned pursuant to the March 31, 2017 Executive Order 13781 on a Comprehensive Plan for Reorganizing the Executive Branch, including—

(A) a detailed organization chart, including a brief description of each operating unit;

(B) the number of employees for each operating unit;

(C) the current policy for supporting the operations of the National Security Council (NSC) through the detail of agency staff, including staff projected to be detailed to the NSC during fiscal year 2018, if applicable; and

(D) a detailed explanation of the policies and procedures currently or expected to be used to comply with Executive Order 13781, including an assessment of how national security interests will be served by any proposed reorganizations.

(b) SPEND PLANS.—

(1) Prior to the initial obligation of funds, 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, and the West Bank and Gaza;

(B) Power Africa and the regional security initiatives listed under this section in House Report 114–693: *Provided*, That the spend plan for such initiatives shall include the amount of assistance planned for each country by account, to the maximum extent practicable; and

(C) democracy programs, programs to support section 7073(a) of this Act, and sectors enumerated in subsections (a), (c)(2), (d), (e), (f), (g), and (h) of section 7060 of this Act.

(2) Not later than 45 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the heading ''Department of the Treasury, International Affairs Technical Assistance'' in title III.

(c) 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 2016 under the heading ''Development Credit Authority''.

(d) NOTIFICATIONS.—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(e) CONGRESSIONAL BUDGET JUSTIFICATION.—

(1) The congressional budget justification for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President's budget for fiscal year 2018: *Provided*, That the appendices for such justification shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter.

(2) The Secretary of State and the USAID Administrator shall include in the congressional budget justification a detailed justification for multi-year availability for any funds requested under the headings ''Diplomatic and Consular Programs'' and ''Operating Expenses''.

REPORTS AND RECORDS MANAGEMENT

SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

(1) REQUIREMENT.—Any agency receiving funds made available by this Act shall, subject to paragraphs (2) and (3), post on the publicly available Web site of such agency any report required by this Act to be submitted to the Committees on Appropriations, upon a determination by the head of such agency that to do so is in the national interest.

(2) EXCEPTIONS.—Paragraph (1) shall not apply to a report if—

(A) the public posting of such report would compromise national security, including the conduct of diplomacy; or

(B) the report contains proprietary, privileged, or sensitive information.

(3) TIMING AND INTENTION.—The head of the agency posting such report shall, unless otherwise provided for in this Act, do so only after such report has been made available to the Committees on Appropriations for not less than 45 days: *Provided*, That any report required by this Act to be submitted to the Committees on Appropriations shall include information from the submitting agency on whether such report will be publicly posted.

(b) REQUESTS FOR DOCUMENTS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Department of State and the United States Agency for International Development.

(c) RECORDS MANAGEMENT.—

(1) LIMITATION.—None of the funds appropriated by this Act under the headings ''Diplomatic and Consular Programs'' and ''Capital Investment Fund'' in title I, and ''Operating Expenses'' and ''Capital Investment Fund'' in title II that are made available to the Department of State and USAID may be made available to support the use or establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program in contravention of the Presidential and Federal Records Act Amendments of 2014 (Public Law 113–187).

(2) DIRECTIVES.—The Secretary of State and USAID Administrator shall—

(A) update the policies, directives, and oversight necessary to comply with Federal statutes, regulations, and presidential executive orders and memoranda concerning the preservation of all records made or received in the conduct of official business, including record emails, instant messaging, and other online tools;

(B) use funds appropriated by this Act under the headings ''Diplomatic and Consular Programs'' and ''Capital Investment Fund'' in title I, and ''Operating Expenses'' and ''Capital Investment Fund'' in title II, as appropriate, to improve Federal records management pursuant to the Federal Records Act (44 U.S.C. Chapters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;

(C) direct departing employees that all Federal records generated by such employees, including senior officials, belong to the Federal Government; and

(D) significantly improve the response time for identifying and retrieving Federal records, including requests made pursuant to the Freedom of Information Act.

(3) REPORT.—Not later than 45 days after enactment of this Act, the Secretary of State and USAID Administrator shall each submit a report to the Committees on Appropriations and to the National Archives and Records Administration detailing, as appropriate and where applicable—

(A) any updates or modifications made to the policy of each agency regarding the use or the 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 since the submission to the Committees on Appropriations on January 20, 2016, of the report required by section 7077(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114–113);

(B) the extent to which each agency is in compliance with applicable Federal records management statutes, regulations, and policies, including meeting Directive goal 1.2 of the Managing Government Records Directive (M–12–18) by December 31, 2016; and

(C) any steps taken since the submission of the report referenced in subparagraph (A) to—

(i) comply with paragraph (1)(B) of this subsection;

(ii) ensure that all employees at every level have been instructed in procedures and processes to ensure that the documentation of their official duties is captured, preserved, managed, protected, and accessible in official Government systems of the Department of State and USAID;

(iii) implement recommendations 1 and 4 made by the Office of the Inspector General (OIG), Department of State, in the January 2016 Evaluation of the Department of State's FOIA Process for Requests Involving the Office of the Secretary (ESP-16-01);

(iv) reduce the backlog of Freedom of Information Act (FOIA) and Congressional oversight requests, and measurably improve the response time for answering such requests; and

(v) strengthen cyber security measures to mitigate vulnerabilities, including those resulting from the use of personal email accounts or servers outside the .gov domain and implement the recommendations of the OIG in the May 2016 Evaluation of Email Records Management and Cybersecurity Requirements (ESP–16–03).

(4) IMPLEMENTATION AND OPERATING PLAN.—The reports required by paragraph (3) shall be submitted by the Secretary of State or USAID Administrator simultaneously with the operating plans required by section 7076 of this Act for funds appropriated under the headings listed in paragraph (1), and shall include an operating plan and timeline, as applicable, for—

(A) implementing the recommendations of the OIG reports referenced in clauses (iii) and (v); and

(B) measurably reducing the FOIA and Congressional oversight requests backlog.

(5) REPORT ASSESSMENT.—Not later than 180 days after the submission of the reports required by paragraph (3), the Comptroller General of the United States, in consultation with National Archives and Records Administration, as appropriate, shall conduct an assessment of such reports, and shall consult with the Committees on Appropriations on the scope and requirements of such assessment.

GLOBAL INTERNET FREEDOM

SEC. 7078. (a) FUNDING.—Of the funds available for obligation during fiscal year 2017

under the headings ''International Broadcasting Operations'', ''Economic Support Fund'', ''Democracy Fund'', and ''Assistance for Europe, Eurasia and Central Asia'', not less than $50,500,000 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 interests of the United States: *Provided further*, That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) REQUIREMENTS.—

(1) Funds appropriated by this Act under the headings ''Economic Support Fund'', ''Democracy Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' that are made available pursuant to subsection (a) shall be—

(A) coordinated with other democracy programs funded by this Act under such headings, and shall be incorporated into country assistance and democracy promotion strategies, as appropriate;

(B) made available to the Bureau of Democracy, Human Rights, and Labor, Department of State, for programs to implement the May 2011, International Strategy for Cyberspace; the Department of State International Cyberspace Policy Strategy required by section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114–113); and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8754);

(C) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists;

(D) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship techniques used by authoritarian governments; and maintenance of the technological advantage of the United States Government over such censorship techniques: *Provided*, That the Secretary of State, in consultation with the Chief Executive Officer (CEO) of the Broadcasting Board of Governors (BBG), shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to assess the effectiveness of such technologies; and

(E) the responsibility of the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(2) Funds appropriated by this Act under the heading ''International Broadcasting Operations'' that are made available pursuant to subsection (a) shall be—

(A) made available only for tools and techniques to securely develop and distribute BBG digital content; facilitate audience access to such content on Web sites that are censored; coordinate the distribution of BBG digital content to targeted regional audiences; and to promote and distribute such tools and techniques, including digital security techniques;

(B) coordinated with programs funded by this Act under the heading ''International Broadcasting Operations'', and shall be incorporated into country broadcasting strategies, as appropriate;

(C) coordinated by the BBG CEO to provide Internet circumvention tools and techniques for audiences in countries that are strategic priorities for the BBG and in a manner consistent with the BBG Internet freedom strategy; and

(D) made available for the research and development of new tools or techniques authorized in paragraph (A) only after the BBG CEO, in consultation with the Secretary of State and other relevant United States Government departments and agencies, evaluates the risks and benefits of such new tools or techniques, and establishes safeguards to minimize the use of such new tools or techniques for illicit purposes.

(c) COORDINATION AND SPEND PLANS.—After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State and the BBG CEO shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes: *Provided*, That the Department of State spend plan shall include funding for all such programs for all relevant Department of State and USAID offices and bureaus: *Provided further*, That prior to the obligation of such funds, such offices and bureaus shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, to ensure that such programs support the Department of State Internet freedom strategy.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7079. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers' rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

(4) for the enforcement of any rule, regulation, policy, or guidelines implemented pursuant to—

(A) the third proviso of subsection 7079(b) of the Consolidated Appropriations Act, 2010;

(B) the modification proposed by the Overseas Private Investment Corporation in November 2013 to the Corporation's Environmental and Social Policy Statement relating to coal; or

(C) the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013,

when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any coal-fired or other power-generation project the purpose of which is to: (i) provide affordable electricity in International Development Association (IDA)-eligible countries and IDA-blend countries; and (ii) increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

FRAGILE STATES AND EXTREMISM

SEC. 7080. (a) FUNDING.—Funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for Syria, Iraq, and Somalia shall be made available to carry out the purposes of this section, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(b) COMPREHENSIVE PLAN.—Funds made available pursuant to subsection (a) shall be transferred to, and merged with, funds appropriated by this Act under the heading ''United States Institute of Peace'' for the purposes of developing a comprehensive plan (the Plan) to prevent the underlying causes of extremism in fragile states in the Sahel, Horn of Africa, and the Near East: *Provided*, That such funds are in addition to amounts otherwise available to the United States Institute of Peace (USIP) under title I of this Act: *Provided further*, That USIP shall consult with the Committees on Appropriations prior to developing such Plan: *Provided further*, That USIP shall also consult with relevant United States Government agencies, foreign governments, and civil society, as appropriate, in developing the Plan.

(c) DEMONSTRATION PROJECT.—Funds made available by subsection (a) shall be made available to implement the Plan required by subsection (b) through a demonstration project, consistent with the requirements described in section 7073(d)(2) of S. 3117 (as introduced in the Senate on June 29, 2016): *Provided*, That such funds shall be made available to the maximum extent practicable on a cost-matching basis from sources other than the United States Government.

CONSULAR AND BORDER SECURITY PROGRAMS

SEC. 7081. (a) SEPARATE FUND.—There is established in the Treasury a separate fund to be known as the ''Consular and Border Security Programs'' account into which the following fees shall be deposited for the purposes of the consular and border security programs.

(b) MACHINE-READABLE VISA FEE.—Section 103(d) of Public Law 107–173 (8 U.S.C. 1713) is amended by striking ''credited as an offsetting collection to any appropriation for the Department of State'' and inserting ''deposited in the Consular and Border Security Programs account''.

(c) PASSPORT AND IMMIGRANT VISA SECURITY SURCHARGES.—The fourth paragraph under the heading ''Diplomatic and Consular Programs'' in title IV of division B of Public Law 108–447 (8 U.S.C. 1714) is amended by striking ''credited to this account'' and inserting ''deposited in the Consular and Border Security Programs account''.

(d) DIVERSITY IMMIGRANT LOTTERY FEE.—Section 636 of title VI, division C of Public Law 104–208 (8 U.S.C. 1153 note) is amended by striking ''as an offsetting collection to any Department of State appropriation'' and inserting ''in the Consular and Border Security Programs account''.

(e) AFFIDAVIT OF SUPPORT FEE.—Section 232(c) of title II of division A of H.R. 3427 (106th Congress) (incorporated by reference

by section 1000(a)(7) of division B of Public Law 106–113, as amended (8 U.S.C. 1183a note), is further amended by striking ''as an offsetting collection to any Department of State appropriation'' and inserting ''in the Consular and Border Security Programs account''.

(f) WESTERN HEMISPHERE TRAVEL INITIATIVE SURCHARGE.—Subsection (b)(1) of section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(1)) is amended by striking ''as an offsetting collection to the appropriate Department of State appropriation'' and inserting ''in the Consular and Border Security Programs account''.

(g) EXPEDITED PASSPORT FEE.—The first proviso under the heading ''Diplomatic and Consular Programs'' in title V of Public Law 103–317 (22 U.S.C. 214 note) is amended by inserting ''or in the Consular and Border Security Programs account'' after ''offsetting collection''.

(h) TRANSFER OF FUNDS.—

(1) The unobligated balances of amounts available from fees referenced under this section may be transferred to the Consular and Border Security Programs account.

(2) Funds deposited in or transferred to the Consular and Border Security Programs account may be transferred between funds appropriated under the heading ''Administration of Foreign Affairs''.

(3) The transfer authorities in this section shall be in addition to any other transfer authority available to the Department of State.

(i) EFFECTIVE DATE.—The amendments made by this section shall take effect no later than October 1, 2018, and shall be implemented in a manner that ensures the fees collected, transferred, and used in fiscal year 2019 can be readily tracked.

UNITED NATIONS POPULATION FUND

SEC. 7082. (a) CONTRIBUTION.—Of the funds made available under the heading ''International Organizations and Programs'' in this Act for fiscal year 2017, $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.

AFGHAN ALLIES

(INCLUDING RESCISSION OF FUNDS)

SEC. 7083. (a) AFGHAN ALLIES.—Section 602(b)(3)(F) of the Afghan Allies Protection Act, 2009 (division F of Public Law 111–8), as amended, is further amended by substituting ''11,000'' for ''8,500'' in the matter preceding clause (i).

(b) RESCISSION OF FUNDS.—Of the funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs that remain available for obligation under the heading ''Bilateral Economic Assistance, Funds Appropriated to the President, Economic Support Fund'', $6,000,000 are rescinded: *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 section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS/ GLOBAL WAR ON TERRORISM

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Diplomatic and Consular Programs'', $2,410,386,000, to remain available until September 30, 2018, of which $1,815,210,000 is for Worldwide Security Protection and shall remain available until expended: *Provided*, That the Secretary of State may transfer up to $5,000,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in and assistance for Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: *Provided further*, That any such transfer shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading in this title may be made available for Conflict Stabilization Operations and for related reconstruction and stabilization assistance to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'', $54,900,000, to remain available until September 30, 2018, for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight: *Provided*, That printing and reproduction costs shall not exceed amounts for such costs during fiscal year 2016: *Provided further*, That notwithstanding any other provision of law, any employee of SIGAR who completes at least 12 months of continuous service after the date of enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications: *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.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance'', $1,238,800,000, to remain available until expended, of which $1,228,000,000 shall be for Worldwide Security Upgrades, acquisition, and construction as authorized: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'', $96,240,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $1,354,660,000, to remain available until September 30, 2018: *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.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'', $4,800,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $152,080,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $2,323,203,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ''International Disaster Assistance'', $990,000,000, to remain available until expended, for famine prevention, relief, and mitigation, including for South Sudan, Somalia, Nigeria, and Yemen: *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.

TRANSITION INITIATIVES

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

COMPLEX CRISES FUND

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

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund'', $2,609,242,000, to remain available until September 30, 2018: *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.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For an additional amount for ''Assistance for Europe, Eurasia and Central Asia'', $453,696,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'' to respond to refugee crises, including in Africa, the Near East, South and Central Asia, and Europe and Eurasia, $2,146,198,000, to remain available until expended, except that such funds shall not be made available for the resettlement costs of refugees in the United States: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for ''United States Emergency Refugee and Migration Assistance Fund'', $40,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $412,260,000, to remain available until September 30, 2018: *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.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', $341,754,000, to remain available until September 30, 2018: *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.

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $473,973,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That funds available for obligation under this heading in this Act may be used to pay assessed expenses of international peacekeeping activities in Somalia, subject to the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $1,325,808,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

ADDITIONAL APPROPRIATIONS

SEC. 8001. Notwithstanding any other provision of law, funds appropriated in this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2017.

EXTENSION OF AUTHORITIES AND CONDITIONS

SEC. 8002. Unless otherwise provided for in this Act, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts.

TRANSFER OF FUNDS

SEC. 8003. (a)(1) Funds appropriated by this title in this Act under the headings ''Transition Initiatives'', ''Complex Crises Fund'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' may be transferred to, and merged with, funds appropriated by this title under such headings.

(2) Funds appropriated by this title in this Act under the headings ''International Narcotics Control and Law Enforcement'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Peacekeeping Operations'', and ''Foreign Military Financing Program'' may be transferred to, and merged with, funds appropriated by this title under such headings.

(b) Notwithstanding any other provision of this section, not to exceed $15,000,000 from funds appropriated under the headings ''International Narcotics Control and Law Enforcement'', ''Peacekeeping Operations'', and ''Foreign Military Financing Program'' by this title in this Act may be transferred to, and merged with, funds previously made available under the heading ''Global Security Contingency Fund''.

(c) The transfer authority provided in subsection (a) may only be exercised to address contingencies.

(d) The transfer authority provided in subsections (a) and (b) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act of 1961 which may be exercised by the Secretary of State for the purposes of this title.

COUNTERING THE ISLAMIC STATE OF IRAQ AND SYRIA AND COMBATING TERRORISM IN THE NEAR EAST AND AFRICA

SEC. 8004. (a) RELIEF AND RECOVERY FUND.—Funds appropriated by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', ''Peacekeeping Operations'', and ''Foreign Military Financing Program'' that are designated for the Relief and Recovery Fund in the tables included in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act) shall be made available for assistance for areas liberated from, or under the influence of, the Islamic State of Iraq and Syria, other terrorist organizations, or violent extremist organizations in and around the Near East and Africa: *Provided*, That such funds are in addition to amounts otherwise made available for such purposes and to amounts specifically designated in this Act for assistance for foreign countries: *Provided further*, That such funds shall be made available to the maximum extent practicable on a cost-matching basis from sources other than the United States, except that no such funds may be made available for the costs of significant infrastructure projects: *Provided further*, That such funds appropriated under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' shall be made available for programs and activities included under this section in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided further*, That the Secretary of State shall include funds made available pursuant to this subsection in the update to reports required by section 204 of the Security Assistance Appropriations Act, 2017 (division B of Public Law 114–254).

(b) 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: *Provided*, That funds made available pursuant to this subsection shall be made available to enhance the capacity of Kurdistan Regional Government security services and for security programs in the Kurdistan Region of Iraq that further the security interest of the United States.

(c) OVERSIGHT REQUIREMENT.—Prior to the obligation of funds made available pursuant to subsections (a) and (b), 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*, That the Secretary shall promptly inform the appropriate congressional committees of each instance in which assistance provided pursuant to subsections (a) and (b) has been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State.

(d) NOTIFICATION REQUIREMENT.—Funds made available pursuant to this section shall be subject to the regular notification procedures of the Committees on Appropriations.

FAMINE PREVENTION, RELIEF, AND MITIGATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 8005. (a) TRANSFER AUTHORITY AND NOTIFICATION REQUIREMENT.—

(1) Of the funds appropriated by this title in the second paragraph under the heading ''International Disaster Assistance''—

(A) not less than $300,000,000 shall be transferred to, and merged with, the Foreign Agricultural Service, ''Food for Peace Title II Grants'' account; and

(B) not less than $1,500,000 shall be transferred to, and merged with, funds appropriated by this title under the heading ''Operating Expenses'' for the United States Agency for International Development.

(2) Funds appropriated by this title in the second paragraph under the heading ''International Disaster Assistance'' may be transferred to, and merged with, funds appropriated by this title under the heading ''Migration and Refugee Assistance''.

(3) The transfer authority of this subsection is in addition to any transfer authority otherwise available under any other provision of law, and shall be for famine prevention, relief, and mitigation.

(b) REPORTING REQUIREMENTS.—Not later than 30 days after enactment of this Act and every 45 days thereafter until September 30, 2018, the Director of the Office of Management and Budget, in consultation with the Secretary of State and Administrator of the United States Agency for International Development, shall submit to the Committees on Appropriations a report on the proposed use of funds appropriated under the heading ''International Disaster Assistance'' from this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, for famine prevention, relief, and mitigation: *Provided*, That such report shall include the requirements enumerated under this section in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

This division may be cited as the ''Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017''.

DIVISION K—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $114,000,000, of which not to exceed $2,758,000 shall be available for the immediate Office of the Secretary; not to exceed $1,040,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,772,000 shall be available for the Office of the General Counsel; not to exceed $10,033,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $14,019,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $29,356,000 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 $1,760,000 shall be available for the Office of the Executive Secretariat; not to exceed $11,089,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $18,485,000 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 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 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, $13,000,000, of which $8,218,000 shall remain available until September 30, 2019: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $500,000,000, to remain available through September 30, 2020: *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, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure and land ports of entry): *Provided further*, That 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, 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 not less than 20 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, 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 $20,000,000 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.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses for the establishment and administration of a new National Surface Transportation and Innovative Finance Bureau (the Bureau) within the Office of the Secretary of Transportation, $3,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall use such amount for the necessary expenses to establish the Bureau and to fulfill the responsibilities of the Bureau, as detailed in section 9001 of the Fixing America's Surface Transportation (FAST) Act (Public Law 114–94) (49 U.S.C. 116): *Provided further*, That the Secretary is required to receive the advance approval of the House and Senate Committees on Appropriations prior to exercising the authorities of 49 U.S.C. 116(h): *Provided further*, That the program be available to other Federal agencies, States, municipalities and project sponsors seeking Federal transportation expertise in obtaining financing.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $4,000,000, to remain available through September 30, 2018.

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, 2018.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,751,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $12,000,000: *Provided*, That of such amount, $3,000,000 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 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 $190,389,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $339,000, as authorized by 49 U.S.C. 332: *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 $18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, $602,000.

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, 2018: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $150,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. 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 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. 103. 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.

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, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $10,025,852,000, to remain available until September 30, 2018, of which $9,173,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,559,785,000 shall be available for air traffic organization activities; not to exceed $1,298,482,000 shall be available for aviation safety activities; not to exceed $19,826,000 shall be available for commercial space transportation activities; not to exceed $771,342,000 shall be available for finance and management activities; not to exceed $60,155,000 shall be available for NextGen and operations planning activities; not to exceed $107,161,000 shall be available for security and hazardous materials safety; and not to exceed $209,101,000 shall be available for staff offices: *Provided*, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 5 percent: *Provided further*, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $159,000,000 shall be for the contract tower program, including the contract tower cost share program: *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, $2,855,000,000, of which $486,000,000 shall remain available until September 30, 2017, and $2,369,000,000 shall remain available until September 30, 2019: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2018 through 2022, 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, $176,500,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2019: *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.

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, $3,750,000,000, 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 2017, 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 $107,691,000 shall be available for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $31,375,000 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, 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.

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 2017.

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 FAA 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 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 application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants, pending as of January 1, 2016, as long as the Federal Aviation Administration has received an application from the airport, and as long as the Administrator determines such tower is eligible using the factors set forth in the Federal Aviation Administration report, Establishment and Discontinuance Criteria for Airport Traffic Control Towers (FAA–APO–90–7 as of August, 1990).

SEC. 119D. For fiscal year 2017, the Secretary of Transportation shall apportion to the sponsor of a primary airport under section 47114(c)(1)(A) of title 49, United States Code, an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport had—

(1) fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2017; and

(2) 10,000 or more passenger boardings during calendar year 2012.

SEC. 119E. Section 47109(c)(2) of title 49, United States Code, is amended to read as follows: ''The Government's share of allowable project costs determined under this subsection shall not exceed the lesser of 93.75 percent or the highest percentage Government share applicable to any project in any State under subsection (b), except that at a primary non-hub and non-primary commercial service airport located in a State as set forth in paragraph (1) of this subsection that is within 15 miles of another State as set forth in paragraph (1) of this subsection, the Government's share shall be an average of the Government share applicable to any project in each of the States.''.

SEC. 119F. (a) Subchapter I of chapter 471, as amended by this subtitle, is further amended by adding at the end the following:

"§ 47144. Use of funds for repairs for runway safety repairs

''(a) IN GENERAL.—The Secretary of Transportation may make project grants under this subchapter to an airport described in subsection (b) from funds under section 47114 apportioned to that airport or funds available for discretionary grants to that airport under section 47115 to conduct airport development to repair the runway safety area of the airport damaged as a result of a natural disaster in order to maintain compliance with the regulations of the Federal Aviation Administration relating to runway safety areas, without regard to whether construction of the runway safety area damaged was carried out using amounts the airport received under this subchapter.

''(b) AIRPORTS DESCRIBED.—An airport is described in this subsection if—

''(1) the airport is a public-use airport;

''(2) the airport is listed in the National Plan of Integrated Airport Systems of the Federal Aviation Administration;

''(3) the runway safety area of the airport was damaged as a result of a natural disaster;

''(4) the airport was denied funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 4121 et seq.) with respect to the disaster;

''(5) the operator of the airport has exhausted all legal remedies, including legal action against any parties (or insurers thereof) whose action or inaction may have contributed to the need for the repair of the runway safety area;

''(6) there is still a demonstrated need for the runway safety area to accommodate current or imminent aeronautical demand; and

''(7) the cost of repairing or replacing the runway safety area is reasonable in relation to the anticipated operational benefit of repairing the runway safety area, as determined by the Administrator of the Federal Aviation Administration.''.

(b) The analysis for chapter 471, as amended by this subtitle, is further amended by inserting after the item relating to section 47143 the following:

''47144. Use of funds for repairs for runway safety repairs.''.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $432,547,000, 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, not to exceed $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America's Surface Transportation Act shall not exceed total obligations of $43,266,100,000 for fiscal year 2017: *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, $44,005,100,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the unobligated balances of funds apportioned among the States under chapter 1 of title 23, United States Code, a total of $857,000,000 is hereby permanently rescinded on June 30, 2017: *Provided*, That such rescission shall not apply to funds distributed in accordance with sections 104(b)(3) and 130(f) of title 23, United States Code; section 133(d)(1)(A) of such title; the first sentence of section 133(d)(3)(A) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141); sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59); and section 104(b)(5) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141): *Provided further*, That such rescission shall not apply to funds that are exempt from the obligation limitation or subject to special no-year obligation limitation: *Provided further*, That the amount to be rescinded from a State shall be determined by multiplying the total amount of the rescission by the ratio that the unobligated balances subject to the rescission as of May 31, 2017, for the State; bears to the unobligated balances subject to the rescission as of May 31, 2017, for all States: *Provided further*, That the amount to be rescinded under this section from each program to which the rescission applies within a State shall be determined by multiplying the rescission amount calculated for such State by the ratio that the unobligated balance as of May 31, 2017, for such program in such State; bears to the unobligated balances as of May 31, 2017, for all programs to which the rescission applies in such State.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2017, 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 2017, 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. (a) TRANSFER OF AMOUNTS.—

(1) STATE OF VIRGINIA.—

(A) IN GENERAL.—Of the total amount apportioned to the State of Virginia under section 104 of title 23, United States Code, for fiscal year 2017, the Secretary of Transportation shall, by the later of November 30, 2016, or 30 days after the enactment of this Act, transfer to the National Park Service—

(i) an amount equal to—

(I) $30,000,000; multiplied by

(II) the ratio that—

(aa) the amount apportioned to the State of Virginia under such section 104; bears to

(bb) the combined amount apportioned to the State of Virginia and the District of Columbia under such section 104; and

(ii) an amount of obligation limitation equal to the amount calculated under clause (i).

(B) SOURCE AND AMOUNT.—For purpose of the transfer under subparagraph (A), the State of Virginia shall select at the discretion of the State—

(i) the programs (among those for which funding is apportioned as described in that subparagraph) from which to transfer the amount specified in that subparagraph; and

(ii) the amount to transfer from each of those programs (equal in aggregate to the amount calculated under subparagraph (A)(i)).

(2) DISTRICT OF COLUMBIA.—

(A) IN GENERAL.—Of the total amount apportioned to the District of Columbia under section 104 of title 23, United States Code, for fiscal year 2017, the Secretary of Transportation shall, by the later of November 30, 2016, or 30 days after the enactment of this Act, transfer to the National Park Service—

(i) an amount equal to—

(I) $30,000,000; multiplied by

(II) the ratio that—

(aa) the amount apportioned to the District of Columbia under such section 104; bears to

(bb) the combined amount apportioned to the State of Virginia and the District of Columbia under such section 104; and

(ii) an amount of obligation limitation equal to the amount calculated under clause (i).

(B) SOURCE AND AMOUNT.—For purpose of the transfer under subparagraph (A), the District of Columbia shall select at the discretion of the District—

(i) the programs (among those for which funding is apportioned as described in that subparagraph) from which to transfer the amount specified in that subparagraph; and

(ii) the amount to transfer from each of those programs (equal in aggregate to the amount calculated under subparagraph (A)(i)).

(3) FEDERAL LANDS TRANSPORTATION PROGRAM.—Of the amounts otherwise made available to the National Park Service under section 203 of title 23, United States Code, not less than 10 percent shall be set aside for purposes of this section.

(b) ELIGIBILITY AND FEDERAL SHARE.—The amounts under subsection (a) shall be—

(1) available to the National Park Service only for projects that—

(A) are eligible under section 203 of title 23, United States Code; and

(B) are located on bridges on the National Highway System that were originally constructed before 1945 and are in poor condition; and

(2) subject to the Federal share described in section 201(b)(7)(A) of title 23, United States Code.

(c) OTHER FUNDS AND OBLIGATION LIMITATION.—Any funds and obligation limitation transferred under subsection (a) shall be in addition to funds or obligation limitation otherwise made available to the National Park Service under sections 203 and 204 of title 23, United States Code.

SEC. 123. 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. 124. None of the funds 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. 125. None of the funds in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award.

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, $277,200,000, 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 $277,200,000 for ''Motor Carrier Safety Operations and Programs'' for fiscal year 2017, of which $9,180,000, to remain available for obligation until September 30, 2019, is for the research and technology program.

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, $367,000,000, to be derived from the Highway Trust Fund (other

than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $367,000,000 in fiscal year 2017 for ''Motor Carrier Safety Grants''; of which $292,600,000 shall be available for the motor carrier safety assistance program, $31,200,000 shall be available for the commercial driver's license program implementation program, $42,200,000 shall be available for the high priority activities program, and $1,000,000 shall be available for the commercial motor vehicle operators grant program.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

SEC. 131. 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. 132. None of the funds made available by this Act or previous appropriations Acts under the heading ''Motor Carrier Safety Operations and Programs'' shall be used to pay for costs associated with design, development, testing, or implementation of a wireless roadside inspection program until 180 days after the Secretary of Transportation certifies to the House and Senate Committees on Appropriations that such program does not conflict with existing non-Federal electronic screening systems, create capabilities already available, or require additional statutory authority to incorporate generated inspection data into safety determinations or databases, and has restrictions to specifically address privacy concerns of affected motor carriers and operators.

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, $180,075,000, of which $20,000,000 shall remain available through September 30, 2018.

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, and chapter 303 of title 49, United States Code, $145,900,000, 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 2017, are in excess of $145,900,000, of which $140,700,000 shall be for programs authorized under 23 U.S.C. 403 and $5,200,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $145,900,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2018, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, to remain available until expended, $585,372,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2017, are in excess of $585,372,000 for programs authorized under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, of which $252,300,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $277,500,000 shall be for ''National Priority Safety Programs'' under 23 U.S.C. 405; $29,500,000 shall be for ''High Visibility Enforcement Program'' under 23 U.S.C. 404; $26,072,000 shall be for ''Administrative Expenses'' under section 4001(a)(6) of the Fixing America's Surface Transportation Act: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for ''National Priority Safety Programs'' under 23 U.S.C. 405 for ''Impaired Driving Countermeasures'' (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the ''Transfers'' provision under 23 U.S.C. 405(a)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(8) within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds made available by this Act may be used to obligate or award funds for the National Highway Traffic Safety Administration's National Roadside Survey.

SEC. 143. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $218,298,000, of which $15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $40,100,000, 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: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2017, except for Federal funds awarded in accordance with section 3028(c) of Public Law 114–94.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR GRANTS

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, $25,000,000, 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 project management oversight of grants carried out under section 24911 of title 49, United States Code.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS GRANTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants as authorized by section 24407 of title 49, United States Code, $68,000,000, to remain available until expended, for projects eligible under sections 24407(c)(1) through 24407(c)(10) of title 49, United States Code, of which $10,000,000 shall be available for eligible projects under section 24407(c)(2) of title 49, United States Code, that contribute to the initiation or restoration of intercity passenger rail service: *Provided*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of project management oversight of grants carried out under section 24407 of title 49, United States Code.

RESTORATION AND ENHANCEMENT GRANTS

For necessary expenses related to Restoration and Enhancement Grants, as authorized by section 24408 of title 49, United States Code, $5,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the funds provided under this heading to fund the costs of 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), $328,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the National Network Grants to the National Railroad Passenger Corporation heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114–94: *Provided further*, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114–94, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section

24905 of title 49, United States Code: *Provided further*, That of the amounts made available under this heading and the National Network Grants to the National Railroad Passenger Corporation heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), $1,167,000,000, 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 24712 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter within 30 days of such quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2017, a summary of all overtime payments incurred by the Corporation for 2016 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 2016 and for the three prior calendar years.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $113,165,000: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2018 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2018.

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, and section 20005(b) of Public Law 112–141, and sections 3006(b) and 3028 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, and section 20005(b) of Public Law 112–141, and sections 3006(b) and 3028 of the Fixing America's Surface Transportation Act, shall not exceed total obligations of $9,733,706,043 in fiscal year 2017: *Provided further*, That the Federal share of the cost of activities carried out under 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.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314, $5,000,000.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309 and section 3005(b) of the FAST Act, $2,412,631,000, to remain available until expended.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: *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 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading ''Fixed Guideway Capital Investment'' of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2021, 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, 2016, 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. (a) Except as provided in subsection (b), none of the funds in this or any other Act may be available to advance in any way a new light or heavy rail project towards a full funding grant agreement as defined by 49 U.S.C. 5309 for the Metropolitan Transit Authority of Harris County, Texas if the proposed capital project is constructed on or planned to be constructed on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas.

(b) The Metropolitan Transit Authority of Harris County, Texas, may attempt to construct or construct a new fixed guideway capital project, including light rail, in the locations referred to in subsection (a) if—

(1) voters in the jurisdiction that includes such locations approve a ballot proposition that specifies routes on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas; and

(2) the proposed construction of such routes is part of a comprehensive, multimodal, service-area wide transportation plan that includes multiple additional segments of fixed guideway capital projects, including light rail for the jurisdiction set forth in the ballot proposition. The ballot language shall include reasonable cost estimates, sources of revenue to be used and the total amount of bonded indebtedness to be incurred as well as a description of each route and the beginning and end point of each proposed transit project.

SEC. 164. Any unobligated amounts made available for fiscal year 2012 or prior fiscal years to carry out the discretionary job access and reverse commute program under section 3037 of the transportation equity act for the 21st century are hereby rescinded: *Provided*, That such amounts are made available for projects eligible under 49 U.S.C. 5309(q).

SEC. 165. Section 5307(a) of title 49, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following:

''(2) The Secretary may make grants under this section to finance the operating cost of equipment and facilities for use in public transportation, excluding rail fixed guideway, in an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census—

''(A) for public transportation systems that—

''(i) operate 75 or fewer buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 75 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours; or

''(ii) operate a minimum of 76 buses and a maximum of 100 buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 50 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours; or

''(B) subject to paragraph (3), for public transportation systems that—

''(i) operate 75 or fewer buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 75 percent of the share of the apportionment allocated to such systems within the urbanized area, as determined by the

local planning process and included in the designated recipient's final program of projects prepared under subsection (b); or

''(ii) operate a minimum of 76 buses and a maximum of 100 buses in fixed route service or demand response service, excluding ADA complementary paratransit service during peak service hours, in an amount not to exceed 50 percent of the share of the apportionment allocated to such systems within the urbanized area, as determined by the local planning process and included in the designated recipient's final program of projects prepared under subsection (b).

''(3) The amount available to a public transportation system under subparagraph (B) of paragraph (2) shall be not more than 10 percent greater than the amount that would otherwise be available to the system under subparagraph (A) of that paragraph.''.

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 of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $36,028,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

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

For necessary expenses of operations and training activities authorized by law, $175,560,000, of which $22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $6,000,000 shall remain available until expended for National Security Multi-Mission Vessel Program for State Maritime Academies and National Security, and of which $2,400,000 shall remain available through September 30, 2018, for the Student Incentive Program at State Maritime Academies, and of which $1,800,000 shall remain available until expended for training ship fuel assistance payments, and of which $14,218,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which $3,000,000 shall remain available through September 30, 2018, for Maritime Environment and Technology Assistance program authorized under section 50307 of title 46, United States Code, and of which $5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes authorized under sections 55601(b)(1) and (3) of title 46, United States Code: *Provided*, That not later than January 12, 2018, 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.

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, $10,000,000 to remain available until expended: *Provided*, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: *Provided further*, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $34,000,000, to remain available until expended, of which $24,000,000 shall be for the decommissioning of the Nuclear Ship *Savannah*.

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.

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.

SEC. 171. None of the funds available or appropriated in this Act shall be used by the United States Department of Transportation or the United States Maritime Administration to negotiate or otherwise execute, enter into, facilitate or perform fee-for-service contracts for vessel disposal, scrapping or recycling, unless there is no qualified domestic ship recycler that will pay any sum of money to purchase and scrap or recycle a vessel owned, operated or managed by the Maritime Administration or that is part of the National Defense Reserve Fleet: *Provided*, That such sales offers must be consistent with the solicitation and provide that the work will be performed in a timely manner at a facility qualified within the meaning of section 3502 of Public Law 106–398: *Provided further*, That nothing contained herein shall affect the Maritime Administration's authority to award contracts at least cost to the Federal Government and consistent with the requirements of 54 U.S.C. 308704, section 3502, or otherwise authorized under the Federal Acquisition Regulation.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $22,500,000: *Provided*, That the Secretary of Transportation shall issue a final rule to expand the applicability of comprehensive oil spill response plans no later than August 1, 2017: *Provided further*, That $1,500,000 shall be for ''Pipeline Safety Information Grants to Communities'' as authorized under section 60130 of title 49, United States Code.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $57,000,000, of which $7,570,000 shall remain available until September 30, 2019: *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 conduct the functions of the pipeline safety program, for grants-in-aid 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, $156,288,000, of which $20,288,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2019; and of which $128,000,000 shall be derived from the Pipeline Safety Fund, of which $63,335,000 shall remain available until September 30, 2019; and of which $8,000,000 shall be derived from the Pipeline Safety Fund as provided in 49 U.S.C. 60302 (section 12 of the PIPES Act of 2016 (Public Law 114–183)) from the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out 49 U.S.C. 60141 of such Act (section 12 of the PIPES Act of 2016 (Public Law 114–183)), of which $6,000,000 shall remain available until September 30, 2019: *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)

Notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than $28,318,000 shall be made available for obligation in fiscal year 2017 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 none of the funds made available by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made

available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $90,152,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the Department's, or its operating administrations', missions.

(c) Any unmanned aircraft system purchased or procured by the Department prior to the enactment of this Act shall be deemed authorized.

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. (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. 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 totaling $500,000 or more 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, 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, or discretionary grants that will be announced not less the 3 full business days before such announcement: *Provided*, That the requirement to provide a list in this subsection does not apply to any ''quick release'' of funds from the emergency relief program: *Provided further*, That no list shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any other 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; 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: *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 the transfer of any such recovery to an appropriations account, 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(d)(2) of Public Law 107–300.

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 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting ''and 25 square miles of land area'' after ''145,000''; and

(2) by inserting ''and 12 square miles of land area'' after ''65,000''.

This title may be cited as the ''Department of Transportation Appropriations Act, 2017''.

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, $14,000,000: *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, $517,647,000, of which $53,000,000 shall be available for the Office of the Chief Financial Officer; $95,250,000 shall be available for the Office of the General Counsel; $206,500,000 shall be available for the Office of Administration, and of which, no less than $4,500,000 shall be available for the cost of consolidation and reconfiguration of space in the Weaver Building in accordance with the space consolidation plan which would bring employees back into such Building and reduce the amount of leased space for such employees outside of such Building; $40,250,000 shall be available for the Office of the Chief Human Capital Officer; $51,000,000 shall be available for the Office of Field Policy and Management; $18,067,000 shall be available for the Office of the Chief Procurement Officer; $3,830,000 shall be available for the Office of Departmental Equal Employment Opportunity; $4,500,000 shall be available for the Office of Strategic Planning and Management; and $45,250,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $216,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $110,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, $392,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $24,000,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $72,000,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $9,353,000.

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 to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department, and for such portion of any office or agency's printing, records management, space renovation, furniture, or supply services as the Secretary determines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: *Provided*, That of the amounts made available in this title for salaries and expenses under the headings ''Executive Offices'', ''Administrative Support Offices'', ''Program Office Salaries and Expenses'', and ''Government National Mortgage Association'', the Secretary shall transfer to the Fund such amounts, to remain available until expended, as are necessary to fund services, specified in the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional $10,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for use for any office or agency: *Provided further*, That amounts in the Fund shall be the only amounts available to each office or agency of the Department for the services, or portion of services, specified in the first proviso: *Provided further*, That with respect to the Fund, the authorities and conditions under this heading shall supplement the authorities and conditions provided under section 7(f).

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $16,292,000,000, to remain available until expended, shall be available on October 1, 2016 (in addition to the $4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2016), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2017: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $18,355,000,000 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 2017 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, HOPE VI, 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, 2017: *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 2017 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 2016 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 2017 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 $75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $110,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced

vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That 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) $1,650,000,000 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 $10,000,000 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, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,640,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2017 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) $120,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further*, That any amounts provided under this paragraph in this Act or prior Acts, remaining available after funding renewals and administrative expenses under this paragraph, shall be available for incremental tenant-based assistance contracts under such section 811, including necessary administrative expenses;

(5) $7,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD–VA Supportive Housing 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 the recipients that received assistance under the rental assistance and supportive housing demonstration program for Native American veterans authorized under the heading ''Tenant-Based Rental Assistance'' in title II of division K of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235, 128 Stat. 2733): *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 under the demonstration program: *Provided further*, That any amounts remaining after such renewal assistance is awarded may be available for new grants to recipients eligible to receive block grants under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. section 4101 et seq.) for rental assistance and associated administrative fees for Tribal HUD–VA Supportive Housing to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided further*, That funds shall be awarded based on need, and administrative capacity established by the Secretary in a Notice published in the Federal Register after coordination with the Secretary of the Department of Veterans Affairs: *Provided further*, That renewal grants and new grants under this paragraph shall be administered by block grant recipients in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further*, That assistance under this paragraph shall be modeled after, with necessary and appropriate adjustments for Native American grant recipients and veterans, the rental assistance and supportive housing program known as HUD–VASH program, including administration in conjunction with the Department of Veterans Affairs and overall implementation of section 8(o)(19) of the United States Housing Act of 1937: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for 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 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;

(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 204 (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) $10,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: *Provided*

further, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such program; and

(8) 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 2017 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'') $1,941,500,000, to remain available until September 30, 2020: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2017, 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 up to $10,000,000 shall be to support ongoing public housing financial and physical assessment activities: *Provided further*, That 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 $21,500,000 shall be available for the Secretary to make grants, notwithstanding section 204 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 2017: *Provided further*, That of the amount made available under the previous proviso, not less than $5,000,000 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, 2018, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures: *Provided further*, That of the total amount provided under this heading $35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, $15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, 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 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2017 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, $25,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Provided further*, That for purposes of environmental review, a grant under the previous proviso shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of section 26 of such Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section.

PUBLIC HOUSING OPERATING FUND

For 2017 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)), $4,400,000,000, to remain available until September 30, 2018.

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, $137,500,000, to remain available until September 30, 2019: *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 $50,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading ''Revitalization of Severely Distressed Public Housing (HOPE VI)'' in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000, to remain available until September 30, 2018: *Provided*, That the Secretary

may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $654,000,000, to remain available until September 30, 2021: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $3,500,000 shall be contracted for assistance for national or regional organizations representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA: *Provided further*, That of the funds made available under the previous proviso, not less than $2,000,000 shall be made available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): *Provided further*, That of the amounts made available under this heading, $3,500,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance related to funding provided under this heading and other headings under this Act for the needs of Native American families and Indian country: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,857,142: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act: *Provided further*, That notwithstanding section 302(d) of NAHASDA, if on the date of enactment of this Act, a recipient's total amount of undisbursed block grant funds in the Department's line of credit control system is greater than the sum of its prior 3 years' initial formula allocation calculations, the Secretary shall adjust that recipient's formula allocation that it would otherwise receive down by the difference between its total amount of undisbursed block grant funds in the Department's line of credit control system on the date of enactment of this Act, and the sum of its prior 3 years' initial formula allocation calculations: *Provided further*, That grant amounts not allocated to a recipient pursuant to the previous proviso shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment under such proviso: *Provided further*, That the second proviso shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than $5,000,000: *Provided further*, That to take effect, the three previous provisos do not require issuance or amendment of any regulation, shall not be subject to a formula challenge by an Indian tribe, and shall not be construed to confer hearing rights under any section of NAHASDA or its implementing regulations.

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), $5,500,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $1,341,463,415, to remain available until expended: *Provided further*, That up to $750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program: *Provided further*, That an additional $1,727,000 shall be available until expended for such costs of guaranteed loans authorized under such section 184 issued to tribes and Indian housing authorities for the construction of rental housing for law enforcement, healthcare, educational, technical and other skilled workers: *Provided further*, That the funds specified in the previous proviso are available to subsidize total loan principal, any part of which is to be guaranteed, up to $421,219,512 to remain available until expended: *Provided further*, That the Secretary may specify any additional program requirements with respect to the previous two provisos through publication of a Mortgagee Letter or Notice.

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, 2021.

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.), $356,000,000, to remain available until September 30, 2018, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2019: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,060,000,000, to remain available until September 30, 2019, unless otherwise specified: *Provided*, That of the total amount provided, $3,000,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (''the Act'' herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading $60,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 204 of this Act), up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2017, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $950,000,000, to remain available until September 30, 2020: *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 requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the ''Full-Year Continuing Appropriations Act, 2013'', shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled ''Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards'' which

became effective on such date: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $50,000,000, to remain available until September 30, 2019: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That of the total amount provided under this heading, $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: *Provided further*, That an additional $4,000,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled or low-income veterans as authorized under section 1079 of Public Law 113–291.

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, $2,383,000,000, to remain available until September 30, 2019: *Provided*, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: *Provided further*, That not less than $310,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program, of which, $40,000,000 shall be made available, as determined by the Secretary, for grants for rapid re-housing or other critical activities in order to assist communities that lost significant capacity after January 1, 2016 to serve persons experiencing homelessness: *Provided further*, That not less than $2,018,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That up to $12,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That the Secretary shall collect system performance measures for each continuum of care, and that relative to fiscal year 2015, under the Continuum of Care competition with respect to funds made available under this heading, the Secretary shall base an increasing share of the score on performance criteria: *Provided further*, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2017: *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 $43,000,000 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 11 communities, including at least five rural communities, can dramatically reduce youth homelessness: *Provided further*, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading.

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, $10,416,000,000, to remain available until expended, shall be available on October 1, 2016 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2016), and $400,000,000, to remain available until expended, shall be available on October 1, 2017: *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 $235,000,000 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 of Housing and Urban Development 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 of Housing and Urban Development, 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, and 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, and 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, $502,400,000 to remain available until September 30, 2020, of which

$10,000,000 shall be for capital advance and project-based rental assistance awards or for incremental senior preservation rental assistance contracts: *Provided*, That amounts for project rental assistance contracts are to remain available for the liquidation of valid obligations for 10 years following the date of such obligation: *Provided further*, That of the amount provided under this heading, up to $75,000,000 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 of Housing and Urban Development, 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 be available until September 30, 2020: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For 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), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and 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, $146,200,000, to remain available until September 30, 2020: *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, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, 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 be available until September 30, 2020: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for amendments and renewals notwithstanding 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, $55,000,000, to remain available until September 30, 2018, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $20,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $10,500,000, to remain available until expended, of which $10,500,000 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 2017 so as to result in a final fiscal year 2017 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 2017 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2018: *Provided*, That during fiscal year 2017, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $5,000,000: *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, 2018: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2017, 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.

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, 2018: *Provided*, That during fiscal year 2017, 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 $5,000,000, 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 $500,000,000,000, to remain available until September 30, 2018: *Provided*, That $23,000,000 shall be available 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, 2017, 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, $89,000,000, to remain available until September 30, 2018: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2018: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $145,000,000, to remain available until September 30, 2018, of which $30,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, that 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 the 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 of the total amount made available under this heading, $55,000,000 shall be made available on a competitive basis for areas with the highest lead-based paint abatement needs: *Provided further*, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: *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, and that still remain 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 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, $257,000,000, of which $250,000,000 shall remain available until September 30, 2018, and of which $7,000,000 shall remain available until September 30, 2019: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: *Provided further*, That not more than 10 percent of the funds made available under this heading for development, modernization and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the department's enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the department's capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $128,082,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION)

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 2017 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. Subsection (c) of section 854 of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) is amended—

(1) in subclause (I) of paragraph (2)(A), by redesignating the subclause as clause ''(i)''; and

(2) in subparagraph (D) of paragraph (2), to read as follows:

''(D) ADJUSTMENT TO GRANTS.—For each of fiscal years 2017, 2018, 2019, 2020, and 2021, with respect to a grantee that received an allocation in the prior fiscal year, the Secretary shall ensure that the grantee's share of total formula funds available for allocation does not decrease more than 5 percent nor gain more than 10 percent of the share of the total available formula funds that the grantee received in the preceding fiscal year.''.

SEC. 204. 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. 205. 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. 206. 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. 207. 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 2017 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. 208. 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. 209. The President's formal budget request for fiscal year 2018, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 210. 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. 211. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2017 and 2018, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 212. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005;

(7) is not a youth who left foster care at age 14 or older and is at risk of becoming homeless; and

(8) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 213. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 214. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2017, insure and enter into commitments to insure mortgages under such section 255.

SEC. 215. Notwithstanding any other provision of law, in fiscal year 2017, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure

on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 216. The commitment authority funded by fees as provided under the heading ''Community Development Loan Guarantees Program Account'' may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 217. 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. 218. 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. 219. 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 sub-office under the accounts ''Executive Offices'' and ''Administrative Support Offices,'' as well as each account receiving appropriations for ''Program Office Salaries and Expenses'', ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'', and ''Office of Inspector General'' within the Department of Housing and Urban Development.

SEC. 220. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2017, 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 2017, 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. 221. 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. 222. The Secretary is authorized to transfer up to 10 percent or $4,000,000, whichever is less, of funds appropriated for any office under the heading ''Administrative Support Offices'' or for any account under the general heading ''Program Office Salaries and Expenses'' to any other such office or account: *Provided*, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or $4,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees three business days in advance of any such transfers under this section up to 10 percent or $4,000,000, whichever is less.

SEC. 223. (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.

SEC. 224. 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 2017.

SEC. 225. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 226. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking ''fiscal year'' and all that follows through the period at the end and inserting ''fiscal year 2017.''; and

(2) in subsection (o), by striking ''September'' and all that follows through the period at the end and inserting ''September 30, 2017.''.

SEC. 227. 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. 228. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 229. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 230. 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. 231. 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. 232. 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. 233. 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 who has been subject to administrative discipline in fiscal years 2016 or 2017, including suspension from work.

SEC. 234. Funds made available in this title under the heading ''Homeless Assistance Grants'' may be used by the Secretary to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2017: *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. 235. With respect to grant amounts awarded under the heading ''Homeless Assistance Grants'' for fiscal years 2015, 2016, and 2017 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 recipients CoC program.

SEC. 236. (a) From amounts made available under this title under the heading ''Homeless Assistance Grants'', the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

(b) No more than 50 percent of each transition grant may be used for costs of eligible activities of the program component originally funded.

(c) Transition grants made under this section are eligible for renewal in subsequent fiscal years for the eligible activities of the new program component.

(d) In order to be eligible to receive a transition grant, the funding recipient must have the consent of the Continuum of Care and meet standards determined by the Secretary.

SEC. 237. (a) Section 302 of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4822) is amended in subsection (e)—

(1) in paragraph (1)—

(i) by striking ''handicapped'' and inserting ''persons with disabilities, or any 0-bedroom dwelling'';

(ii) by inserting ''or'' after ''expected to reside;''; and

(iii) by striking ''less than 7 years of age'' and inserting ''under age 6'';

(2) in paragraph (2) by striking ''; or'' and inserting ''.''; and

(3) by striking paragraph (3).

(b) Section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is amended in paragraph (27)—

(1) by inserting ''or any 0-bedroom dwelling'' after ''disabilities,''; and

(2) by deleting ''housing for the elderly or persons with disabilities) or any 0 bedroom dwelling'' and inserting ''housing)''.

(c) Section 401 of the Toxic Substances Control Act (15 U.S.C. 2681) is amended in paragraph (17)—

(1) by inserting ''or any 0-bedroom dwelling'' after ''disabilities,''; and

(2) by deleting ''housing for the elderly or persons with disabilities) or any 0 bedroom dwelling'' and inserting ''housing)''.

SEC. 238. Section 211 of the Department of Housing and Urban Development Appropriations Act, 2008, is repealed.

SEC. 239. The language under the heading Rental Assistance Demonstration in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55), is amended—

(1) in the second proviso, by striking ''2018'' and inserting ''2020''; and

(2) in the fourth proviso, by striking ''185,000'' and inserting ''225,000''.

SEC. 240. The Secretary shall establish by notice such requirements as may be necessary to implement section 78001 of title LXXVIII of the Fixing America's Surface Transportation Act (Public Law 114–94), and the notice shall take effect upon issuance: *Provided*, That the Secretary shall commence rulemaking based on the initial notice no later than the expiration of the 6-month period following issuance of the notice and the rulemaking shall allow for the opportunity for public comment.

SEC. 241. For fiscal year 2017 and hereafter, the Secretary of Housing and Urban Development may use amounts made available for the Continuum of Care program under the ''Homeless Assistance Grants'' heading under this title to renew a grant originally awarded pursuant to the matter under the heading ''Department of Housing and Urban Development—Permanent Supportive Housing'' in chapter 6 of title III of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2351) for assistance under subtitle F of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C 11403 et seq.). Such renewal grant shall be awarded to the same grantee and be subject to the provisions of such Continuum of Care program except that the funds may be used outside the geographic area of the continuum of care.

SEC. 242. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2016, 2017, 2018, or 2019 under that section.

SEC. 243. 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)).

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2017''.

TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $8,190,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $27,490,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,274,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2018, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2018 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), $106,000,000, 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), $140,000,000, of which $5,000,000 shall be for a multi-family rental housing program.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $37,000,000: *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 2017, to result in a final appropriation from the general fund estimated at no more than $35,750,000.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,600,000: *Provided*, That title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11319) is amended by striking ''October 1, 2017'' in section 209 and inserting ''October 1, 2018''.

TITLE IV

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSIONS)

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 2017, 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 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 the budget appendix for the respective appropriation; 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 2017 from appropriations made available for salaries and expenses for fiscal year 2017 in this Act, shall remain available through September 30, 2018, 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 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. 416. 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. 417. All unobligated balances, including recaptures and carryover, remaining from funds appropriated in division L of Public Law 114–113 for ''Department of Transportation-Office of the Secretary-Salaries and Expenses'', ''Department of Transportation-Office of the Secretary-Office of Civil Rights'', ''Department of Transportation-Office of the Secretary-Minority Business Outreach'', ''Department of Transportation-Federal Transit Administration-Administrative Expenses'', ''Department of Transportation-Pipeline and Hazardous Materials Safety Administration-Operational Expenses'', ''Department of Transportation-Surface Transportation Board-Salaries and Expenses'', ''Access Board-Salaries and Expenses'', ''Federal Maritime Commission-Salaries and Expenses'', ''National Railroad Passenger Corporation-Office of Inspector General-Salaries and Expenses'', ''National Transportation Safety Board-Salaries and Expenses'', and ''United States Interagency Council on Homelessness-Operating Expenses'' are rescinded.

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. Notwithstanding any other provision of law, on and after the date of enactment of this Act (without regard to fiscal year)—

(1) subsections (c) and (d) of section 395.3 of title 49, Code of Federal Regulations, as codified on the day before the date of enactment of this Act, are null and void; and

(2) section 395.3(c) of title 49, Code of Federal Regulations, as in effect on December 26, 2011, is hereby restored to full force and effect.

SEC. 420. For an additional amount for the Emergency Relief Program as authorized by section 125 of title 23, United States Code, $528,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 421. For an additional amount for ''Department of Housing and Urban Development, Community Planning and Development, Community Development Fund'', $400,000,000, to remain available until expended, which amounts shall be allocated and used under the same authority and conditions as—

(1) the additional appropriations for fiscal year 2016 in section 145(a) of division C of Public Law 114–223 and for fiscal year 2017 in section 192(a) of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254) (except for the last proviso under such section 145(a) and the proviso under such section 192);

(2) the additional appropriation for fiscal year 2016 in section 420 of title IV of division L of Public Law 114–113 (except for the last two provisos under such section); and

(3) in section 145(a) of division C of Public Law 114–223 (except for the last proviso under such section 145(a)), for additional major disasters declared in calendar year 2017 or later until such funds are fully allocated:

Provided, That amounts authorized for use under section 192(b) of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254) may be used for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts made available under this section: *Provided further*, That amounts made available by this section shall be designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 422. (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 100 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. 423. (a) Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following:

''(89) United States Route 67 from Interstate 40 in North Little Rock, Arkansas, to United States Route 412.

''(90) The Edward T. Breathitt Parkway from Interstate 24 to Interstate 69.''.

(b) Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended in the first sentence by striking ''and subsection (c)(83)'' and inserting ''subsection (c)(83), subsection (c)(89), and subsection (c)(90)''.

(c) Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following: ''The route referred to in subsection (c)(89) is designated as Interstate Route I–57. The route referred to in subsection (c)(90) is designated as Interstate Route I–169.''.

This division may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2017''.

DIVISION L—MILITARY CONSTRUCTION AND VETERANS AFFAIRS—ADDITIONAL APPROPRIATIONS ACT, 2017

TITLE I

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $39,500,000, to remain available until September 30, 2021: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects authorized by law: *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.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $66,708,000, to remain available until September 30, 2021: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects authorized by law: *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.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $105,300,000, to remain available until September 30, 2021: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects authorized by law: *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.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for ''Military Construction, Army National Guard'', $12,000,000, to remain available until September 30, 2021: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects authorized by law: *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.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for ''Military Construction, Air National Guard'', $13,000,000, to remain available until September 30, 2021: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects authorized by law: *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.

MILITARY CONSTRUCTION, ARMY RESERVE

For an additional amount for ''Military Construction, Army Reserve'', $10,000,000, to remain available until September 30, 2021: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects authorized by law: *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.

MILITARY CONSTRUCTION, NAVY RESERVE

For an additional amount for ''Military Construction, Navy Reserve'', $4,525,000, to remain available until September 30, 2021: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects authorized by law: *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.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For an additional amount for ''Military Construction, Air Force Reserve'', $9,000,000, to remain available until September 30, 2021: *Provided*, That such funds may be obligated and expended to carry out planning and design and military construction projects authorized by law: *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.

ADMINISTRATIVE PROVISION—THIS TITLE

(RESCISSION OF FUNDS)

SEC. 101. Of the unobligated balances made available by division I of Public Law 113–235 for ''European Reassurance Initiative Military Construction'' for ''Military Construction, Air Force'', $12,300,000 are hereby rescinded: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for ''Medical Services'', $50,000,000, to remain available until September 30, 2018: *Provided*, That such funds shall be for opioid and substance abuse prevention and treatment, and further implementation of the Jason Simcakoski Memorial and Promise Act (Title IX of Public Law 114–198).

TITLE III

GENERAL PROVISION—THIS DIVISION

SEC. 301. Notwithstanding any other provision of law, funds made available in this division are in addition to amounts appropriated or otherwise made available for the Department of Defense and the Department of Veterans Affairs for fiscal year 2017: *Provided*, That such amounts shall be subject to the terms and conditions set forth in division A of Public Law 114–223.

This division may be cited as ''Military Construction and Veterans Affairs—Additional Appropriations Act, 2017''.

DIVISION M—OTHER MATTERS

TITLE I—HEALTH BENEFITS FOR MINERS ACT OF 2017

SEC. 101. SHORT TITLE.

This title may be cited as ''Health Benefits for Miners Act of 2017''.

SEC. 102. EXTENSION OF TANF PROGRAM AND DETERMINING WHAT WORKS TO MOVE WELFARE RECIPIENTS INTO JOBS.

(a) IN GENERAL.—Each of the following provisions of the Social Security Act is amended by striking ''fiscal year 2012'' each place it appears and inserting ''each of fiscal years 2017 and 2018'':

(1) Subparagraphs (A) and (C) of section 403(a)(1) (42 U.S.C. 603(a)(1)).

(2) Section 403(a)(2)(D) (42 U.S.C. 603(a)(2)(D)), except that the 2nd sentence of such section is amended by striking ''fiscal year 2012'' and inserting ''fiscal year 2017 or 2018''.

(3) Paragraphs (1)(A) and (2)(A) of section 412(a) (42 U.S.C. 612(a)).

(4) Section 418(a)(3) (42 U.S.C. 618(a)(3)).

(5) Section 1108(b)(2) (42 U.S.C. 1308(b)(2)).

(b) CONTINGENCY FUND.—Section 403(b)(2) of such Act (42 U.S.C. 603(b)(2)) is amended to read as follows:

''(2) DEPOSITS INTO FUND.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for fiscal year 2018 such sums as are necessary for payment to the Fund in a total amount not to exceed $608,000,000.''.

(c) STRENGTHENING WELFARE RESEARCH AND EVALUATION AND DEVELOPMENT OF A WHAT WORKS CLEARINGHOUSE.—

(1) IN GENERAL.—Section 413 of such Act (42 U.S.C. 613) is amended to read as follows:

''SEC. 413. EVALUATION OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AND RELATED PROGRAMS.

''(a) EVALUATION OF THE IMPACTS OF TANF.—The Secretary shall conduct research on the effect of State programs funded under this part and any other State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) on employment, self-sufficiency, child well-being, unmarried births, marriage, poverty,

economic mobility, and other factors as determined by the Secretary.

''(b) EVALUATION OF GRANTS TO IMPROVE CHILD WELL-BEING BY PROMOTING HEALTHY MARRIAGE AND RESPONSIBLE FATHERHOOD.—The Secretary shall conduct research to determine the effects of the grants made under section 403(a)(2) on child well-being, marriage, family stability, economic mobility, poverty, and other factors as determined by the Secretary.

''(c) DISSEMINATION OF INFORMATION.—The Secretary shall, in consultation with States receiving funds provided under this part, develop methods of disseminating information on any research, evaluation, or study conducted under this section, including facilitating the sharing of information and best practices among States and localities.

''(d) STATE-INITIATED EVALUATIONS.—A State shall be eligible to receive funding to evaluate the State program funded under this part or any other State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) if—

''(1) the State submits to the Secretary a description of the proposed evaluation;

''(2) the Secretary determines that the design and approach of the proposed evaluation is rigorous and is likely to yield information that is credible and will be useful to other States; and

''(3) unless waived by the Secretary, the State contributes to the cost of the evaluation, from non-Federal sources, an amount equal to at least 25 percent of the cost of the proposed evaluation.

''(e) CENSUS BUREAU RESEARCH.—

''(1) The Bureau of the Census shall implement or enhance household surveys of program participation, in consultation with the Secretary and the Bureau of Labor Statistics and made available to interested parties, to allow for the assessment of the outcomes of continued welfare reform on the economic and child well-being of low-income families with children, including those who received assistance or services from a State program funded under this part or any other State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)). The content of the surveys should include such information as may be necessary to examine the issues of unmarried childbearing, marriage, welfare dependency and compliance with work requirements, the beginning and ending of spells of assistance, work, earnings and employment stability, and the well-being of children.

''(2) To carry out the activities specified in paragraph (1), the Bureau of the Census, the Secretary, and the Bureau of Labor Statistics shall consider ways to improve the surveys and data derived from the surveys to—

''(A) address under reporting of the receipt of means-tested benefits and tax benefits for low-income individuals and families;

''(B) increase understanding of poverty spells and long-term poverty, including by facilitating the matching of information to better understand intergenerational poverty;

''(C) generate a better geographical understanding of poverty such as through State-based estimates and measures of neighborhood poverty;

''(D) increase understanding of the effects of means-tested benefits and tax benefits on the earnings and incomes of low-income families; and

''(E) improve how poverty and economic well-being are measured, including through the use of consumption measures, material deprivation measures, social exclusion measures, and economic and social mobility measures.

''(f) RESEARCH AND EVALUATION CONDUCTED UNDER THIS SECTION.—Research and evaluation conducted under this section designed to determine the effects of a program or policy (other than research conducted under subsection (e)) shall use experimental designs using random assignment or other reliable, evidence-based research methodologies that allow for the strongest possible causal inferences when random assignment is not feasible.

''(g) DEVELOPMENT OF WHAT WORKS CLEARINGHOUSE OF PROVEN AND PROMISING APPROACHES TO MOVE WELFARE RECIPIENTS INTO WORK.—

''(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, shall develop a database (which shall be referred to as the 'What Works Clearinghouse of Proven and Promising Projects to Move Welfare Recipients into Work') of the projects that used a proven approach or a promising approach in moving welfare recipients into work, based on independent, rigorous evaluations of the projects. The database shall include a separate listing of projects that used a developmental approach in delivering services and a further separate listing of the projects with no or negative effects. The Secretary shall add to the What Works Clearinghouse of Proven and Promising Projects to Move Welfare Recipients into Work data about the projects that, based on an independent, well-conducted experimental evaluation of a program or project, using random assignment or other research methodologies that allow for the strongest possible causal inferences, have shown they are proven, promising, developmental, or ineffective approaches.

''(2) CRITERIA FOR EVIDENCE OF EFFECTIVENESS OF APPROACH.—The Secretary, in consultation with the Secretary of Labor and organizations with experience in evaluating research on the effectiveness of various approaches in delivering services to move welfare recipients into work, shall—

''(A) establish criteria for evidence of effectiveness; and

''(B) ensure that the process for establishing the criteria—

''(i) is transparent;

''(ii) is consistent across agencies;

''(iii) provides opportunity for public comment; and

''(iv) takes into account efforts of Federal agencies to identify and publicize effective interventions, including efforts at the Department of Health and Human Services, the Department of Education, and the Department of Justice.

''(h) APPROPRIATION.—

''(1) IN GENERAL.—Of the amount appropriated by section 403(a)(1) for each fiscal year, 0.33 percent shall be available for research, technical assistance, and evaluation under this section.

''(2) ALLOCATION.—Of the amount made available under paragraph (1) for each fiscal year, the Secretary shall make available $10,000,000 plus such additional amount as the Secretary deems necessary and appropriate, to carry out subsection (e).

''(3) BASELINE.—The baseline established pursuant to section 257 of the Balanced Budget and Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) for the Temporary Assistance for Needy Families Program shall be recorded by the Office of Management and Budget and the Congressional Budget Office at the level prior to any transfers recorded pursuant to section 413(h) of this Act.''.

(2) CONFORMING AMENDMENT.—Section 403(a)(1)(B) of such Act (42 U.S.C. 603(a)(1)(B)) is amended by inserting '', reduced by the percentage specified in section 413(h)(1) with respect to the fiscal year,'' before ''as the amount''.

SEC. 103. FULL FUNDING FOR STATE COURTS TO IMPROVE THE HANDLING OF CHILD WELFARE CASES.

Out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated for fiscal year 2017 $20,000,000 for grants under section 438 of the Social Security Act, in addition to any other amounts appropriated for such purpose. The amounts appropriated by the preceding sentence shall be considered to be amounts reserved under section 436(b)(2) of such Act for fiscal year 2017, for purposes of clauses (ii) and (iii) of section 438(c)(3)(A) of such Act.

SEC. 104. INCLUSION OF CERTAIN RETIREES IN THE MULTIEMPLOYER HEALTH BENEFIT PLAN.

(a) IN GENERAL.—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 clauses (ii), (iii), and (iv); and

(2) by inserting after clause (i) the following:

''(ii) CALCULATION OF EXCESS.—The excess determined under clause (i) shall be calculated by taking into account only—

''(I) those beneficiaries actually enrolled in the Plan as of the date of the enactment of the Health Benefits for Miners Act of 2017 who are eligible to receive health benefits under the Plan on the first day of the calendar year for which the transfer is made, other than those beneficiaries enrolled in the Plan under the terms of a participation agreement with the current or former employer of such beneficiaries; and

''(II) those beneficiaries whose health benefits, defined as those benefits payable, following death or retirement or upon a finding of disability, directly by an employer in the bituminous coal industry under a coal wage agreement (as defined in section 9701(b)(1) of the Internal Revenue Code of 1986), would be denied or reduced as a result of a bankruptcy proceeding commenced in 2012 or 2015.

For purposes of subclause (I), a beneficiary enrolled in the Plan as of the date of the enactment of the Health Benefits for Miners Act of 2017 shall be deemed to have been eligible to receive health benefits under the Plan on January 1, 2017.

''(iii) ELIGIBILITY OF CERTAIN RETIREES.—Individuals referred to in clause (ii)(II) shall be treated as eligible to receive health benefits under the Plan.

''(iv) REQUIREMENTS FOR TRANSFER.—The amount of the transfer otherwise determined under this subparagraph for a fiscal year shall be reduced by any amount transferred for the fiscal year to the Plan, to pay benefits required under the Plan, from a voluntary employees' beneficiary association established as a result of a bankruptcy proceeding described in clause (ii).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning after September 30, 2016.

SEC. 105. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking ''September 30, 2025'' and inserting ''January 14, 2026''.

(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 19 U.S.C. 3805 note) is amended by striking ''September 30, 2025'' and inserting ''January 14, 2026''.

TITLE II—PUERTO RICO SECTION 1108(g) AMENDMENT OF 2017

SEC. 201. SHORT TITLE.

This title may be cited as ''Puerto Rico Section 1108(g) Amendment of 2017''.

SEC. 202. PUERTO RICO SECTION 1108(g) AMENDMENT OF 2017.

(a) Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended—

(1) in paragraph (4), by inserting ''and with respect to fiscal years beginning with fiscal year 2017, if Puerto Rico qualifies for a payment under section 1903(a)(6) for a calendar quarter (beginning on or after July 1, 2017) of such fiscal year'' after ''1903(a)(3)''; and

(2) in paragraph (5)—

(A) in the first sentence, by striking ''The Secretary'' and inserting ''(A) Subject to subparagraph (B), the Secretary''; and

(B) by adding at the end the following new subparagraph:

''(B) The amount of the increase otherwise provided under subparagraph (A) for Puerto Rico shall be further increased by $295,900,000.''.

(b) All the unobligated amounts available under section 1323(c)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18043(c)(1)) are rescinded immediately upon the date of the enactment of this section.

TITLE III—GENERAL PROVISION

SEC. 301. 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 201 of S. Con. Res. 21 (110th 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 N—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2017

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2017''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Explanatory statement.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.
Sec. 302. Increase in employee compensation and benefits authorized by law.
Sec. 303. Support to nonprofit organizations assisting intelligence community employees.
Sec. 304. Promotion of science, technology, engineering, and mathematics education in the intelligence community.
Sec. 305. Retention of employees of the intelligence community who have science, technology, engineering, or mathematics expertise.
Sec. 306. Management of intelligence community personnel.
Sec. 307. Notification of repair or modification of facilities to be used primarily by the intelligence community.
Sec. 308. Guidance and reporting requirement regarding the interactions between the intelligence community and entertainment industry.
Sec. 309. Protections for independent inspectors general of certain elements of the intelligence community.
Sec. 310. Congressional oversight of policy directives and guidance.
Sec. 311. Notification of memoranda of understanding.
Sec. 312. Technical correction to Executive Schedule.
Sec. 313. Maximum amount charged for declassification reviews.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Designation of the Director of the National Counterintelligence and Security Center.
Sec. 402. Analyses and impact statements by Director of National Intelligence regarding investment into the United States.
Sec. 403. Assistance for governmental entities and private entities in recognizing online violent extremist content.

Subtitle B—Central Intelligence Agency

Sec. 411. Enhanced death benefits for personnel of the Central Intelligence Agency.
Sec. 412. Pay and retirement authorities of the Inspector General of the Central Intelligence Agency.

Subtitle C—Other Elements

Sec. 421. Enhancing the technical workforce for the Federal Bureau of Investigation.
Sec. 422. Plan on assumption of certain weather missions by the National Reconnaissance Office.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Sec. 501. Committee to counter active measures by the Russian Federation to exert covert influence over peoples and governments.
Sec. 502. Strict enforcement of travel protocols and procedures of accredited diplomatic and consular personnel of the Russian Federation in the United States.
Sec. 503. Study and report on enhanced intelligence and information sharing with Open Skies Treaty member states.

TITLE VI—REPORTS AND OTHER MATTERS

Sec. 601. Declassification review with respect to detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
Sec. 602. Cyber Center for Education and Innovation-Home of the National Cryptologic Museum.
Sec. 603. Report on national security systems.
Sec. 604. Joint facilities certification.
Sec. 605. Leadership and management of space activities.
Sec. 606. Advances in life sciences and biotechnology.
Sec. 607. Reports on declassification proposals.
Sec. 608. Improvement in Government classification and declassification.
Sec. 609. Report on implementation of research and development recommendations.
Sec. 610. Report on Intelligence Community Research and Development Corps.
Sec. 611. Report on information relating to academic programs, scholarships, fellowships, and internships sponsored, administered, or used by the intelligence community.
Sec. 612. Report on intelligence community employees detailed to National Security Council.
Sec. 613. Intelligence community reporting to Congress on foreign fighter flows.
Sec. 614. Report on cybersecurity threats to seaports of the United States and maritime shipping.
Sec. 615. Report on reprisals against contractors of the intelligence community.

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 3. EXPLANATORY STATEMENT.

The explanatory statement regarding this division, printed in the House section of the Congressional Record on or about May 3, 2017, by the Chairman of the Permanent Select Committee on Intelligence of the House of Representatives, shall have the same effect with respect to the implementation of this division as if it were a joint explanatory statement of a committee of conference.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2017, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division of this Act.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2017 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed—

(1) 3 percent of the number of civilian personnel authorized under such schedule for such element; or

(2) 10 percent of the number of civilian personnel authorized under such schedule for such element for the purposes of converting the performance of any function by contractors to performance by civilian personnel.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long-term, full-time training.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—Not later than 15 days prior to the exercise of an authority described in subsection (a), the Director of National Intelligence shall submit to the congressional intelligence committees—

(1) a written notice of the exercise of such authority; and

(2) in the case of an exercise of such authority subject to the limitation in subsection (a)(2), a written justification for the contractor conversion that includes a comparison of whole of government costs.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2017 the sum of $563,588,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2018.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 787 positions as of September 30, 2017. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2017 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts made available for advanced research and development shall remain available until September 30, 2018.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2017, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2017 the sum of $514,000,000.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. SUPPORT TO NONPROFIT ORGANIZATIONS ASSISTING INTELLIGENCE COMMUNITY EMPLOYEES.

(a) DIRECTOR OF NATIONAL INTELLIGENCE.—Section 102A of the National Security Act of 1947 (50 U.S.C. 3024) is amended by adding at the end the following:

''(y) FUNDRAISING.—(1) The Director of National Intelligence may engage in fundraising in an official capacity for the benefit of nonprofit organizations that—

''(A) provide support to surviving family members of a deceased employee of an element of the intelligence community; or

''(B) otherwise provide support for the welfare, education, or recreation of employees of an element of the intelligence community, former employees of an element of the intelligence community, or family members of such employees.

''(2) In this subsection, the term 'fundraising' means the raising of funds through the active participation in the promotion, production, or presentation of an event designed to raise funds and does not include the direct solicitation of money by any other means.

''(3) Not later than 7 days after the date the Director engages in fundraising authorized by this subsection or at the time the decision is made to participate in such fundraising, the Director shall notify the congressional intelligence committees of such fundraising.

''(4) The Director, in consultation with the Director of the Office of Government Ethics, shall issue regulations to carry out the authority provided in this subsection. Such regulations shall ensure that such authority is exercised in a manner that is consistent with all relevant ethical constraints and principles, including the avoidance of any prohibited conflict of interest or appearance of impropriety.''.

(b) DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.—Section 12(f) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3512(f)) is amended by adding at the end the following:

''(3) Not later than the date that is 7 days after the date the Director engages in fundraising authorized by this subsection or at the time the decision is made to participate in such fundraising, the Director shall notify the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives of the fundraising.''.

SEC. 304. PROMOTION OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS EDUCATION IN THE INTELLIGENCE COMMUNITY.

(a) REQUIREMENT FOR INVESTMENT STRATEGY FOR STEM RECRUITING AND OUTREACH ACTIVITIES.—Along with the budget for fiscal year 2018 submitted by the President pursuant to section 1105(a) of title 31, United States Code, the Director of National Intelligence shall submit a five-year investment strategy for outreach and recruiting efforts in the fields of science, technology, engineering, and mathematics (STEM), to include cybersecurity and computer literacy.

(b) REQUIREMENT FOR INTELLIGENCE COMMUNITY PLANS FOR STEM RECRUITING AND OUTREACH ACTIVITIES.—For each of the fiscal years 2018 through 2022, the head of each element of the intelligence community shall submit an investment plan along with the materials submitted as justification of the budget request of such element that supports the strategy required by subsection (a).

SEC. 305. RETENTION OF EMPLOYEES OF THE INTELLIGENCE COMMUNITY WHO HAVE SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS EXPERTISE.

(a) SPECIAL RATES OF PAY FOR CERTAIN OCCUPATIONS IN THE INTELLIGENCE COMMUNITY.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by inserting after section 113A the following:

''SEC. 113B. SPECIAL PAY AUTHORITY FOR SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS POSITIONS.

''(a) AUTHORITY TO SET SPECIAL RATES OF PAY.—Notwithstanding part III of title 5, United States Code, the head of each element of the intelligence community may establish higher minimum rates of pay for 1 or more categories of positions in such element that require expertise in science, technology, engineering, or mathematics (STEM).

''(b) MAXIMUM SPECIAL RATE OF PAY.—A minimum rate of pay established for a category of positions under subsection (a) may not exceed the maximum rate of basic pay (excluding any locality-based comparability

payment under section 5304 of title 5, United States Code, or similar provision of law) for the position in that category of positions without the authority of subsection (a) by more than 30 percent, and no rate may be established under this section in excess of the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

''(c) NOTIFICATION OF REMOVAL FROM SPECIAL RATE OF PAY.—If the head of an element of the intelligence community removes a category of positions from coverage under a rate of pay authorized by subsection (a) after that rate of pay takes effect—

''(1) the head of such element shall provide notice of the loss of coverage of the special rate of pay to each individual in such category; and

''(2) the loss of coverage will take effect on the first day of the first pay period after the date of the notice.

''(d) REVISION OF SPECIAL RATES OF PAY.—Subject to the limitations in this section, rates of pay established under this section by the head of the element of the intelligence community may be revised from time to time by the head of such element and the revisions have the force and effect of statute.

''(e) REGULATIONS.—The head of each element of the intelligence community shall promulgate regulations to carry out this section with respect to such element, which shall, to the extent practicable, be comparable to the regulations promulgated to carry out section 5305 of title 5, United States Code.

''(f) REPORTS.—

''(1) REQUIREMENT FOR REPORTS.—Not later than 90 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2017, the head of each element of the intelligence community shall submit to the congressional intelligence committees a report on any rates of pay established for such element under this section.

''(2) CONTENTS.—Each report required by paragraph (1) shall contain for each element of the intelligence community—

''(A) a description of any rates of pay established under subsection (a); and

''(B) the number of positions in such element that will be subject to such rates of pay.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 113A the following:

''Sec. 113B. Special pay authority for science, technology, engineering, or math positions.''.

SEC. 306. MANAGEMENT OF INTELLIGENCE COMMUNITY PERSONNEL.

(a) MULTI-SECTOR WORKFORCE INITIATIVE.—

(1) REQUIREMENT.—Beginning on October 1, 2018, the Director of National Intelligence shall improve management of the workforce of the intelligence community by enabling elements of the intelligence community to build and maintain an appropriate mix between employees of the United States Government and core contractors.

(2) BRIEFING TO CONGRESS.—Not later than July 1, 2017, and each 120 days thereafter until July 1, 2018, the Director of National Intelligence shall brief the congressional intelligence committees on the initiative required by paragraph (1).

(b) MANAGEMENT BASED ON WORKLOAD REQUIREMENTS AND AUTHORIZED FUNDING.—

(1) IN GENERAL.—Beginning on October 1, 2018, the personnel levels of the intelligence community shall be managed each fiscal year on the basis of—

(A) the workload required to carry out the functions and activities of the intelligence community; and

(B) the funds made available to the intelligence community in accordance with section 504 of the National Security Act of 1947 (50 U.S.C. 3094).

(2) PROHIBITION ON CONSTRAINTS OR LIMITATIONS.—Beginning on October 1, 2018, the management of such personnel in the intelligence community in any fiscal year shall not be subject to an externally imposed constraint or limitation expressed in terms of man years, end strength, full-time equivalent positions, or maximum number of employees.

(c) BRIEFING AND REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall issue a written report and provide a briefing to the congressional intelligence committees on—

(1) the methodology used to calculate the number of civilian and contractor full-time equivalent positions in the intelligence community;

(2) the cost analysis tool used to calculate personnel costs in the intelligence community; and

(3) the plans of the Director of National Intelligence and the head of each element of the intelligence community to implement a multi-sector workforce as required by subsections (a) and (b).

(d) REPORT.—Not later than 240 days after date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a written report on the accuracy of intelligence community data for the numbers and costs associated with the civilian and contractor workforce in each element of the intelligence community.

SEC. 307. NOTIFICATION OF REPAIR OR MODIFICATION OF FACILITIES TO BE USED PRIMARILY BY THE INTELLIGENCE COMMUNITY.

Section 602(a)(2) of the Intelligence Authorization Act for Fiscal Year 1995 (50 U.S.C. 3304(a)(2)) is amended by striking ''improvement project to'' and inserting ''project for the improvement, repair, or modification of''.

SEC. 308. GUIDANCE AND REPORTING REQUIREMENT REGARDING THE INTERACTIONS BETWEEN THE INTELLIGENCE COMMUNITY AND ENTERTAINMENT INDUSTRY.

(a) DEFINITIONS.—In this section:

(1) ENGAGEMENT.—The term ''engagement''—

(A) means any significant interaction between an element of the intelligence community and an entertainment industry entity for the purposes of contributing to an entertainment product intended to be heard, read, viewed, or otherwise experienced by the public; and

(B) does not include routine inquiries made by the press or news media to the public affairs office of an intelligence community.

(2) ENTERTAINMENT INDUSTRY ENTITY.—The term ''entertainment industry entity'' means an entity that creates, produces, promotes, or distributes a work of entertainment intended to be heard, read, viewed, or otherwise experienced by an audience, including—

(A) theater productions, motion pictures, radio broadcasts, television broadcasts, podcasts, webcasts, other sound or visual recording, music, or dance;

(B) books and other published material; and

(C) such other entertainment activity, as determined by the Director of National Intelligence.

(b) DIRECTOR OF NATIONAL INTELLIGENCE GUIDANCE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall issue, and release to the public, guidance regarding engagements by elements of the intelligence community with entertainment industry entities.

(2) CRITERIA.—The guidance required by paragraph (1) shall—

(A) permit an element of the intelligence community to conduct engagements, if the head of the element, or a designee of such head, provides prior approval; and

(B) require an unclassified annual report to the congressional intelligence committees regarding engagements.

(c) ANNUAL REPORT.—Each report required by subsection (b)(2)(B) shall include the following:

(1) A description of the nature and duration of each engagement included in the review.

(2) The cost incurred by the United States Government for each such engagement.

(3) A description of the benefits to the United States Government for each such engagement.

(4) A determination of whether any information was declassified, and whether any classified information was improperly disclosed, or each such engagement.

(5) A description of the work produced through each such engagement.

SEC. 309. PROTECTIONS FOR INDEPENDENT INSPECTORS GENERAL OF CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY.

(a) LIMITATION ON ACTIVITIES OF EMPLOYEES OF AN OFFICE OF INSPECTOR GENERAL.—

(1) LIMITATIONS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop and implement a uniform policy for each covered office of an inspector general to better ensure the independence of each such office. Such policy shall include—

(A) provisions to prevent any conflict of interest related to a matter any employee of a covered office of an inspector general personally and substantially participated in during previous employment;

(B) standards to ensure personnel of a covered office of an inspector general are free both in fact and in appearance from personal, external, and organizational impairments to independence;

(C) provisions to permit the head of each covered office of an inspector general to waive the application of the policy with respect to an individual if such head—

(i) prepares a written and signed justification for such waiver that sets out, in detail, the need for such waiver, provided that waivers shall not be issued for in fact impairments to independence; and

(ii) submits to the congressional intelligence committees each such justification; and

(D) any other protections the Director determines appropriate.

(2) COVERED OFFICE OF AN INSPECTOR GENERAL DEFINED.—The term ''covered office of an inspector general'' means—

(A) the Office of the Inspector General of the Intelligence Community; and

(B) the office of an inspector general for—

(i) the Office of the Director of National Intelligence;

(ii) the Central Intelligence Agency;

(iii) the National Security Agency;

(iv) the Defense Intelligence Agency;

(v) the National Geospatial-Intelligence Agency; and

(vi) the National Reconnaissance Office.

(3) BRIEFING TO THE CONGRESSIONAL INTELLIGENCE COMMITTEES.—Prior to the date that the policy required by paragraph (1) takes effect, the Director of National Intelligence shall provide the congressional intelligence committees a briefing on such policy.

(b) LIMITATION ON ROTATION OF EMPLOYEES OF AN OFFICE OF INSPECTOR GENERAL.—Section 102A(l)(3) of the National Security Act of 1947 (50 U.S.C. 3024(l)(3)) is amended by adding at the end the following:

''(D) The mechanisms prescribed under subparagraph (A) and any other policies of the Director—

''(i) may not require an employee of an office of inspector general for an element of the intelligence community, including the Office of the Inspector General of the Intelligence Community, to rotate to a position in an office or organization of such an element over which such office of inspector general exercises jurisdiction; and

''(ii) shall be implemented in a manner that exempts employees of an office of inspector general from a rotation that may impact the independence of such office.''.

SEC. 310. CONGRESSIONAL OVERSIGHT OF POLICY DIRECTIVES AND GUIDANCE.

(a) COVERED POLICY DOCUMENT DEFINED.—In this section, the term ''covered policy document'' means any classified or unclassified Presidential Policy Directive, Presidential Policy Guidance, or other similar policy document issued by the President, including any classified or unclassified annex to such a Directive, Guidance, or other document, that assigns tasks, roles, or responsibilities to the intelligence community or an element of the intelligence community.

(b) SUBMISSIONS TO CONGRESS.—The Director of National Intelligence shall submit to the congressional intelligence committees the following:

(1) Not later than 15 days after the date that a covered policy document is issued, a written notice of the issuance and a summary of the subject matter addressed by such covered policy document.

(2) Not later than 15 days after the date that the Director issues any guidance or direction on implementation of a covered policy document or implements a covered policy document, a copy of such guidance or direction or a description of such implementation.

(3) Not later than 15 days after the date of the enactment of this Act, for any covered policy document issued prior to such date that is being implemented by any element of the intelligence community or that is in effect on such date—

(A) a written notice that includes the date such covered policy document was issued and a summary of the subject matter addressed by such covered policy document; and

(B) if the Director has issued any guidance or direction on implementation of such covered policy document or is implementing such covered policy document, a copy of the guidance or direction or a written description of such implementation.

SEC. 311. NOTIFICATION OF MEMORANDA OF UNDERSTANDING.

(a) IN GENERAL.—The head of each element of the intelligence community shall submit to the congressional intelligence committees a copy of each memorandum of understanding or other agreement regarding significant operational activities or policy between or among such element and any other entity or entities of the United States Government—

(1) for such a memorandum or agreement that is in effect on the date of the enactment of this Act, not later than 60 days after such date; and

(2) for such a memorandum or agreement entered into after such date, in a timely manner and not more than 60 days after the date such memorandum or other agreement is entered into.

(b) ADMINISTRATIVE MEMORANDUM OR AGREEMENT.—Nothing in this section may be construed to require an element of the intelligence community to submit to the congressional intelligence committees any memorandum or agreement that is solely administrative in nature, including a memorandum or agreement regarding joint duty or other routine personnel assignments.

SEC. 312. TECHNICAL CORRECTION TO EXECUTIVE SCHEDULE.

Section 5313 of title 5, United States Code, is amended by striking the item relating to ''Director of the National Counter Proliferation Center.''.

SEC. 313. MAXIMUM AMOUNT CHARGED FOR DECLASSIFICATION REVIEWS.

In reviewing and processing a request by a person for the mandatory declassification of information pursuant to Executive Order No. 13526, a successor executive order, or any provision of law, the head of an element of the intelligence community—

(1) may not charge the person reproduction fees in excess of the amount of fees that the head would charge the person for reproduction required in the course of processing a request for information under section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''); and

(2) may waive or reduce any processing fees in the same manner as the head waives or reduces fees under such section 552.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. DESIGNATION OF THE DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382) is amended to read as follows:

''SEC. 902. DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.

''(a) ESTABLISHMENT.—There shall be a Director of the National Counterintelligence and Security Center (referred to in this section as the 'Director'), who shall be appointed by the President, by and with the advice and consent of the Senate.

''(b) MISSION.—The mission of the Director shall be to serve as the head of national counterintelligence for the United States Government.

''(c) DUTIES.—Subject to the direction and control of the Director of National Intelligence, the duties of the Director are as follows:

''(1) To carry out the mission referred to in subsection (b).

''(2) To act as chairperson of the National Counterintelligence Policy Board established under section 811 of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381).

''(3) To act as head of the National Counterintelligence and Security Center established under section 904.

''(4) To participate as an observer on such boards, committees, and entities of the executive branch as the Director of National Intelligence considers appropriate for the discharge of the mission and functions of the Director and the National Counterintelligence and Security Center under section 904.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2383) is amended by striking the item relating to section 902 and inserting the following:

''Sec. 902. Director of the National Counterintelligence and Security Center.''.

(3) TECHNICAL EFFECTIVE DATE.—The amendment made by subsection (a) of section 401 of the Intelligence Authorization Act for Fiscal Year 2016 (division M of Public Law 114–113) shall not take effect, or, if the date of the enactment of this Act is on or after the effective date specified in subsection (b) of such section, such amendment shall be deemed to not have taken effect.

(b) NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.—

(1) IN GENERAL.—Section 904 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383) is amended—

(A) by striking the section heading and inserting ''**NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.**''; and

(B) by striking subsections (a), (b), and (c) and inserting the following:

''(a) ESTABLISHMENT.—There shall be a National Counterintelligence and Security Center.

''(b) HEAD OF CENTER.—The Director of the National Counterintelligence and Security Center shall be the head of the National Counterintelligence and Security Center.

''(c) LOCATION OF CENTER.—The National Counterintelligence and Security Center shall be located in the Office of the Director of National Intelligence.''.

(2) FUNCTIONS.—Section 904(d) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(d)) is amended—

(A) in the matter preceding paragraph (1), by striking ''National Counterintelligence Executive, the functions of the Office of the National Counterintelligence Executive'' and inserting ''Director of the National Counterintelligence and Security Center, the functions of the National Counterintelligence and Security Center'';

(B) in paragraph (5), in the matter preceding subparagraph (A), by striking ''In consultation with'' and inserting ''At the direction of''; and

(C) in paragraph (6), in the matter preceding subparagraph (A), by striking ''Office'' and inserting ''National Counterintelligence and Security Center''.

(3) PERSONNEL.—Section 904(f) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(f)) is amended—

(A) in paragraph (1), by striking ''Office of the National Counterintelligence Executive may consist of personnel employed by the Office'' and inserting ''National Counterintelligence and Security Center may consist of personnel employed by the Center''; and

(B) in paragraph (2), by striking ''National Counterintelligence Executive'' and inserting ''Director of the National Counterintelligence and Security Center''.

(4) TREATMENT OF ACTIVITIES UNDER CERTAIN ADMINISTRATIVE LAWS.—Section 904(g) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(g)) is amended by striking ''Office shall be treated as operational files of the Central Intelligence Agency for purposes of section 701 of the National Security Act of 1947 (50 U.S.C. 431)'' and inserting ''National Counterintelligence and Security Center shall be treated as operational files of the Central Intelligence Agency for purposes of section 701 of the National Security Act of 1947 (50 U.S.C. 3141)''.

(5) OVERSIGHT BY CONGRESS.—Section 904(h) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383(h)) is amended—

(A) in the matter preceding paragraph (1), by striking ''Office of the National Counterintelligence Executive'' and inserting ''National Counterintelligence and Security Center''; and

(B) in paragraphs (1) and (2), by striking ''Office'' and inserting ''Center'' both places that term appears.

(6) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2383), as amended by subsection (a)(2), is further amended by striking the item relating to section 904 and inserting the following:

''Sec. 904. National Counterintelligence and Security Center.''.

(c) OVERSIGHT OF NATIONAL INTELLIGENCE CENTERS.—Section 102A(f)(2) of the National Security Act of 1947 (50 U.S.C. 3024(f)(2)) is amended by inserting '', the National Counterproliferation Center, and the National Counterintelligence and Security Center'' after ''National Counterterrorism Center''.

(d) DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER WITHIN THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—Paragraph (8) of section 103(c) of the National Security Act of 1947 (50 U.S.C. 3025(c)) is amended to read as follows:

''(8) The Director of the National Counterintelligence and Security Center.''.

(e) DUTIES OF THE DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.—

(1) IN GENERAL.—Section 103F of the National Security Act of 1947 (50 U.S.C. 3031) is amended—

(A) by striking the section heading and inserting ''DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER'';

(B) in subsection (a)—

(i) by striking the subsection heading and inserting ''DIRECTOR OF THE NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.—''; and

(ii) by striking ''National Counterintelligence Executive under section 902 of the Counterintelligence Enhancement Act of 2002 (title IX of Public Law 107–306; 50 U.S.C. 402b et seq.)'' and inserting ''Director of the National Counterintelligence and Security Center appointed under section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382)''; and

(C) in subsection (b), by striking ''National Counterintelligence Executive'' and inserting ''Director of the National Counterintelligence and Security Center''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by striking the item relating to section 103F and inserting the following:

''Sec. 103F. Director of the National Counterintelligence and Security Center.''.

(f) COORDINATION OF COUNTERINTELLIGENCE ACTIVITIES.—Section 811 of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381) is amended—

(1) in subsection (b), by striking ''National Counterintelligence Executive under section 902 of the Counterintelligence Enhancement Act of 2002'' and inserting ''Director of the National Counterintelligence and Security Center appointed under section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382)'';

(2) in subsection (c)(1), by striking ''National Counterintelligence Executive.'' and inserting ''Director of the National Counterintelligence and Security Center.''; and

(3) in subsection (d)(1)(B)(ii)—

(A) by striking ''National Counterintelligence Executive'' and inserting ''Director of the National Counterintelligence and Security Center''; and

(B) by striking ''by the Office of the National Counterintelligence Executive under section 904(e)(2) of that Act'' and inserting ''pursuant to section 904(d)(2) of that Act (50 U.S.C. 3383(d)(2))''.

(g) INTELLIGENCE AND NATIONAL SECURITY ASPECTS OF ESPIONAGE PROSECUTIONS.—Section 341(b) of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108–177; 28 U.S.C. 519 note) is amended by striking ''Office of the National Counterintelligence Executive,'' and inserting ''National Counterintelligence and Security Center,''.

SEC. 402. ANALYSES AND IMPACT STATEMENTS BY DIRECTOR OF NATIONAL INTELLIGENCE REGARDING INVESTMENT INTO THE UNITED STATES.

Section 102A of the National Security Act of 1947 (50 U.S.C. 3024), as amended by section 303, is further amended by adding at the end the following new subsection:

''(z) ANALYSES AND IMPACT STATEMENTS REGARDING PROPOSED INVESTMENT INTO THE UNITED STATES.—(1) Not later than 20 days after the completion of a review or an investigation of any proposed investment into the United States for which the Director has prepared analytic materials, the Director shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representative copies of such analytic materials, including any supplements or amendments to such analysis made by the Director.

''(2) Not later than 60 days after the completion of consideration by the United States Government of any investment described in paragraph (1), the Director shall determine whether such investment will have an operational impact on the intelligence community, and, if so, shall submit a report on such impact to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives. Each such report shall—

''(A) describe the operational impact of the investment on the intelligence community; and

''(B) describe any actions that have been or will be taken to mitigate such impact.''.

SEC. 403. ASSISTANCE FOR GOVERNMENTAL ENTITIES AND PRIVATE ENTITIES IN RECOGNIZING ONLINE VIOLENT EXTREMIST CONTENT.

(a) ASSISTANCE TO RECOGNIZE ONLINE VIOLENT EXTREMIST CONTENT.—Not later than 180 days after the date of the enactment of this Act, and consistent with the protection of intelligence sources and methods, the Director of National Intelligence shall publish on a publicly available Internet website a list of all logos, symbols, insignia, and other markings commonly associated with, or adopted by, an organization designated by the Secretary of State as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(b) UPDATES.—The Director shall update the list published under subsection (a) every 180 days or more frequently as needed.

Subtitle B—Central Intelligence Agency

SEC. 411. ENHANCED DEATH BENEFITS FOR PERSONNEL OF THE CENTRAL INTELLIGENCE AGENCY.

Section 11 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3511) is amended to read as follows:

''BENEFITS AVAILABLE IN EVENT OF THE DEATH OF PERSONNEL

''SEC. 11. (a) AUTHORITY.—The Director may pay death benefits substantially similar to those authorized for members of the Foreign Service pursuant to the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) or any other provision of law. The Director may adjust the eligibility for death benefits as necessary to meet the unique requirements of the mission of the Agency.

''(b) REGULATIONS.—Regulations issued pursuant to this section shall be submitted to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives before such regulations take effect.''.

SEC. 412. PAY AND RETIREMENT AUTHORITIES OF THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

(a) IN GENERAL.—Section 17(e)(7) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(7)) is amended by adding at the end the following new subparagraph:

''(C)(i) The Inspector General may designate an officer or employee appointed in accordance with subparagraph (A) as a law enforcement officer solely for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, if such officer or employee is appointed to a position with responsibility for investigating suspected offenses against the criminal laws of the United States.

''(ii) In carrying out clause (i), the Inspector General shall ensure that any authority under such clause is exercised in a manner consistent with section 3307 of title 5, United States Code, as it relates to law enforcement officers.

''(iii) For purposes of applying sections 3307(d), 8335(b), and 8425(b) of title 5, United States Code, the Inspector General may exercise the functions, powers, and duties of an agency head or appointing authority with respect to the Office.''.

(b) RULE OF CONSTRUCTION.—Subparagraph (C) of section 17(e)(7) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(7)), as added by subsection (a), may not be construed to confer on the Inspector General of the Central Intelligence Agency, or any other officer or employee of the Agency, any police or law enforcement or internal security functions or authorities.

Subtitle C—Other Elements

SEC. 421. ENHANCING THE TECHNICAL WORKFORCE FOR THE FEDERAL BUREAU OF INVESTIGATION.

(a) REPORT REQUIRED.—Building on the basic cyber human capital strategic plan provided to the congressional intelligence committees in 2015, not later than 180 days after the date of the enactment of this Act and updated two years thereafter, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives a comprehensive strategic workforce report regarding initiatives to effectively integrate information technology expertise in the investigative process.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment, including measurable benchmarks, of progress on initiatives to recruit, train, and retain personnel with the necessary skills and experiences in vital areas, including encryption, cryptography, and big data analytics.

(2) An assessment of whether officers of the Federal Bureau of Investigation who possess such skills are fully integrated into the Bureau's work, including Agent-led investigations.

(3) A description of the quality and quantity of the collaborations between the Bureau and private sector entities on cyber issues, including the status of efforts to benefit from employees with experience transitioning between the public and private sectors.

(4) An assessment of the utility of reinstituting, if applicable, and leveraging the Director's Advisory Board, which was originally constituted in 2005, to provide outside advice on how to better integrate technical expertise with the investigative process and

on emerging concerns in cyber-related issues.

SEC. 422. PLAN ON ASSUMPTION OF CERTAIN WEATHER MISSIONS BY THE NATIONAL RECONNAISSANCE OFFICE.

(a) PLAN.—

(1) IN GENERAL.—Except as provided in subsection (c), the Director of the National Reconnaissance Office shall develop a plan for the National Reconnaissance Office to address how to carry out covered space-based environmental monitoring missions. Such plan shall include—

(A) a description of the related national security requirements for such missions;

(B) a description of the appropriate manner to meet such requirements; and

(C) the amount of funds that would be necessary to be transferred from the Air Force to the National Reconnaissance Office during fiscal years 2018 through 2022 to carry out such plan.

(2) ACTIVITIES.—In developing the plan under paragraph (1), the Director may conduct pre-acquisition activities, including with respect to requests for information, analyses of alternatives, study contracts, modeling and simulation, and other activities the Director determines necessary to develop such plan.

(3) SUBMISSION.—Not later than July 1, 2017, and except as provided in subsection (c), the Director shall submit to the appropriate congressional committees the plan under paragraph (1).

(b) INDEPENDENT COST ESTIMATE.—The Director of the Cost Assessment Improvement Group of the Office of the Director of National Intelligence, in coordination with the Director of Cost Assessment and Program Evaluation, shall certify to the appropriate congressional committees that the amounts of funds identified under subsection (a)(1)(C) as being necessary to transfer are appropriate and include funding for positions and personnel to support program office costs.

(c) WAIVER BASED ON REPORT AND CERTIFICATION OF AIR FORCE ACQUISITION PROGRAM.—The Director of the National Reconnaissance Office may waive the requirement to develop a plan under subsection (a), if the Under Secretary of Defense for Acquisition Technology, and Logistics and the Chairman of the Joint Chiefs of Staff jointly submit to the appropriate congressional committees a report by not later than July 1, 2017) that contains—

(1) a certification that the Secretary of the Air Force is carrying out a formal acquisition program that has received Milestone A approval to address the cloud characterization and theater weather imagery requirements of the Department of Defense; and

(2) an identification of the cost, schedule, requirements, and acquisition strategy of such acquisition program.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees; and

(B) the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

(2) COVERED SPACE-BASED ENVIRONMENTAL MONITORING MISSIONS.—The term ''covered space-based environmental monitoring missions'' means the acquisition programs necessary to meet the national security requirements for cloud characterization and theater weather imagery.

(3) MILESTONE A APPROVAL.—The term ''Milestone A approval'' has the meaning given that term in section 2366a(d) of title 10, United States Code.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

SEC. 501. COMMITTEE TO COUNTER ACTIVE MEASURES BY THE RUSSIAN FEDERATION TO EXERT COVERT INFLUENCE OVER PEOPLES AND GOVERNMENTS.

(a) DEFINITIONS.—In this section:

(1) ACTIVE MEASURES BY RUSSIA TO EXERT COVERT INFLUENCE.—The term ''active measures by Russia to exert covert influence'' means activities intended to influence a person or government that are carried out in coordination with, or at the behest of, political leaders or the security services of the Russian Federation and the role of the Russian Federation has been hidden or not acknowledged publicly, including the following:

(A) Establishment or funding of a front group.

(B) Covert broadcasting.

(C) Media manipulation.

(D) Disinformation and forgeries.

(E) Funding agents of influence.

(F) Incitement and offensive counterintelligence.

(G) Assassinations.

(H) Terrorist acts.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(C) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(b) ESTABLISHMENT.—There is established within the executive branch an interagency committee to counter active measures by the Russian Federation to exert covert influence.

(c) MEMBERSHIP.—

(1) IN GENERAL.—

(A) APPOINTMENT.—Each head of an agency or department of the Government set out under subparagraph (B) shall appoint one member of the committee established by subsection (b) from among officials of such agency or department who occupy a position that is required to be appointed by the President, with the advice and consent of the Senate.

(B) HEAD OF AN AGENCY OR DEPARTMENT.—The head of an agency or department of the Government set out under this subparagraph are the following:

(i) The Director of National Intelligence.

(ii) The Secretary of State.

(iii) The Secretary of Defense.

(iv) The Secretary of the Treasury.

(v) The Attorney General.

(vi) The Secretary of Energy.

(vii) The Director of the Federal Bureau of Investigation.

(viii) The head of any other agency or department of the United States Government designated by the President for purposes of this section.

(d) MEETINGS.—The committee shall meet on a regular basis.

(e) DUTIES.—The duties of the committee established by subsection (b) shall be as follows:

(1) To counter active measures by Russia to exert covert influence, including by exposing falsehoods, agents of influence, corruption, human rights abuses, terrorism, and assassinations carried out by the security services or political elites of the Russian Federation or their proxies.

(2) Such other duties as the President may designate for purposes of this section.

(f) STAFF.—The committee established by subsection (b) may employ such staff as the members of such committee consider appropriate.

(g) BUDGET REQUEST.—A request for funds required for the functioning of the committee established by subsection (b) may be included in each budget for a fiscal year submitted by the President pursuant to section 1105(a) of title 31, United States Code.

(h) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, and consistent with the protection of intelligence sources and methods, the committee established by subsection (b) shall submit to the appropriate committees of Congress a report describing steps being taken by the committee to counter active measures by Russia to exert covert influence.

(2) CONTENT.—Each report required by paragraph (1) shall include the following:

(A) A summary of the active measures by the Russian Federation to exert covert influence during the previous year, including significant incidents and notable trends.

(B) A description of the key initiatives of the committee.

(C) A description of the implementation of the committee's initiatives by the head of an agency or department of the Government set out under subsection (c)(1)(B).

(D) An analysis of the impact of the committee's initiatives.

(E) Recommendations for changes to the committee's initiatives from the previous year.

(3) SEPARATE REPORTING REQUIREMENT.—The requirement to submit an annual report under paragraph (1) is in addition to any other reporting requirements with respect to Russia.

SEC. 502. STRICT ENFORCEMENT OF TRAVEL PROTOCOLS AND PROCEDURES OF ACCREDITED DIPLOMATIC AND CONSULAR PERSONNEL OF THE RUSSIAN FEDERATION IN THE UNITED STATES.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives.

(b) ADVANCE NOTIFICATION REQUIREMENT.—The Secretary of State shall, in coordination with the Director of the Federal Bureau of Investigation and the Director of National Intelligence, establish a mandatory advance notification regime governing all travel 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.

(c) INTERAGENCY COOPERATION.—The Secretary of State, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence shall develop written mechanisms to share information—

(1) on travel by accredited diplomatic and consular personnel of the Russian Federation who are in the United States; and

(2) on any known or suspected noncompliance by such personnel with the regime required by subsection (b).

(d) QUARTERLY REPORTS.—Not later than 90 days after the date of the enactment of this Act, and quarterly thereafter, and consistent with the protection of intelligence sources and methods—

(1) the Secretary of State shall submit to the appropriate committees of Congress a written report detailing the number of notifications submitted under the regime required by subsection (b); and

(2) the Secretary of State and the Director of the Federal Bureau of Investigation shall jointly submit to the appropriate committees of Congress a written report detailing the number of known or suspected violations of such requirements by any accredited diplomatic and consular personnel of the Russian Federation.

SEC. 503. STUDY AND REPORT ON ENHANCED INTELLIGENCE AND INFORMATION SHARING WITH OPEN SKIES TREATY MEMBER STATES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) congressional intelligence committees;

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(C) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED STATE PARTY.—The term ''covered state party'' means a foreign country, that—

(A) was a state party to the Open Skies Treaty on February 22, 2016; and

(B) is not the Russian Federation or the Republic of Belarus.

(3) OPEN SKIES TREATY.—The term ''Open Skies Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(b) FEASIBILITY STUDY.—

(1) REQUIREMENT FOR STUDY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall conduct and submit to the appropriate committees of Congress a study to determine the feasibility of creating an intelligence sharing arrangement and database to provide covered state parties with imagery that is comparable, delivered more frequently, and in equal or higher resolution than imagery available through the database established under the Open Skies Treaty.

(2) ELEMENTS.—The study required by paragraph (1) shall include an evaluation of the following:

(A) The methods by which the United States could collect and provide imagery, including commercial satellite imagery, national technical means, and through other intelligence, surveillance, and reconnaissance platforms, under an information sharing arrangement and database referred to in paragraph (1).

(B) The ability of other covered state parties to contribute imagery to the arrangement and database.

(C) Any impediments to the United States and other covered states parties providing such imagery, including any statutory barriers, insufficiencies in the ability to collect the imagery or funding, under such an arrangement.

(D) Whether imagery of Moscow, Chechnya, the international border between Russia and Georgia, Kaliningrad, or the Republic of Belarus could be provided under such an arrangement.

(E) The annual and projected costs associated with the establishment of such an arrangement and database, as compared with costs to the United States and other covered state parties of being parties to the Open Skies Treaty, including Open Skies Treaty plane maintenance, aircraft fuel, crew expenses, mitigation measures necessary associated with Russian Federation overflights of the United States or covered state parties, and new sensor development and acquisition.

(3) SUPPORT FROM OTHER FEDERAL AGENCIES.—Each head of a Federal agency shall provide such support to the Director as may be necessary for the Director to conduct the study required by paragraph (1).

(c) REPORT.—

(1) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress the report described in this subsection.

(2) CONTENT OF REPORT.—The report required by paragraph (1) shall include the following:

(A) An intelligence assessment of Russian Federation warfighting doctrine and the extent to which Russian Federation flights under the Open Skies Treaty contribute to such doctrine.

(B) A counterintelligence analysis as to whether the Russian Federation has, could have, or intends to have the capability to exceed the imagery limits set forth in the Open Skies Treaty.

(C) A list of intelligence exchanges with covered state parties that have been updated on the information described in subparagraphs (A) and (B) and the date and form such information was provided.

(d) FORM OF SUBMISSION.—The study required by subsection (b) and the report required by subsection (c) shall be submitted in an unclassified form but may include a classified annex.

TITLE VI—REPORTS AND OTHER MATTERS

SEC. 601. DECLASSIFICATION REVIEW WITH RESPECT TO DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—For each individual detained at United States Naval Station, Guantanamo Bay, Cuba, who was transferred or released from United States Naval Station, Guantanamo Bay, Cuba, the Director of National Intelligence shall—

(1)(A) complete a declassification review of intelligence reports regarding past terrorist activities of that individual prepared by the National Counterterrorism Center for the individual's Periodic Review Board sessions, transfer, or release; or

(B) if the individual's transfer or release occurred prior to the date on which the National Counterterrorism Center first began to prepare such reports regarding detainees, such other intelligence report or reports that contain the same or similar information regarding the individual's past terrorist activities;

(2) make available to the public—

(A) any intelligence reports declassified as a result of the declassification review; and

(B) with respect to each individual transferred or released, for whom intelligence reports are declassified as a result of the declassification review, an unclassified summary which shall be prepared by the President of measures being taken by the country to which the individual was transferred or released to monitor the individual and to prevent the individual from carrying out future terrorist activities; and

(3) submit to the congressional intelligence committees a report setting out the results of the declassification review, including a description of intelligence reports covered by the review that were not declassified.

(b) SCHEDULE.—

(1) TRANSFER OR RELEASE PRIOR TO ENACTMENT.—Not later than 210 days after the date of the enactment of this Act, the Director of National Intelligence shall submit the report required by subsection (a)(3), which shall include the results of the declassification review completed for each individual detained at United States Naval Station, Guantanamo Bay, Cuba, who was transferred or released from United States Naval Station, Guantanamo Bay, prior to the date of the enactment of this Act.

(2) TRANSFER OR RELEASE AFTER ENACTMENT.—Not later than 120 days after the date an individual detained at United States Naval Station, Guantanamo Bay, on or after the date of the enactment of this Act is transferred or released from United States Naval Station, Guantanamo Bay, the Director shall submit the report required by subsection (a)(3) for such individual.

(c) PAST TERRORIST ACTIVITIES.—For purposes of this section, the past terrorist activities of an individual shall include all terrorist activities conducted by the individual before the individual's transfer to the detention facility at United States Naval Station, Guantanamo Bay, including, at a minimum, the following:

(1) The terrorist organization, if any, with which affiliated.

(2) The terrorist training, if any, received.

(3) The role in past terrorist attacks against United States interests or allies.

(4) The direct responsibility, if any, for the death of United States citizens or members of the Armed Forces.

(5) Any admission of any matter specified in paragraphs (1) through (4).

(6) A description of the intelligence supporting any matter specified in paragraphs (1) through (5), including the extent to which such intelligence was corroborated, the level of confidence held by the intelligence community, and any dissent or reassessment by an element of the intelligence community.

SEC. 602. CYBER CENTER FOR EDUCATION AND INNOVATION-HOME OF THE NATIONAL CRYPTOLOGIC MUSEUM.

(a) AUTHORITY TO ESTABLISH AND OPERATE CENTER.—Chapter 449 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4781. Cyber Center for Education and Innovation-Home of the National Cryptologic Museum

''(a) ESTABLISHMENT.—(1) The Secretary of Defense may establish at a publicly accessible location at Fort George G. Meade the 'Cyber Center for Education and Innovation-Home of the National Cryptologic Museum' (in this section referred to as the 'Center').

''(2) The Center may be used for the identification, curation, storage, and public viewing of materials relating to the activities of the National Security Agency, its predecessor or successor organizations, and the history of cryptology.

''(3) The Center may contain meeting, conference, and classroom facilities that will be used to support such education, training, public outreach, and other purposes as the Secretary considers appropriate.

''(b) DESIGN, CONSTRUCTION, AND OPERATION.—The Secretary may enter into an agreement with the National Cryptologic Museum Foundation (in this section referred to as the 'Foundation'), a nonprofit organization, for the design, construction, and operation of the Center.

''(c) ACCEPTANCE AUTHORITY.—(1) If the Foundation constructs the Center pursuant to an agreement with the Foundation under subsection (b), upon satisfactory completion of the Center's construction or any phase thereof, as determined by the Secretary, and upon full satisfaction by the Foundation of any other obligations pursuant to such agreement, the Secretary may accept the Center (or any phase thereof) from the Foundation, and all right, title, and interest in the Center or such phase shall vest in the United States.

''(2) Notwithstanding section 1342 of title 31, the Secretary may accept services from the Foundation in connection with the design construction, and operation of the Center. For purposes of this section and any other provision of law, employees or personnel of the Foundation shall not be considered to be employees of the United States.

''(d) FEES AND USER CHARGES.—(1) The Secretary may assess fees and user charges to cover the cost of the use of Center facilities and property, including rental, user, conference, and concession fees.

''(2) Amounts received under paragraph (1) shall be deposited into the fund established under subsection (e).

''(e) FUND.—(1) Upon the Secretary's acceptance of the Center under subsection (c)(1)) there is established in the Treasury a fund to be known as the 'Cyber Center for Education and Innovation-Home of the National Cryptologic Museum Fund' (in this subsection referred to as the 'Fund').

''(2) The Fund shall consist of the following amounts:

''(A) Fees and user charges deposited by the Secretary under subsection (d).

''(B) Any other amounts received by the Secretary which are attributable to the operation of the Center.

''(3) Amounts in the Fund shall be available to the Secretary for the benefit and operation of the Center, including the costs of operation and the acquisition of books, manuscripts, works of art, historical artifacts, drawings, plans, models, and condemned or obsolete combat materiel.

''(4) Amounts in the Fund shall be available without fiscal year limitation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 449 of title 10, United States Code, is amended by adding at the end the following new item:

''4781. Cyber Center for Education and Innovation-Home of the National Cryptologic Museum.''.

SEC. 603. REPORT ON NATIONAL SECURITY SYSTEMS.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Appropriations and the Committee on Armed Services of the Senate; and

(3) the Committee on Appropriations and the Committee on Armed Services of the House of Representatives.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter, the Director of the National Security Agency, in coordination with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, shall submit to the appropriate committees of Congress a report on national security systems.

(c) CONTENT.—Each report submitted under subsection (b) shall include information related to—

(1) national security systems or components thereof that have been decertified and are still in operational use;

(2) extension requests and the current status of any national security systems still in use or components thereof that have been decertified and are still in use;

(3) national security systems known to not be in compliance with the policies, principles, standards, and guidelines issued by the Committee on National Security Systems established pursuant to National Security Directive 42, signed by the President on July 5, 1990; and

(4) organizations which have not provided access or information to the Director of the National Security Agency that is adequate to enable the Director to make a determination as to whether such organizations are in compliance with the policies, principles, standards, and guidelines issued by such Committee on National Security Systems.

SEC. 604. JOINT FACILITIES CERTIFICATION.

(a) FINDINGS.—Congress finds the following:

(1) The Director of National Intelligence set a strategic goal to use joint facilities as a means to save costs by consolidating administrative and support functions across multiple elements of the intelligence community.

(2) The use of joint facilities provides more opportunities for operational collaboration and information sharing among elements of the intelligence community.

(b) CERTIFICATION.—Before an element of the intelligence community purchases, leases, or constructs a new facility that is 20,000 square feet or larger, the head of that element of the intelligence community shall submit to the Director of National Intelligence—

(1) a written certification that, to the best of the knowledge of the head of such element, all prospective joint facilities in the vicinity have been considered and the element is unable to identify a joint facility that meets the operational requirements of such element; and

(2) a written statement listing the reasons for not participating in the prospective joint facilities considered by the element.

SEC. 605. LEADERSHIP AND MANAGEMENT OF SPACE ACTIVITIES.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives.

(b) UPDATE TO STRATEGY FOR COMPREHENSIVE INTERAGENCY REVIEW OF THE UNITED STATES NATIONAL SECURITY OVERHEAD SATELLITE ARCHITECTURE.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, shall issue a written update to the strategy required by section 312 of the Intelligence Authorization Act for Fiscal Year 2016 (division M of Public Law 114–113; 129 Stat. 2919).

(c) UNITY OF EFFORT IN SPACE OPERATIONS BETWEEN THE INTELLIGENCE COMMUNITY AND DEPARTMENT OF DEFENSE.—

(1) REQUIREMENT FOR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a plan to functionally integrate the governance, operations, analysis, collection, policy, and acquisition activities related to space and counterspace carried out by the intelligence community. The plan shall include analysis of no fewer than 2 alternative constructs to implement this plan, and an assessment of statutory, policy, organizational, programmatic, and resources changes that may be required to implement each alternative construct.

(2) APPOINTMENT BY THE DIRECTOR OF NATIONAL INTELLIGENCE.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, shall appoint a single official to oversee development of the plan required by paragraph (1).

(3) SCOPE OF PLAN.—The plan required by paragraph (1) shall include methods to functionally integrate activities carried out by—

(A) the National Reconnaissance Office;

(B) the functional managers for signals intelligence and geospatial intelligence;

(C) the Office of the Director of National Intelligence;

(D) other Intelligence Community elements with space-related programs;

(E) joint interagency efforts; and

(F) other entities as identified by the Director of National Intelligence in coordination with the Secretary of Defense.

(d) INTELLIGENCE COMMUNITY SPACE WORKFORCE.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a workforce plan to recruit, develop, and retain personnel in the intelligence community with skills and experience in space and counterspace operations, analysis, collection, policy, and acquisition.

(e) JOINT INTERAGENCY COMBINED SPACE OPERATIONS CENTER.—

(1) SUBMISSION TO CONGRESS.—The Director of the National Reconnaissance Office and the Commander of the United States Strategic Command, in consultation with the Director of National Intelligence, the Under Secretary of Defense for Intelligence, and the Chairman of the Joint Chiefs of Staff, shall submit to the appropriate committees of Congress concept of operations and requirements documents for the Joint Interagency Combined Space Operations Center by the date that is the earlier of—

(A) the completion of the experimental phase of such Center; or

(B) 30 days after the date of the enactment of this Act.

(2) QUARTERLY BRIEFINGS.—The Director of the National Reconnaissance Office and the Commander of the United States Strategic Command, in coordination with the Director of National Intelligence and Under Secretary of Defense for Intelligence, shall provide to the appropriate committees of Congress briefings providing updates on activities and progress of the Joint Interagency Combined Space Operations Center to begin 30 days after the date of the enactment of this Act. Such briefings shall be quarterly for the first year following enactment, and annually thereafter.

SEC. 606. ADVANCES IN LIFE SCIENCES AND BIOTECHNOLOGY.

(a) REQUIREMENT FOR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall brief the congressional intelligence committees on a proposed plan to monitor advances in life sciences and biotechnology to be carried out by the Director.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall include—

(1) a description of the approach the elements of the intelligence community will take to make use of organic life science and biotechnology expertise, within and outside the intelligence community on a routine and contingency basis;

(2) an assessment of the current collection and analytical posture of the life sciences and biotechnology portfolio as it relates to United States competitiveness and the global bio-economy, the risks and threats evolving with advances in genetic editing technologies, and the implications of such advances on future biodefense requirements; and

(3) an analysis of organizational requirements and responsibilities, including potentially creating new positions.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report and provide a briefing on the role of the intelligence community in the event of a biological attack on the United States, including an assessment of the capabilities and gaps in technical capabilities that exist to address the potential circumstance of a novel unknown pathogen.

SEC. 607. REPORTS ON DECLASSIFICATION PROPOSALS.

(a) COVERED STUDIES DEFINED.—In this section, the term ''covered studies'' means the studies that the Director of National Intelligence requested that the elements of the intelligence community produce in the course of producing the fundamental classification guidance review for fiscal year 2017 required by Executive Order No. 13526 (50 U.S.C. 3161 note), as follows:

(1) A study of the feasibility of reducing the number of original classification authorities in each element of the intelligence community to the minimum number required and any negative impacts that reduction could have on mission capabilities.

(2) A study of the actions required to implement a proactive discretionary declassification program distinct from the systematic, automatic, and mandatory declassification review programs outlined in part 2001 of title 32, Code of Federal Regulations, including section 2001.35 of such part.

(3) A study of the benefits and drawbacks of implementing a single classification guide that could be used by all elements of the intelligence community in the nonoperational and more common areas of such elements.

(4) A study of whether the classification level of ''confidential'' could be eliminated within agency-generated classification guides from use by elements of the intelligence community and any negative impacts that elimination could have on mission success.

(b) REPORTS AND BRIEFINGS TO CONGRESS.—

(1) PROGRESS REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees and provide the congressional intelligence committees a briefing on the progress of the elements of the intelligence community in producing the covered studies.

(2) FINAL REPORT.—Not later than the earlier of 120 days after the date of the enactment of this Act or June 30, 2017, the Director of National Intelligence shall submit a report and provide a briefing to the congressional intelligence committees on—

(A) the final versions of the covered studies that have been provided to the Director by the elements of the intelligence community; and

(B) a plan for implementation of each initiative included in each such covered study.

SEC. 608. IMPROVEMENT IN GOVERNMENT CLASSIFICATION AND DECLASSIFICATION.

(a) REVIEW OF GOVERNMENT CLASSIFICATION AND DECLASSIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) review the system by which the Government classifies and declassifies information;

(2) develop recommendations—

(A) to make such system a more effective tool for the protection of information relating to national security;

(B) to improve the sharing of information with partners and allies of the Government; and

(C) to support the appropriate declassification of information; and

(3) submit to the congressional intelligence committees a report with—

(A) the findings of the Director with respect to the review conducted under paragraph (1); and

(B) the recommendations developed under paragraph (2).

(b) ANNUAL CERTIFICATION OF CONTROLLED ACCESS PROGRAMS.—

(1) IN GENERAL.—Not less frequently than once each year, the Director of National Intelligence shall certify in writing to the congressional intelligence committees whether the creation, validation, or substantial modification, including termination, for all existing and proposed controlled access programs, and the compartments and subcompartments within each, are substantiated and justified based on the information required by paragraph (2).

(2) INFORMATION REQUIRED.—Each certification pursuant to paragraph (1) shall include—

(A) the rationale for the revalidation, validation, or substantial modification, including termination, of each controlled access program, compartment and subcompartment;

(B) the identification of a control officer for each controlled access program; and

(C) a statement of protection requirements for each controlled access program.

SEC. 609. REPORT ON IMPLEMENTATION OF RESEARCH AND DEVELOPMENT RECOMMENDATIONS.

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report that includes the following:

(1) An assessment of the actions each element of the intelligence community has completed to implement the recommendations made by the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community established under section 1002 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 50 U.S.C. 3001 note).

(2) An analysis of the balance between short-, medium-, and long-term research efforts carried out by each element of the intelligence community.

SEC. 610. REPORT ON INTELLIGENCE COMMUNITY RESEARCH AND DEVELOPMENT CORPS.

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report and provide briefing on a plan, with milestones and benchmarks, to implement an Intelligence Community Research and Development Corps, as recommended in the Report of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community, including an assessment—

(1) of the funding and modification to existing authorities needed to allow for the implementation of such Corps; and

(2) of additional legislative authorities, if any, necessary to undertake such implementation.

SEC. 611. REPORT ON INFORMATION RELATING TO ACADEMIC PROGRAMS, SCHOLARSHIPS, FELLOWSHIPS, AND INTERNSHIPS SPONSORED, ADMINISTERED, OR USED BY THE INTELLIGENCE COMMUNITY.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report by the intelligence community regarding covered academic programs. Such report shall include—

(1) a description of the extent to which the Director and the heads of the elements of the intelligence community independently collect information on covered academic programs, including with respect to—

(A) the number of applicants for such programs;

(B) the number of individuals who have participated in such programs; and

(C) the number of individuals who have participated in such programs and were hired by an element of the intelligence community after completing such program;

(2) to the extent that the Director and the heads independently collect the information described in paragraph (1), a chart, table, or other compilation illustrating such information for each covered academic program and element of the intelligence community, as appropriate, during the three-year period preceding the date of the report; and

(3) to the extent that the Director and the heads do not independently collect the information described in paragraph (1) as of the date of the report—

(A) whether the Director and the heads can begin collecting such information during fiscal year 2017; and

(B) the personnel, tools, and other resources required by the Director and the heads to independently collect such information.

(b) COVERED ACADEMIC PROGRAMS DEFINED.—In this section, the term ''covered academic programs'' means—

(1) the Federal Cyber Scholarship-for-Service Program under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442);

(2) the National Security Education Program under the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.);

(3) the Science, Mathematics, and Research for Transformation Defense Education Program under section 2192a of title 10, United States Code;

(4) the National Centers of Academic Excellence in Information Assurance and Cyber Defense of the National Security Agency and the Department of Homeland Security; and

(5) any other academic program, scholarship program, fellowship program, or internship program sponsored, administered, or used by an element of the intelligence community.

SEC. 612. REPORT ON INTELLIGENCE COMMUNITY EMPLOYEES DETAILED TO NATIONAL SECURITY COUNCIL.

Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a classified written report listing, by year, the number of employees of an element of the intelligence community who have been detailed to the National Security Council during the 10-year period preceding the date of the report.

SEC. 613. INTELLIGENCE COMMUNITY REPORTING TO CONGRESS ON FOREIGN FIGHTER FLOWS.

(a) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter, the Director of National Intelligence, consistent with the protection of intelligence sources and methods, shall submit to the appropriate congressional committees a report on foreign fighter flows to and from terrorist safe havens abroad.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, with respect to each terrorist safe haven, the following:

(1) The total number of foreign fighters who have traveled or are suspected of having traveled to the terrorist safe haven since 2011, including the countries of origin of such foreign fighters.

(2) The total number of United States citizens present in the terrorist safe haven.

(3) The total number of foreign fighters who have left the terrorist safe haven or whose whereabouts are unknown.

(c) FORM.—The reports submitted under subsection (a) may be submitted in classified form. If such a report is submitted in classified form, such report shall also include an unclassified summary.

(d) SUNSET.—The requirement to submit reports under subsection (a) shall terminate on the date that is two years after the date of the enactment of this Act.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) in the Senate—

(A) the Committee on Armed Services;

(B) the Select Committee on Intelligence;

(C) the Committee on the Judiciary;

(D) the Committee on Homeland Security and Governmental Affairs;

(E) the Committee on Banking, Housing, and Urban Affairs;

(F) the Committee on Foreign Relations; and

(G) the Committee on Appropriations; and

(2) in the House of Representatives—

(A) the Committee on Armed Services;

(B) the Permanent Select Committee on Intelligence;

(C) the Committee on the Judiciary;

(D) the Committee on Homeland Security;

(E) the Committee on Financial Services;

(F) the Committee on Foreign Affairs; and

(G) the Committee on Appropriations.

SEC. 614. REPORT ON CYBERSECURITY THREATS TO SEAPORTS OF THE UNITED STATES AND MARITIME SHIPPING.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis, in consultation with the Director of National Intelligence, and consistent with the protection of sources and methods, shall submit to the appropriate congressional committees a report on the cybersecurity threats to, and the cyber vulnerabilities within, the software, communications networks, computer networks, or other systems employed by—

(1) entities conducting significant operations at seaports in the United States;

(2) the maritime shipping concerns of the United States; and

(3) entities conducting significant operations at transshipment points in the United States.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) A description of any recent and significant cyberattacks or cybersecurity threats directed against software, communications networks, computer networks, or other systems employed by the entities and concerns described in paragraphs (1) through (3) of subsection (a).

(2) An assessment of—

(A) any planned cyberattacks directed against such software, networks, and systems;

(B) any significant vulnerabilities to such software, networks, and systems; and

(C) how such entities and concerns are mitigating such vulnerabilities.

(3) An update on the status of the efforts of the Coast Guard to include cybersecurity concerns in the National Response Framework, Emergency Support Functions, or both, relating to the shipping or ports of the United States.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional intelligence committees;

(2) the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate; and

(3) the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 615. REPORT ON REPRISALS AGAINST CONTRACTORS OF THE INTELLIGENCE COMMUNITY.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community, consistent with the protection of sources and methods, shall submit to the congressional intelligence committees a report on reprisals made against covered contractor employees.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) Identification of the number of known or claimed reprisals made against covered contractor employees during the 3-year period preceding the date of the report and any evaluation of such reprisals.

(2) An evaluation of the usefulness of establishing a prohibition on reprisals against covered contractor employees as a means of encouraging such contractors to make protected disclosures.

(3) A description of any challenges associated with establishing such a prohibition, including with respect to the nature of the relationship between the Federal Government, the contractor, and the covered contractor employee.

(4) A description of any approaches taken by the Federal Government to account for reprisals against non-intelligence community contractors who make protected disclosures, including pursuant to section 2409 of title 10, United States Code, and sections 4705 and 4712 of title 41, United States Code.

(5) Any recommendations the Inspector General determines appropriate.

(c) DEFINITIONS.—In this section:

(1) COVERED CONTRACTOR EMPLOYEE.—The term ''covered contractor employee'' means an employee of a contractor of an element of the intelligence community.

(2) REPRISAL.—The term ''reprisal'' means the discharge or other adverse personnel action made against a covered contractor employee for making a disclosure of information that would be a disclosure protected by law if the contractor were an employee of the Federal Government.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to House Resolution 305, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on further consideration of H.R. 244 that may include tabular material on the same.

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

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself 6 minutes.

I rise today to present the House amendment to H.R. 244, a bill that will provide funding for the Federal Government for the rest of the year 2017.

This bill reflects shared values, which will help make our Nation stronger, safer, and more prosperous. It fulfills our constitutional duty to fund important services the American people rely on every day, and it does this in a responsible way, making the best use of every single taxpayer dollar, ensuring more reliability and predictability than a government operating under a continuing resolution. In short, it moves our Nation forward in the right direction.

The bill includes full-year funding for the remaining 11 annual appropriations bills for defense, infrastructure, health, and safety programs through the end of the fiscal year on September 30, as well as critical emergency and defense and border security funding requested by the President.

In total, it provides $1.63 trillion in base and overseas contingency operations funding. These levels meet the caps provided by the Bipartisan Budget Act of 2015.

This bill makes the smart decisions investing funding where it is needed most: rebuilding our military, securing our borders, and bolstering economic growth, getting people back to work.

First and foremost and most importantly, this bill prioritizes funding for national defense, restoring the strength and capacity of our Armed Forces. Overall defense funding is increased by $25 billion above fiscal year 2016 levels.

This funding will help ensure our military has proper training, the best weapons and equipment needed to defeat ISIS, battle radical extremism around the world, and support our allies in the critical regions around the world against threats from Russia, China, Iran, North Korea, and other sources. To rebuild our end strength, this bill includes $1.6 billion for an additional 36,000 troops above the previous administration's request.

Most importantly, this bill supports our men and women in uniform—all volunteers—and provides them with a 2.1 percent pay raise, the largest in 6 years, and it takes care of their families.

To help secure our borders and protect our homeland, the bill provides Customs and Border Protection with a total of $12.2 billion, nearly a billion increase over fiscal year 2016. In fact, this is the largest increase to border security technologies and infrastructure in a decade, a downpayment on stronger, more effective systems and barriers.

Funding is also prioritized to tackle gang and drug crime, combat terrorism, and support law enforcement. Vital agencies like the FBI, the U.S. Marshals, the DEA, and Immigration and Customs Enforcement all receive funding boosts.

Other domestic funding is directed to proven, effective programs that improve the health and safety of all Americans. This includes increases for the National Institutes of Health and the CDC.

Significantly, we have increased funding to battle the opioid abuse epidemic by $781 million from last year. This funding will provide treatment, education and enforcement, and help the unacceptably high numbers of communities that have been devastated by this crisis.

Lastly, this legislation funds important national priorities like critical infrastructure and essential disaster relief, and supports our local communities, including renewing the D.C. Opportunity Scholarship Program and giving choice in the District to parents.

□ 1430

This bill should also be noted for what it doesn't do. Our legislation cuts, freezes, and eliminates funding for dozens of programs that have been wasteful, ineffective, or just plain unnecessary. For example, we cut funding at the EPA by $81 million and reined in its regulatory program to prevent overreach.

We froze IRS's funding at current levels and directed funds to improve services to taxpayers. And to ensure that each and every tax dollar is well spent, the bill implements strong oversight and accountability at every level of government.

Mr. Speaker, I am proud to support this bill, as it reflects the needs of the American people and our common values. We are investing in the security and success of our Nation, and, for that, this bill deserves solid bipartisan support.

Mr. Speaker, there are many people to thank for their help in bringing this bill to the floor today. First and foremost, I want to thank my colleagues in the House. Each and every Member contributed to this effort, and, as a result, it is a better bill.

I especially want to thank my committee chairmen. They are stewards of these bills, and I appreciate all the hard work they have done to get us here today with their committee members.

I would also like to thank my counterpart, ranking member of the Appropriations Committee, Mrs. LOWEY, for her dedication to bringing this bill to the floor today, as well as our colleagues in the Senate for their partnership.

Lastly, I must thank the hardworking staff of the House Appropriations Committee. They have put in months of nonstop work to bring this bill before the House today. We wouldn't be here without the leadership of the full committee staff, led by Nancy Fox and Jim Kulikowski on the majority side, and Shalanda Young and Chris Bigelow on the minority side.

In the front office, we have, also working hard, Stephen Sepp, Shannon O'Keefe, Carol Murphy, Jennifer Hing, Marta Hernandez, Tammy Hughes, Rachel Kahler, David Roth, and Brad Allen. I thank all of you.

I also want to thank our hardworking clerks and their Democratic counterparts. All deserve our gratitude. The clerks: Tom O'Brien, John Martens, Jennifer Miller, Donna Shahbaz, Dena Baron, Valerie Baldwin, Dave LesStrang, Susan Ross, Liz Dawson, Maureen Holohan, Craig Higgins, and Doug Disrud.

Lastly, I want to thank Katie Hazlett, my chief of staff, and my personal staff.

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

Mr. FRELINGHUYSEN. I yield myself an additional 1 minute.

Our subcommittees, as well as the minority staff, have worked night and day to get these fiscal year 2017 bills behind us and to get ahead and move ahead to the 2018 process. I appreciate all of them and their hard work.

Before I close, I would like to take a moment to acknowledge one special member of the committee staff, Dale Oak, who retires this week. Dale has dedicated over 20 years to the committee and even more to the government. He tacked one extra week on to that total, sticking around to help us complete this bill. This commitment is true to form for him, and we are immensely grateful for it.

Dale, we thank you for your years of service, and we wish you the best of luck in the future.

Mr. Speaker, it is now 7 months into the 2017 fiscal year. We must complete our work today. It is time to look ahead and begin work on the 2018 priorities. I urge my colleagues to support the bill.

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

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

I am pleased to be here with Chairman FRELINGHUYSEN to complete the fiscal year 2017 appropriations process. Bipartisan negotiations resulted in a bill. The product of compromise makes important investments such as: increasing biomedical research at the NIH by $2 billion; increasing investments in early childhood and education programs such as Head Start, Title I, IDEA, and afterschool programs; making college more affordable by increasing Pell grants and making them available year round; providing robust funding for public broadcasting and community service; and investing in transportation, housing, first responders, and providing our military with the tools to deter and defeat threats abroad.

It would also: ensure American citizens in Puerto Rico continue to have access to health care; permanently extend health insurance benefits for retired mine workers; increase funding to combat the opioid epidemic; preserve Planned Parenthood's eligibility for Federal funds; provide $1.1 billion in disaster assistance for regions affected by storms and flooding, including North Carolina, California, Louisiana, West Virginia, and more.

It is imperative to note what this bill does not contain: not one cent for President Trump's border wall or additional fencing; no poison-pill riders that would have prevented so-called sanctuary cities from receiving Federal grants, undermined the Affordable Care Act, or harmed the FDA's ability to regulate tobacco products.

While I am pleased we reached this agreement, we should not celebrate coming to a full-year agreement in May for a fiscal year that began 7 months ago.

Last year, our committee was negotiating in good faith until the Trump transition team interfered, insisting on a CR until late April. This unnecessary and costly delay, combined with the President's proposed cuts for the FY17 and FY18 spending bills, do not bode well for our work in the coming months.

So, while I support this bill, I am under no illusions and expect this President will again insist on draconian cuts that will harm hardworking families and interfere with our ability to negotiate.

Just yesterday, the President irresponsibly tweeted: ''Our country needs a good 'shutdown' in September. . . . '' Perhaps the President needs a history lesson. The Constitution grants Congress the power of the purse. I hope the President is watching and that he will learn that good things happen when we work together for the American people.

Of course, our good bipartisan work on this bill would not have been possible without our excellent staff, and I want to personally thank all the minority and majority Appropriations Committee staffers, especially our Democratic Staff Director Shalanda Young; and Deputy Staff Director Chris Bigelow; and their majority counterparts, Nancy Fox and Jim Kulikowski.

Again, I appreciate the opportunity to work with Chairman FRELINGHUYSEN, and I appreciate the work of all our committee members, all our ranking members, and their personal staffs as well.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS), my predecessor.

Mr. ROGERS of Kentucky. Mr. Speaker, I am pleased to support this legislation. I want to commend Chairman FRELINGHUYSEN and Mrs. LOWEY for a job well done.

Mr. Speaker, the most important point that I think I could make for many in this Chamber is that if you reject this omnibus spending bill that you all put together during the year, the alternative is a continuing resolution for the balance of the year which will put into effect the spending priorities of the previous administration. The Obama plan will still be in effect if you reject this omnibus bill. For many of us, that is the most important point that we could make.

Now, Mr. Speaker, this comprehensive bill responsibly funds key government programs through the rest of the fiscal year. As the battle against ISIS continues, funding for both defense and diplomacy must be a part of our national security framework.

Along with strategic increases for the Department of Defense, the omnibus includes critical funding for the Department of State and Foreign Operations. Protecting our diplomats abroad is a top priority, and the bill provides $6.1 billion to carry out that mission. The legislation also upholds our commitments to key international allies like Israel and Jordan and establishes a new $100 million fund to support nations facing Russian aggression.

We continue funding for global health, and humanitarian aid, and famine relief, including a new rapid response fund for emerging infectious diseases. And the bill dedicates significant resources to stop drug trafficking along our southern border with robust counternarcotic and law enforcement efforts in Mexico, Central America, and Colombia.

No funds are provided for either the Green Climate Fund or the U.N. panel on climate change, and funding for the U.N. is reduced by $640 million.

While national security is a key tenet of this legislation, the omnibus also promotes economic growth at home, particularly in my Kentucky district. Coal country came under siege under President Obama, with an onslaught of job-killing regulations. Our communities are working hard to recover, after losing nearly 12,000 mining jobs.

In addition to rolling back several anticoal regulations, the bill permanently provides healthcare benefits to retired coal miners and their families. This gives the people who powered our Nation for generations the peace of mind that they deserve.

The bill also provides Kentucky with $25 million to continue the Abandoned Mine Land Pilot Program, which creates jobs by reclaiming abandoned mine land for economic development. The Appalachian Regional Commission receives historic funding. With the $152 million appropriated, $10 million is dedicated to high-speed broadband cable in our region. EDA is also provided with $30 million to revitalize the coalfields.

In addition to creating jobs, this bill builds on our progress to combat drug abuse. Like Operation UNITE in my district, we take a holistic approach to fund a comprehensive Federal response. An increase of $781 million is provided for fighting the opioid epidemic, including treatment, and prevention, and law enforcement. This bill, Mr. Speaker, will save lives.

Mr. Speaker, I urge a ''yes'' vote. I commend the chairman and the ranking member for the great work they have put together in passing what is important to this Nation.

Mrs. LOWEY. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Ohio (Ms. KAPTUR), ranking member of the Subcommittee on Energy and Water Development, and Related Agencies.

Ms. KAPTUR. Mr. Speaker, I want to thank my dear colleague, Mrs. LOWEY, the ranking member of the committee, for yielding, and thank Chairmen FRELINGHUYSEN, ROGERS, and Ranking Member LOWEY again for the hard work they did to push this bill across the finish line.

Yet today, I rise with frustration that it has taken us so long to finish doing our job. There is simply no good reason why, over 7 months into the 2017 fiscal year, we are only now taking a vote to fund this year's government operations. The American people deserve so much better.

There are many things in this bill with which I disagree, but I am pleased to see that the bill before us represents a bipartisan compromise. It also includes a lot of positive aspects.

For Ohio, the agreement brings welcome news to coal industry pensioneers. It also provides an important $600 million to fight the national opioid epidemic which has devastated our communities.

□ 1445

It also provides $300 million for the Great Lakes Restoration Initiative, assuring our critical work to improve water quality in the Great Lakes continues.

As ranking member of the Energy and Water Development, and Related Agencies Subcommittee, I am well aware we have more work to do. But this bill continues our commitment to nuclear nonproliferation and provides a modest increase for innovative science as well as energy efficiency and renewable energy for America's future and for our global leadership.

Once again, I believe it is Democrats who are getting the job done for America and leading the charge of bipartisan negotiations and compromise to avoid a government shutdown. Our side of the aisle continues to focus on making progress, moving the ball forward inch by inch and making progress, advancing progress for our country a step at a time.

A recent poll reported that this is what 77 percent of the American people want: compromising, working together, and moving forward. I hope that this agreement will be a beachhead in our efforts to fulfill their wishes. This bill demonstrates Congress can work together collegially for the 2018 fiscal year appropriations to follow to benefit our Nation's future.

I thank, again, Chairman RODNEY FRELINGHUYSEN, Ranking Member NITA LOWEY, and all of our dedicated staff on appropriations on both sides of the aisle for the hard, bipartisan work they put in putting this bill forward together for America's sake. I thank the gentlewoman for yielding.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. GRANGER), who is the distinguished chairman of the Defense Appropriations Subcommittee.

Ms. GRANGER. Mr. Speaker, I rise in strong support of this bill.

This bill is where we take the first big step to begin rebuilding our military. The world is more dangerous and unstable than at any time in recent history. Iran, Russia, and China are increasingly challenging our vital interests and those of our allies. The threats coming from North Korea are more ominous than anything we have faced in decades. At the same time, terrorists from ISIS, al-Qaida, and their affiliates endanger our very way of life.

Our number one responsibility as Members of Congress is to provide for the defense of this Nation. Since becoming Defense Appropriations Subcommittee chairwoman, I have spent time talking to senior defense leadership to find out what they need to combat these threats. They have unanimously stated that the only thing our adversaries respect is strength and they need this bill passed to ensure our military is as strong and effective as possible.

The bill today brings total FY17 defense funding to $25 billion more than last year and $22 billion more than the Obama administration's original request. The bill includes $21 billion for critical military requirements, as requested by the new administration. The bill provides the resources for Secretary Mattis to implement his plan to restore our military so that we can fight the adversaries we face today and those we will face in the future.

Today we take the first critical step in Secretary Mattis' plan to fix the potholes in our military readiness. We do that by reversing the cuts to manpower proposed by the Obama administration and increase military pay. We provide $7.3 billion over the Obama budget to support operations, training, equipment maintenance, and military facility repairs.

We reverse steep cuts to equipment and modernization. The bill provides $12 billion more than the previous administration's request for additional aircraft, ships, vehicles, munitions, and all the other needs of our troops. The bill also adds $2 billion above the Obama budget for research programs to ensure that we preserve our technological edge against increasingly capable adversaries.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. GRANGER. Mr. Speaker, we provide additional funds to support the healthcare needs of our military personnel and their families, including medical research programs. We provide additional funds requested by the President for a reinvigorated strategy to defeat ISIS and other terrorist groups.

I urge the House to support Secretary Mattis by giving him this long

overdue funding. We cannot turn our backs on our troops by forcing them to work under a continuing resolution. To paraphrase the Chief of Staff of the Air Force, there is no enemy that can do more damage to our military than a full-year continuing resolution. Our military is counting on us to pass this bill now. It is the only way to ensure the United States will be strong and able to lead in this very dangerous world.

Mr. Speaker, I strongly urge a ''yes'' vote.

Mrs. LOWEY. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from New York (Mr. SERRANO), who is the ranking member of the Subcommittee on Commerce, Justice, Science, and Related Agencies.

(Mr. SERRANO asked and was given permission to revise and extend his remarks.)

Mr. SERRANO. Mr. Speaker, I thank my colleague from New York for yielding.

Mr. Speaker, I rise—and you should listen to this very closely—in support of this bill. I do it because both sides understood the importance of coming together and trying to work on a solution to this situation. I have to say that the Republicans came to the table understanding that they had the majority of the votes, but that they also had the majority of the responsibility to make sure it was a unified decision that was made.

For my hometown of New York, there is money to reimburse the protection of Trump Tower, where the President has spent a lot of time and where the police department has to be picking up the bill. The Legal Services Corporation, one of our greatest programs, was scheduled to disappear. This bill does not allow that. Hispanic-serving institutions at the National Science Foundation are still alive and doing well. This bill allows for so many different issues in NOAA and in NASA to continue to grow.

But most of all what this bill does, in my opinion, is prove something that perhaps—and I'm not being naive here—we can carry forward. When we set our minds to coming together and when we set our minds to working as one group of people on behalf of our country, we can do it.

This bill we will vote on today, I will vote proudly because I know that we could have made this into another fight. I know for the next budget we will have differences. But please, my brothers and sisters, remember we were able to come together. And some on TV tonight will say that this side sold out or that side sold out. No. Both sides worked for the American people, and it works well.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. RYAN), the Speaker of the House.

(Mr. RYAN of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. RYAN of Wisconsin. Mr. Speaker, first of all, I want to thank the chairman, I want to thank the ranking member, the ranking members, the chairmen of the subcommittees, and all the staff for their very hard work in putting this big body of work together.

I urge all of my colleagues to support this package. I want to explain why. Many of our priorities—not all, but many of our priorities are advanced in this, and that is because this is a bipartisan piece of legislation. So each side doesn't get everything they want, but we are able to come together and find a package that advances many of our important goals.

For me, I think it is important because it turns the page on the last administration, on the Obama years. It completes the unfinished business of the previous administration. Remember, we came to December, we had a continuing resolution. We are halfway through the fiscal year now, we have got to do the job of actually getting the government specifically funded, meeting more of our priorities. This does that. This marks the beginning of a new era.

No longer will the needs of our military be held hostage by the demands for more domestic spending. In my mind, that is what is most important here. Having negotiated a couple of the budget agreements in the prior administration, this, to me, is paramount and first among all things.

The rule we lived under under the previous administration basically says: You want more money for the men and women in the field who are in our military who need more resources to do their jobs? Okay, but we are going to need more money for Washington programs; and not just more money for Washington programs, but the same exact amount of money.

So no matter whether we need more money for our troops—we might need more ships, more bullets, more gas, and more planes—we had to have the exact same dollar amount, whether it was needed or not, for domestic spending.

That is the old formula we had under the prior administration, and that is not in here. That is really important. I think that is one of the most important game-changing accomplishments that is in here because we really believe our military needs help. We believe our military has been hollowed out in so many areas, and this bill helps fix this. So that dollar-for-dollar parity rule is a rule no more.

With this bill, we do not have that arbitrary standard—the standard that has contributed, in my opinion, to hollowing out our military and declining our readiness. While we have a lot more work to do to fully rebuild our military, this is a critical first step. With this bill, we will spend $25 billion more this year than last year on defense so that we can begin to rebuild our military readiness and our preparedness. We will do this without a corresponding increase in domestic spending. That, to me, is a new day under this new administration that we have with President Trump.

Of course, this legislation also addresses many other priorities for Republicans and for this administration. For starters, there is a big and solid down payment on securing our border. In fact, it is the biggest increase in border security in a decade. Funding for the D.C. Scholarship Opportunity Program, which reverses the Obama-era crusade against school choice, that is in here; national resources to fight the opioid epidemic, which is something that is ravishing communities across America; no new money for ObamaCare and no bailouts for insurance companies. This bill protects life.

This bill is a bipartisan compromise, as I mentioned, but it is, indeed, a good one for conservatives. That is why I urge my colleagues to support this bill. We all must agree that funding the government at all like this—and this is the last point I want to make—is not a process we want to continue. Yes, we are finishing unfinished business from last year, but let's all work together and endeavor to do these appropriation bills one at a time. That is the system that we are supposed to have, and that is the system that I think we all agree—Republicans and Democrats—that we need to have.

So let's work together to make sure that we don't just do one big bill, that we do this individually so that individual debate can occur, so that individual priorities can be met, and so that we can get back to regular order and we can better guarantee and maintain our Article I powers as the legislative branch of government exercising the power of the purse. I challenge every one of us to commit to that process.

In the meantime, let's bank these wins. Let's get this done. Let's turn this page on this last year, and let's make sure that we give the troops the support that they so desperately need. With that, I ask everyone to support this bill.

Mrs. LOWEY. Mr. Speaker, I just want to clarify that Democrats support a strong military and defense of our country, but we are very proud of the work that we are doing together in a bipartisan way to support the National Institutes of Health, afterschool programs, Head Start, and a full year of Pell grant that will help our young people get a college education. So I am proud of that work.

Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia (Mr. BISHOP), who is the ranking member of the Committee on Agriculture.

Mr. BISHOP of Georgia. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support of the omnibus appropriations bill. As the ranking member on the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Subcommittee, I would

like to take a few moments to highlight a few areas in the bill's agriculture section.

This has been a long time coming, beginning with a markup over 1 year ago in April 2016. Since then, many things have changed, but what has remained constant is the desire of the House Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee to address the needs of rural America by adequately funding programs that serve them and the country.

While the total funding level is below 2016 and the House-reported bill, I believe we used what we had wisely. For example, we secured increased funding for agriculture research, food and plant health programs, the Farm Service Agency, and for rural development.

The bill also expands telemedicine, broadband access, and STEM distance learning, as well as provides $400 million in Community Development Block Grant funding for disaster assistance.

In rural development, which is central to rural communities and the economies vital for producing America's food and fiber products, the bill provides $37 billion in direct and guaranteed loans to support clean water, decent housing, telecommunications, electric services, and rural businesses, which is more than we provided last year.

On the grant side, water and waste grants are more than 10 percent higher than the President's budget request, broadband grants are more than three times higher than 2016, and community facility grants are 25 percent higher than the 2016 request and what was appropriated.

All the domestic nutrition programs, Mr. Speaker, are funded at levels that will fully meet estimated needs for the rest of the fiscal year. FDA is funded above both FY16 and FY17 requests.

□ 1500

However, for the third consecutive year, I am disappointed that Congress continued to keep the Commodity Futures Trading Commission at $250 million, making it increasingly difficult for the CFTC to carry out its core mission as well as its responsibilities under Dodd-Frank.

I am very disappointed the omnibus does not include carefully crafted cottonseed legislation to assist American cotton producers. I am looking forward to beginning FY 2018 reviews and farm bill negotiations to close the remaining gaps left with the FY 2017 omnibus.

Despite those concerns, I think this is a good bill. As a proud Representative of the largest cotton-producing district in the State of Georgia and the number one peanut- and pecan-producing district in the country, I urge my colleagues to support it so that we can get started on FY 2018 work and complete it in a timely manner for the benefit of our fellow Americans.

I want to thank the ranking member, chairman, and the majority and minority staffs for their bipartisan, hard work in getting this bill to the floor, along with my personal staff, particularly Ms. Ada Bacetty, who worked so hard.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Idaho (Mr. SIMPSON), chairman of the Energy and Water Development, and Related Agencies Subcommittee.

Mr. SIMPSON. Mr. Speaker, I first want to thank the ranking member and the chairman of the full committee for their hard work on this bill. Most people don't realize how hard the work is. I thank the ranking member, Ms. KAPTUR, for her hard work and committed efforts throughout these many months spent on drafting this bill, and also our Senate partners, LAMAR ALEXANDER and DIANNE FEINSTEIN. I want to thank the majority and minority staff for the incredible work and long hours that they spent in preparing this bill.

The Energy and Water section of this bill strengthens our Nation's defense, makes important investments in our Nation's water infrastructure, and advances an all-of-the-above energy strategy to ensure America's energy independence.

Weapons Activities, which provides funding to maintain the safety, security, and readiness of the Nation's nuclear weapons stockpile, is $471 million more than last year. Within that, funding for nuclear weapons infrastructure is $2.8 billion, an increase of 23 percent, and will address a backlog of deferred maintenance and high-risk, deteriorating infrastructure.

The Naval Reactors program, which supports the Navy's nuclear propulsion program, is increased by $45 million over last year. This fully funds the replacement of the Ohio class ballistic missile submarine.

The Army Corps of Engineers, which manages critical infrastructure projects supporting the health of our Nation's water resources, is increased by $49 million over the fiscal year 2016 levels. The bill makes full use of estimated annual revenues in the Inland Waterways Trust Fund and includes $1.3 billion for harbor maintenance trust fund activities, hitting the WRDA 2016 adjusted annual target.

Flood and storm damage reduction activities are provided with $29 million more than last year to mitigate damage from flooding events.

The bill capitalizes on America's abundant natural resources to ensure a balanced, all-of-the-above energy policy. These investments will improve our energy independence and keep our consumer prices affordable for constituents. The bill protects these investments by including $24 million more than last year to improve the resiliency and reliability of the Nation's electric grid against cyber attacks and extreme weather events.

The bill also helps peel back regulatory red tape, prohibiting changes to the definition of ''fill material'' and ''discharge of fill material,'' and also prohibits the regulation of certain agricultural activities. These are commonsense provisions that were included in this bill.

In addition to the Energy and Water section, I also would like to acknowledge some of the important provisions in the Interior section of this bill.

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

Mr. FRELINGHUYSEN. I yield the gentleman an additional 15 seconds.

Mr. SIMPSON. The inclusion of language routing the Gateway West Transmission Line through the Snake River Birds of Prey National Conservation Area, critical funding provided for wildfire programs in the Department of the Interior and the Forest Service, and the full support of the PILT program greatly strengthens this bill.

I thank Chairman CALVERT, Ranking Member MCCOLLUM, and the staff on the Interior, Environment, and Related Agencies Subcommittee for the work they do.

No westerner can hold their head up if they vote against this bill and the provisions in this bill for the Western States.

Mr. Speaker, I urge my colleagues to support this bill.

Mrs. LOWEY. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Speaker, I am pleased to rise in support of this legislation.

I want to thank Mr. FRELINGHUYSEN, Mrs. LOWEY, and all the subcommittee chairs and ranking members for the work that they have done to get us to this place.

This vote we are about to take represents an example of how Members of this House can work together to reach a reasonable compromise and deliver a product that reflects both rationality and reasonableness. It is clear from recent history that Democratic Members' participation is absolutely essential if we are going to pass fiscal bills and appropriations bills. I am glad that the Republican leadership and negotiators came to that conclusion and worked with us to advance this omnibus to the floor.

I will support this omnibus funding bill. It is not a perfect bill, but no bill is a perfect bill. It is, however, a compromise that includes provisions that Democrats and Republicans want to see passed.

It does not include poison pill riders that would prevent Democratic support or, frankly, Republican support. It does not fund President Trump's border wall which, of course, he had promised the American people they would not pay for.

Furthermore, it includes critical funding for health benefits for America's coal miners and their families, and it funds Puerto Rico's Medicaid program.

This omnibus also adds additional funding for the National Institutes of

Health, something that all of us ought to support, including former Vice President Biden's Cancer Moonshot, as well as Pell grants, disaster relief, international famine aid, and funding to fight opioid addiction.

It is the product of frank and thorough negotiations conducted by Ranking Member NITA LOWEY and Chairman RODNEY FRELINGHUYSEN, both of whom are positive leaders of the Appropriations Committee and of this House. I congratulate them and their staffs for their hard work to reach this funding agreement.

The Congress should not have waited this long to act, Mr. Speaker. It is now 7 months into the fiscal year. We should not allow this to happen again. It has happened too often, and it has happened under both parties, but it is not the way to run the greatest enterprise on Earth: the Federal Government of the United States of America.

We must get back to dealing with appropriations bills in a timely and discrete manner, appropriations bill by appropriations bill. It is important that we segue from these successful negotiations into talks in the same spirit of compromise to pass appropriations bills through regular order for fiscal year 2018 before the end of September. We are very late in doing this process.

I was very much alarmed by President Trump's tweet yesterday suggesting that he would welcome a government shutdown. It is this kind of flippant, uninformed, and irresponsible approach, as opposed to what ought to be a serious, bipartisan process, that puts us again and again at the eleventh hour, often months past the original deadline, trying to keep the government open.

We ought to do better. We must do better. I hope the bipartisan process that brought us to this omnibus bill will show us that we can do better.

In that context, I want to again thank Mr. FRELINGHUYSEN, with whom I have served for a long period of time both on the committee and as a colleague in the House of Representatives. I want to thank Mrs. LOWEY, with whom I served for 23 years on the Appropriations Committee and with whom I have served in my capacity as leader and herself as a leader on the Appropriations Committee.

This represents, today, what the Congress ought to be, how it ought to work, and what the American people expect. As we vote today on this bill, let us say to ourselves: let us continue this kind of cooperative, positive, constructive work.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT), chairman of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee.

Mr. ADERHOLT. Mr. Speaker, I want to thank the chairman and the ranking member and all of my colleagues who have worked so hard on this bill over the last several months. These appropriations bills are taking a long time to get through the process. A lot of times, we don't realize all the hard work. So I want to thank all of my colleagues for their work and all the staff that have had great input into it.

I want to echo what a lot of my other colleagues have said about this bill. As chairman of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee, I understand that, while the bill is not perfect—and, as has just been mentioned, no bill that we vote on is perfect—there are significant wins for agriculture, the food sector, and for rural America.

I wish that we had been able to include relief for the cotton growers. Also, regulatory relief for harm reduction products related to tobacco.

Members from rural districts with agriculture constituents like I have in Alabama can be very proud of the bill's accomplishments for rural America. It provides necessary relief for American farmers and ranchers who are experiencing a 50 percent reduction in income from 4 years ago.

We have been able to provide targeted increases for a few high-priority programs. The bill directs funding for rural communities, bolsters U.S. agriculture, maintains food and drug safety, ensures sound markets, and provides nutrition for children, families, and seniors at home and abroad.

There is increased oversight of nutrition programs, and there are provisions to prevent waste, fraud, and abuse, including closing a loophole to prevent fraudulent SNAP participation in multiple States.

The bill also includes a prohibition on gene editing of human embryos. This is a tremendous victory for those who are concerned about life.

In this bill, we stop additional Obama administration school meal regulations from being implemented by keeping the school meal sodium standards at the current target 1 level, we continue to have the whole grain waiver for schools that are having difficulty meeting that standard, and we allow flexibility in schools in serving low-fat flavored milk to students.

Furthermore, this is exactly what the new Secretary of Agriculture, Sonny Perdue, announced USDA will be implementing for the 2017–2018 school year.

The agriculture portion of this bill also contains important provisions that further the President's Buy American, Hire American initiatives. If we are to build infrastructure in America, then we need to spend dollars that support jobs right here in America instead of utilizing iron and steel made in Russia and China.

I am happy to support this bill, understanding that we have an opportunity in FY 2018 to craft bills that will be more fiscally and socially conservative. I look forward to working with the chairman and my colleagues as we go forward.

Mrs. LOWEY. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), the distinguished ranking member of the Interior, Environment, and Related Agencies Subcommittee.

Ms. MCCOLLUM. Mr. Speaker, I rise today in support of this bipartisan compromise to fund our Federal Government for the remainder of the year.

It is frustrating that the Trump administration inserted itself into our congressional funding negotiations last year, which unnecessarily delayed this bill for 7 months. The delay created uncertainty and instability for local governments, schools, businesses, and the families we represent. Nevertheless, this final funding package we have under consideration today is a win for Minnesotans and Americans.

Democrats stood strong and united. That is why this bill does not include any funding for President Trump's wasteful border wall, which he wanted to pay for with cuts to our priorities here at home.

As the ranking member of the Interior, Environment, and Related Agencies Appropriations Subcommittee, I am proud that we removed more than 75 poison pill riders from our part of the bill. These destructive policies would have delisted endangered species, rolled back environmental protections, and chipped away at our public lands.

In addition to removing these harmful Republican riders, Democrats also succeeded in holding off many devastating cuts proposed by the Trump administration. We protected the EPA from steep cuts to its work to protect the air we breathe and the water we drink. We fully funded the Great Lakes Restoration Initiative to keep our lakes and communities that rely on them healthy. We increased funding for the National Endowments for the Arts and the Humanities, which enrich the quality of life across this Nation.

This final, bipartisan agreement will protect our environment, meet our trust and treaty obligations to Native Americans, and safeguard our natural and cultural heritage. Sadly, the President's 2018 budget would undo all this work, so we must stay vigilant.

□ 1515

I would like to take the opportunity to thank the chairman of the full committee as well as the ranking member, Mrs. LOWEY. I would also like to give a special thank-you to the chairman of the subcommittee, KEN CALVERT, and to all of our staff, both Republican and Democrat, on both sides who worked so hard to make this bill possible, along with my personal staff.

Mr. Speaker, I encourage an ''aye'' vote on this bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CULBERSON), the chair of the Subcommittee on Commerce, Justice, Science, and Related Agencies.

Mr. CULBERSON. Mr. Speaker, the reason you can't buy a house or a business with a 1- or 2-page contract is all

the detail in that big, thick stack of documents ensures that both parties are going to perform and do exactly as promised in the contract. The same is true of this appropriations bill. The Founders understood the power of the purse was the most important and powerful check and balance in the Constitution.

I am proud to support this legislation because the detail in this bill will help ensure that the agencies that are responsible for spending our taxpayers' hard-earned and very precious tax dollars have to perform according to the detail in this bill.

My portion of the bill—the Commerce, Justice, Science portion—is responsible for funding our Nation's law enforcement officers. Now that we have a President who will enforce the law, we ensure that our men and women in uniform who protect us have the resources they need in this bill. We funded the FBI with an additional $277 million to help those men and women fight terrorism, espionage, and cybercrime. The DEA, the Marshals Service, and the U.S. Attorneys all get increases to ensure our communities are made safer by combating gangs, drug trafficking, and violent crime. We make sure in this bill to fully fund opioid abuse programs to reduce this terrible plague that is now sweeping across our Nation.

We also in the Commerce, Justice, Science bill are responsible for funding the National Science Foundation, which we protected and made sure that the scientific community has the money they need to continue to do their great work.

I also, as a Houstonian and a Texan, take special pride in the funding that we have given to NASA to make sure that NASA will be restored to the glory days of Apollo with a funding total of $19.7 billion, and put them on a 50-year path to discover life in another world, the oceans of Europa, to look for that nearest Earthlike planet around the nearest star, develop an interstellar rocket propulsion system to go to at least 10 percent of the speed of light and to launch no later than 2069, the 100th anniversary of Neil Armstrong setting foot on the Moon. We have directed NASA to launch the first interstellar mission to that nearest Earthlike planet.

To pay for these increases, we are freezing 29 programs and cutting about 15 others to make sure that these are paid for.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I yield an additional 10 seconds to the gentleman from Texas.

Mr. CULBERSON. This bill protects our Second Amendment rights and contains pro-life protections that we have had in previous legislation. This is a good bill, Mr. Speaker. I urge all Members to support it.

Mrs. LOWEY. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), my friend with whom I have served on the Committee on Appropriations forever, the ranking member of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies.

Ms. DELAURO. Mr. Speaker, the omnibus funding bill for 2017 makes important investments in health, education, and jobs programs, and rejects many of the damaging ideological riders that marked an earlier version of the Committee on Appropriations this year.

At a time when the administration is seeking massive cuts to programs that affect people's lives, this bill is more than respectable. It is a success. In fact, in some cases, we were able to increase funding. The bill provides an additional $2 billion for the National Institutes of Health. It ensures that critical lifesaving research can continue at our Nation's top research institution. Given that President Trump wants to cut in the 2018 budget $6 billion, and he wanted an additional $1.2 billion from 2017, this is a victory.

The bill finally restores year-round Pell eligibility, which helps to make college more affordable for hard-working students. Nontraditional students are most in need of this flexibility offered by year-round Pell. It helps them to graduate on time and with less debt.

There is an additional $3 million for senior nutrition programs and Meals on Wheels, extending our commitment to the health and the safety of our seniors. It invests in programs that help people to get the skills they need to earn higher wages and better jobs, including an increase of $15 million for Job Corps, $5 million for apprenticeships. I believe we ought to have more funding for apprenticeships.

There are no more investments as important as the ones we make for our children. This bill provides an additional $25 million for afterschool programs; $100 million for title I; $90 million for special education State grants; $95 million increase for the Child Care and Development Block Grant, desperately needed aid to working parents for safe and reliable child care; $85 million for Head Start and makes an early investment in the long-term health of our Nation's children.

This is the direction we should be moving: increasing funding for the priorities that touch people's lives. This omnibus ignores shortsighted cuts that have been proposed by the Trump administration and, instead, makes important investments in health, in education, and in jobs programs. I urge my colleagues to vote for it.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CARTER), the chairman of the Subcommittee on Homeland Security of the Committee on Appropriations.

Mr. CARTER of Texas. Mr. Speaker, I rise in support of this legislation. The Homeland Security division of this bill contains $42.4 billion to fund the Department of Homeland Security. This amount includes $1.5 billion in additional funding as proposed by the President in his budget amendment. That is the largest boost to border security funding in nearly a decade. This bill is a sizable down payment on our promise to secure our borders, enforce our immigration laws, and keep our citizens safe.

This bill includes 39,324 detention beds, an increase of more than 5,000 over the previous number. This additional capacity will allow our immigration officials to end catch and release once and for all. Forty miles of upgraded fencing are in this bill. This upgraded barrier will stem the flow of drugs, smugglers, and illegal immigrants across our border, and give our Border Patrol agents the time they need to make an arrest.

Also included is $87 million of enhanced surveillance and radars so Border Patrol agents can more effectively detect illegal crossings, 26 miles of new road construction, and 758 miles of road improvements. I hear time and again from our agents on the border that they not only need to detect illegal crossings, they must reach them to arrest them. These roads will literally pave the way toward that effort.

Here in Washington, people talk about border security and immigration. In Texas, we live it every day. We must get this problem under control. I am confident that with the support of President Trump and my colleagues in the House and Senate, we will bring sanity and the rule of law back to our borders. This bill is a vital step. I urge its passage.

I thank LUCILLE ROYBAL-ALLARD, my ranking member, and both the majority and minority staffs for their hard work on this bill.

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. CUELLAR), a distinguished member of the Committee on Appropriations.

Mr. CUELLAR. Mr. Speaker, I rise to thank Chairman FRELINGHUYSEN and Ranking Member LOWEY for their hard work on this good bill.

This bill today is a compromise bill. It is a good bill because this is the way Congress is supposed to be working. I say it is a good bill because it provides an increase to the Pell grants, authorizes them in the summertime, year long. That will be good to get kids into education. It provides $2 billion to the National Institutes of Health. It provides a solution to the citrus greening crisis that is impacting our citrus growers in south Texas and other parts. It provides funding for 10 additional immigration judges and their support staff to help cut down the backlog of over half a million cases that we have on top of the 55 immigration judges we had last year. As Chairman CARTER said a few minutes ago, it adds $1.5 billion to improve the Nation's border security without funding the medieval wall that we have.

Again, I thank all of my colleagues for working in a bipartisan way.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CALVERT), chairman of the Subcommittee on Interior, Environment, and Related Agencies.

Mr. CALVERT. Mr. Speaker, I rise today in strong support of the 2017 Consolidated Appropriations Act. The Interior division of this omnibus bill attempts to fairly balance the needs of our subcommittee's many diverse agencies and programs. It continues the subcommittee's critical work on addressing wildland fire, domestic energy production, the needs of our national parks, and meeting the obligations to Native Americans and Alaskan Natives. I look forward to working with the new leadership at the Interior Department in the FY 2018 appropriations process.

This bill provides funding for fire suppression at the 10-year average level. It includes $407 million in the FLAME wildfire suppression reserve account to help avoid borrowing resources from other forest programs to put out wildland fire.

This bill provides additional funding for the National Park Service, including efforts to address the maintenance backlog, the Service's Centennial, and the Centennial Challenge matching grant program.

The bill makes significant investments in health care, law enforcement, education programs in Indian Country, honoring the longstanding commitments to the American Indians and Alaska Natives.

This bill builds on the Trump administration's efforts to promote domestic energy and mineral development both onshore and offshore.

Before I close, I want to thank our ranking member, Ms. MCCOLLUM of Minnesota. She has been a partner and friend as we worked through our hearings, wrote the bill, and moved it through the legislative process to completion.

I also want to thank Chairman FRELINGHUYSEN for his support of the Interior Subcommittee and his leadership of the full committee. Kudos to you, Mr. Chairman, for bringing this appropriations process to a successful conclusion.

Finally, I thank the staff who have worked so hard on this bill. They include Dave LesStrang, Jason Gray, Darren Benjamin, Betsy Bina, Jackie Kilroy, and Kristin Richmond; also Ian Foley and Rebecca Keightley in my office.

Mr. Speaker, the package before us today is the product of many months of bipartisan negotiations. I urge Members on both sides of the aisle to support this important legislation.

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. MENG), an outstanding new member of our Committee on Appropriations.

Ms. MENG. Mr. Speaker, I rise today to speak in support of the legislation before us. Of course, this bill might not look like what it might if we had written it by our individual selves, but I think it is a good example of what genuine and honest compromise looks like. I thank Ranking Member LOWEY, Chairman FRELINGHUYSEN, and their respective staffs for their months of hard work in producing this omnibus.

Because of their joint efforts, the NIH will receive $2 billion in increased funding, America's coal miners will continue to receive the health benefits they have earned, an additional $600 million is provided to combat the opioid epidemic, needy students will be able to receive year-round Pell grants, $3.4 billion in LIHEAP funding will be distributed to our seniors, and $838 million will be made available for seniors' nutrition programs.

This is what responsible governing looks like. As a member of the House Committee on Appropriations, I look forward to working together in this manner in the future.

Thank you again, Ranking Member LOWEY and Chairman FRELINGHUYSEN, for your hard work in crafting this bill. I support it, and I urge my colleagues to do the same.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART), chair of the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies.

Mr. DIAZ-BALART. Mr. Speaker, before I speak about the specifics of this portion of the bill, I thank Chairman FRELINGHUYSEN. He has put countless hours to put this remarkable legislation together. I think he must be commended. I also thank Ranking Member LOWEY as well as the ranking member of the subcommittee, Mr. PRICE.

The American people expect us to get our job done, to fulfill our constitutional responsibility. That is precisely what we are doing today. The THUD portion of this agreement provides $57.7 billion in budget authority, which, by the way, is $5.5 billion below the budget request.

The transportation and housing programs in this bill support critical infrastructure, technologies, and housing opportunities that make a positive difference in the day-to-day lives of so many of our constituents.

This bill makes critical investments in our air traffic control system to make sure that continues to be the world leader in safety in the entire world.

□ 1530

We fund surface transportation investments authorized by the FAST Act to ensure that we improve and expand highways and bridges that are so vital to our national economy. And this bill also provides permanent regulatory relief from two overly burdensome additions to the hours-of-service restart rule made by the previous administration.

Mr. Speaker, this bill also provides $928 million in disaster assistance for communities devastated by storms and floods. This includes recovery assistance to Florida following the impact caused by Hurricane Matthew last October.

Mr. Speaker, we listened to the members of the committee and to the Members of Congress, and we did our best to address their highest priorities, while keeping in mind that our job is to protect the American taxpayer and cut ineffective, redundant programs. We are proud of this bill.

I thank the chairman for his hard work.

Mrs. LOWEY. Mr. Speaker, I am delighted to yield 1½ minutes to the distinguished gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELAZQUEZ. Mr. Speaker, let me take this opportunity to thank the gentlewoman from New York for yielding.

Mr. Speaker, I am pleased this legislation contains $295.9 million for Puerto Rico's Medicaid program, which is running out of resources. Absent action, hundreds of thousands of our fellow citizens could lose health care.

Make no mistake, we are in this situation because of years of neglect from Washington. So, here we are again, fixing a hole created by Puerto Rico's second class treatment under Medicaid.

The funding in this bill is a first step toward rectifying the longstanding unequal treatment of Puerto Rico. By the way, Mr. Speaker, and Mr. President, last time I checked the history books, it was the U.S. Armed Forces who landed in Puerto Rico in 1898, and invaded Puerto Rico. So we have a moral obligation toward the people of Puerto Rico, American citizens.

Now, to the creditors, let me say this, and let me be clear: this money was not appropriated to line hedge funds' pockets. This money, and funds that would otherwise go to Puerto Rico's healthcare system, is for Puerto Ricans.

So I support this funding and look forward to seeking solutions for the island's long-term growth.

Finally, let me thank Leader PELOSI, Mr. HOYER, Ranking Member LOWEY, and Minority Leader SCHUMER for their efforts in securing these funds.

I thank my colleagues.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Kansas (Mr. YODER), chairman of the Subcommittee on Legislative Branch of the Appropriations Committee.

Mr. YODER. Mr. Speaker, I rise today to highlight some of the important provisions in this bipartisan omnibus legislation.

I want to specifically touch on the needed investments in medical research, education, and for our soldiers. It matches last year's $2 billion increase in research funding at the National Institutes of Health, the largest increase since 2003, renewing our commitment to science with a 13 percent

increase in research funding over these last 2 years.

It improves access to education by increasing funding for Head Start programs and restores year-round Pell grants.

It invests $25 billion to rebuild our military for the 21st century and gives our troops the largest paying raise in 6 years.

Mr. Speaker, as chairman of the Legislative Branch Subcommittee, I am proud that our bill continues 13 percent reductions in spending on Congress since Republicans took control of the House of Representatives in 2011 and denies a pay increase for Members of Congress, showing the American people we are leading by example when it comes to fiscal responsibility.

I urge my colleagues to support this legislation.

Mrs. LOWEY. Mr. Speaker, I am delighted to yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Speaker, I thank our distinguished ranking member for her recognition and her leadership on this legislation that we have the opportunity to vote on. So I thank Ranking Member NITA LOWEY.

I thank the distinguished gentleman from New Jersey, Chairman FRELINGHUYSEN, for his leadership as well. And I commend his staff, Nancy Fox, and others for their hard work on this; and to Ranking Member LOWEY, Shalanda Young, Chris Bigelow, my own staff Richard Meltzer, and House and Senate staff members for getting us to this very important place.

The omnibus reflects significant progress defeating some dangerous riders, which I think are dangerous, and securing key victories.

Here is the thing: I spent many years in the Appropriations Committee. And I know, left to your own devices, the Appropriations Committee can find your common ground. You appreciate each other, you grant each other your positions on issues, and you understand the art of negotiating in a successful way.

There were some items that were suggested other than from the committee. From the White House, for example, a border wall, deportation force, things like that, 160 poison pills, which were ranging from undermining a woman's right to choose to dismantling Dodd-Frank, et cetera. But you all worked together to balance the equities and come up with a bill that will have, I believe, broad support in the Congress, certainly bipartisan support in the Congress.

But just not to speak about what we didn't like about the bill, there are some very positive aspects of it that I want to recognize—some nondefense increases in spending, which will save lives and create jobs.

Coal miners' health. We were so proud to secure more than $1 billion to deliver permanent health benefits to thousands of coal miners and their families who stood to lose their health benefits this month. God bless them for their advocacy. It was so important to our discussion.

Opioid epidemic. An additional $600 million for fighting the opioid epidemic.

Protecting EPA. There was going to be a huge cut, and now just a 1 percent cut in the EPA. We see that as a success.

Year-round Pell grants. So important.

Science funding. The omnibus increases funding for energy efficiency and renewable energy, the Department of Energy Office of Science, and ARPA-E, all initiatives that some wanted to cut but were happy had survived that interest in cutting.

Our colleague, Congresswoman VELÁZQUEZ, has led us on the Puerto Rico issue. The omnibus includes vital funds to stabilize Puerto Rico's underfunded Medicaid program, which threatened so many of our fellow Americans in Puerto Rico.

Democrats are very happy and give credit to, in a bipartisan way, led by Congresswoman BARBARA LEE, securing nearly $1 billion in humanitarian assistance to alleviate famine resulting from more drought and displacement in Africa and the Middle East, saving countless lives around the world. Left without assistance, maybe 1.5 million children would die of malnutrition in the next 6 months in Africa.

And then it takes us to biomedical research. I served with Mrs. LOWEY and others on the Labor-HHS Appropriations Subcommittee for many years. And the National Institutes of Health is this place that has the Biblical power to cure. It has scientific opportunity. And where there is scientific opportunity, we want to place additional resources. Lives depend on it.

So in stark contrast to the skinny budget that came out earlier, this legislation increases funding for the National Institutes of Health by $2 billion. And I want to say on that, as we relish that $2 billion and what it could mean to the good health of the American people, we have to protect our investments.

As we invest in new treatments and cures, we must also ensure that all Americans have access to them. That is why it is curious to me that on the same day that we vote on this omnibus bill and increase funding for the National Institutes of Health, increase funding for our veterans, and all the rest of that, Republicans are working furiously to advance TrumpCare's devastating impact on America's health care. No matter what anybody says to you about activities they are having today to tweak one piece of the bill, it will still be a bill that has higher costs, forcing families to pay higher premiums and deductibles and out-of-pocket costs. This will block some people from access to the lifesaving cures that we are investing in the National Institutes of Health to create.

Less coverage will take coverage from 24 million hardworking Americans.

Higher costs.

Fewer people covered.

Veterans tax. TrumpCare will deny tax credits for health care to 7 million military veterans.

TrumpCare destroys protections for preexisting conditions. So many of the investments at the National Institutes of Health that we are talking about are to find cures and to find preventions. But when we are trying to find cures, that means that the people we are trying to cure have a preexisting medical condition. This would destroy the guarantee protection for a preexisting medical condition and gut the essential health benefits in the Affordable Care Act.

There is a crushing age tax. If you are 50 to 64, you will pay five times higher than others pay for health care.

It undermines our investments in Medicare.

So I mention this because I have always thought, when I sat on that committee year in and year out, day in and day out, hour on hour, listening to the challenges facing America's families for illnesses that they were suffering, a diagnosis that they were frightened by, that what they wanted us to do was to invest in a cure, but that meant access to that cure.

So they are trying to say: Well, we are going to help with high-risk pools, and that is going to neutralize everything I said about higher costs, lower coverage, et cetera. But the conservative Mercatus Center said: ''The amendment at hand focuses on high-risk pools, but the $8 billion amount is a pittance.''

And said: ''Spread over 5 years, it's a fifth of a pittance.''

That was Robert Graboyes, a healthcare expert at the conservative Mercatus Center.

Karen Pollitz, a healthcare expert at the Kaiser Family Foundation, said that the additional $8 billion would likely not be enough to make the high-risk pools workable. She said that would be enough money to cover costs for only 1 percent of the individual market.

So, again, let us protect the investment that we are making. Let us elevate it with pride and say $2 billion for the National Institutes of Health.

But what does that mean to you, the average American, if you can't have access to that in a way that is affordable?

Again, 51 years ago, Dr. King said, and I say again, because I say this all of the time: ''Of all the forms of inequality, injustice in health is the most shocking and the most inhuman because it often results in physical death.''

So, again, this appropriations bill is a way for us to help meet the needs of the American people. This Appropriations Committee did an excellent job in resolving differences and putting forth a balance of equities as we go forward.

But let us not give with one hand and take away with the other as we, in the same 24-hour period, say: Aren't we wonderful. $2 billion for medical research.

Under the Republican's healthcare plan, it will most likely benefit the privileged few at the expense of America's working families.

That is not what we are supposed to be doing here. That is what we are taking pride in. What we are taking pride in is of the great possibilities, but let's make those possibilities available.

And I say that as one who served for many years on the Appropriations Committee, one whose goal in life was to sit on the Labor-HHS Subcommittee and to increase the funding of the National Institutes of Health, but to do it for the purpose of all Americans having access.

Having said that, getting back to this omnibus bill, again, I am very proud of the work of NITA LOWEY, of the ranking members of the subcommittees, and of the staff who worked so hard. I am especially proud of the work, also, of our distinguished chairman, Mr. FRELINGHUYSEN. I join him in recognizing the work of his subcommittee chairs on all of this. It is a product to be proud of. I thank Mr. FRELINGHUYSEN and Mrs. LOWEY.

I urge a ''yes'' vote.

□ 1545

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, as a fiscal conservative, let me set the record straight. This bill's recognized $296 million of Medicaid funding is just a bridge, half of the bridge. This legislation simply reprograms this funding to partially address the impending Medicaid cliff in Puerto Rico.

This allocation does not constitute new money for the island. There should be no mistake about the territories' Medicaid program, which historically has been underfunded and treated differently from the States. This cliff is the result of ObamaCare.

Congress should understand that that failure to address this issue will provoke a complete collapse of Puerto Rico's healthcare delivery system and make worse the already ongoing mass exodus from the island to the mainland States, such as Florida and North Carolina.

Over 1.4 million United States American citizens in Puerto Rico receive health services through the Medicaid program at a per member, per year rate of $167 versus $500 to $600 in the 50 States.

It is quite a difference. I want to recognize and thank Speaker PAUL RYAN, Chairman FRELINGHUYSEN, Chairman COLE, Members of this House, and all of my colleagues for supporting this bill.

Mrs. LOWEY. Mr. Speaker, I thank Chairman FRELINGHUYSEN for his efforts to bring an omnibus to the floor. He came into the chairmanship having to finish FY17 and must quickly pivot to FY18. This is a package that Members of both parties can support. It came through bipartisan and bicameral negotiations and offers compromises for both parties.

This kind of cooperation best serves the American people. I thank the chairs and ranking members of the subcommittees who did most of the heavy lifting to produce this bill, and I again thank the committee and personal staff on both sides of the aisle for their hard work. It shows we can do our basic job keeping the government open without the threat of a shutdown.

Mr. Speaker, I yield the balance of my time to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the distinguished chairman.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself the balance of my time. I thank the gentlewoman and my ranking counterpart, Mrs. LOWEY, for that kindness, and may I associate with her our remarks, pay tribute to her leadership, the wonderful work of the staff that she has behind her and that I have behind me. I think the debate and the comments have been positive today.

The men and women of the greatest military in the world, the United States Armed Forces, are waiting for our support today with the passage of this package, this appropriations bill. Please don't let them down. Please support this bill, which provides for our national and economic security and takes us out from a very damaging and restrictive continuing resolution.

Today is a vote to keep the government open and get back to our appropriations process, which is our responsibility under the Constitution, the power of the purse. Let's take it and use it wisely.

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

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

Mr. NUNES. Mr. Speaker, pursuant to Section 3 of House Resolution 305, I am submitting the following explanatory material to accompany Division N—Intelligence Authorization Act for Fiscal Year 2017—of H.R. 244, Consolidated Appropriations Act, 2017.

DIVISION N—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The following is the explanation of the Intelligence Authorization Act for Fiscal Year 2017.

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 (hereinafter, ''the Agreement''). 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.

PART I: APPLICATION OF THE CLASSIFIED ANNEX

The classified nature of U.S. intelligence activities prevents 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 House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence. It reconciles the differences between the committees' respective versions of the bill for the National Intelligence Program (NIP) and the Homeland Security Intelligence Program (HSIP) for Fiscal Year 2017. 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 2017, and provides certain direction for these two programs.

The Agreement supersedes the classified annexes to the reports accompanying: H.R. 5077, as passed by the House on May 24, 2016; H.R. 6393, as passed by the House on November 20, 2016; H.R. 6480, as passed by the House on December 8, 2016; S. 3017, as reported by the Senate Select Committee on Intelligence on June 6, 2016; and S. 133, as reported by the Senate Select Committee on Intelligence on January 20, 2017. All references to the House-passed and Senate-reported annexes are solely to identify the heritage of specific provisions.

The classified Schedule of Authorizations is incorporated into the bill pursuant to Section 102. 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 classified annex shall have the same legal force as the report to accompany the bill.

PART II: SELECT UNCLASSIFIED CONGRESSIONAL DIRECTION

Managing intelligence community personnel

This Agreement by the congressional intelligence committees accepts the Senate's recommendations 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. The Agreement recognizes that the size and shape of the IC's multi-sector workforce should be based on mission needs, and encourages the IC to adjust its reliance on contractors when appropriate, both as a matter of general policy and as a way to conserve resources. The flexibility afforded in this provision should support this position. In addition, section 103 provides an increase in the number of civilian personnel authorized in the Schedule of Authorizations for the purposes of such contractor conversions in the interim for the remainder of fiscal year 2017. Nothing precludes the Congress from addressing the end strength for any element or office of the IC in the annual authorization bills.

Therefore, the committees direct that the ODNI provide the congressional intelligence committees briefings on the workforce initiative as directed in section 306, beginning July 1, 2017, and each 120 days thereafter until July 1, 2018, with benchmarks and milestones, for IC elements to manage a multi-sector workforce without personnel ceilings

starting in fiscal year 2019. The ODNI, in coordination with the IC elements, shall establish a common methodology for collecting and reporting data, and include new exhibits in the annual congressional budget justification books that display full-time equivalents (government civilians, core contractors, non-core contractors, and military personnel), by program, expenditure center and project.

In the absence of authorized position ceiling levels, agencies will be bound to authorized and appropriated personal services funding levels.

Further, the transfer of non-personal services funding in below-threshold reprogramming is a concern to the committees. Therefore, the committees direct agencies to provide a written notification to the committees of any realignment and/or reprogramming of funding between personal services and non-personal services.

Commercial Geospatial Intelligence Strategy

The congressional intelligence committees applaud the National Geospatial-Intelligence Agency (NGA) for issuing its October 2015 Commercial Geospatial Intelligence (GEOINT) Strategy, which states a goal of fostering a ''more diverse, resilient, agile, and responsive GEOINT program that provides seamless user access to the best mix of commercial GEOINT . . . to fulfill National System for Geospatial-Intelligence (NSG) and Allied System for Geospatial-Intelligence (ASG) mission needs.'' The committees also find merit in the NGA's ''GEOINT Pathfinder'' project, which seeks to maximize the use of unclassified and commercially available data sources that can be easily and rapidly shared with a variety of military, United States and allied government, and non-government customers, and supports the project's continuation and expansion.

The committees further commend the NGA for pursuing new methods of intelligence collection and analysis to inform, complement, and add to its support of warfighter requirements by looking to emerging commercial technology providers, including small satellite companies, which hold the promise of rapid technological innovation and potentially significant future cost savings to the U.S. taxpayer. The committees further encourage the Director of the NGA to ensure sufficient funding is available to acquire new, unclassified sources, including commercial satellite imagery providing unprecedented global persistence, as well as products and services that provide information and context about changes relevant to geospatial intelligence. The committees also encourage the NGA to pursue new business models, including commercial acquisition practices, to enable the NGA's access to data, products, and services in ways consistent with best commercial practices.

The committees fully support the NGA's course of action in partnering with the commercial GEOINT industry to meet future warfighter intelligence requirements, while recognizing the need to take appropriate steps to protect national security, and encourage the Director of the NGA and the Under Secretary of Defense for Intelligence to keep the committees informed of their progress in implementing this strategy. Therefore, this Agreement directs the Department of Defense (DoD), in building future-year budgets, to ensure continued funding is provided for implementation, through at least Fiscal Year 2021, of the Commercial Geospatial Intelligence Strategy issued by the NGA in October 2015.

Space Launch Facilities

The congressional intelligence committees continue to believe it is critical to preserve a variety of launch range capabilities to support national security space missions. Spaceports or launch and range complexes may provide capabilities to reach mid-to-low or polar-to-high inclination orbits. The committees believe an important component of this effort may be state-owned and operated spaceports that are commercially licensed by the Federal Aviation Administration, which leverage non-federal public and private investments to bolster U.S. launch capabilities. Additionally, the committees believe that these facilities may be able to provide additional flexibility and resilience to the Nation's launch infrastructure, especially as the nation considers concepts such as the reconstitution of satellites to address the growing foreign counterspace threat. The committees note recent testimony by the Chief of Staff of the U.S. Air Force, General Mark Welsh, who stated,

As we look at this space enterprise and how we do it differently in the future, as we look more at disaggregation, microsats, cube sats, small sats, things that don't have to go from a large launch complex all the time, I think proliferating launch complexes is probably going to be a natural outshoot of this. I think it's commercially viable, it may be a way for companies to get into the launch business who could not afford to get into it or don't see a future in it and for large national security space launches, but I think this has got to be part of the strategy that this whole national team puts together as we look to the future.

Therefore, the Agreement directs the IC, in partnership with the U.S. Air Force, to consider the role and contribution of spaceports or launch and range complexes to our national security space launch capacity, and directs the Office of the Director of National Intelligence, in consultation with the Department of Defense and the U.S. Air Force, to brief the congressional intelligence committees on their plans to utilize such facilities within 90 days of enactment of this Act.

National Reconnaissance Office Workforce Optimization Strategy

The congressional intelligence committees have had longstanding interest in, and support for, a permanent government cadre to provide the National Reconnaissance Office (NRO) with a stable, expert acquisition workforce. The committees applaud the substantial progress that the NRO has made in the past year in this regard. The committees have parallel interests in providing the IC with flexibility to manage a multi-sector workforce and in continuing the reduction in the reliance on contractors.

Therefore, the Agreement directs the NRO to conduct a workforce review to optimize the mix between government civilians and contractors and report to the committees with a strategy within 90 days of enactment of this Act.

Guidance and reporting requirement regarding interactions between the intelligence community and entertainment industry.

The congressional intelligence committees believe that there are important, valid reasons for elements of the IC to engage with the entertainment industry, among other things to ensure the correction of inaccuracies, demonstrate the IC's commitment to transparency, and to ensure that the IC recruits and retains highly qualified personnel to the fullest extent possible. The committees further believe that IC engagement with the entertainment industry should be conducted in the most cost effective and deliberate fashion possible, while ensuring that classified information is protected from unauthorized disclosure.

These engagements—some of which have been described in partially-declassified inspector general reports—cost taxpayer dollars, raise potential ethics concerns, increase the risk of disclosure of classified information, and consume the time and attention of IC personnel responsible for United States national security. Neither the production of entertainment nor the self-promotion of IC entities are legitimate purposes for these engagements.

Review of the National Intelligence University

The National Intelligence University (NIU) has made significant progress in recent years in its transition from a defense intelligence college to a national intelligence university that provides advanced education in a classified format. Such advanced education is integral to making intelligence a profession with recognized standards for performance and ethics and fostering an integrated IC workforce. While progress has been significant since the Director of National Intelligence (DNI) and Secretary of Defense agreed to redesignate Defense Intelligence Agency's (DIA) National Defense Intelligence College as NIU in 2011, the institution must continue to adapt to functioning as a university with a robust research agenda, and to serving the entire IC, not just elements of DoD.

Fiscal years 2017 and 2018 are of great significance for NIU, as it moves its principal facility to the IC Campus at Bethesda, completes activities associated with its 2018 decennial regional accreditation reaffirmation, and receives a new president. The congressional intelligence committees believe that these developments position NIU to make further progress in its vision to become the center of academic life for the IC.

To guide these next steps, the Agreement directs DIA, in coordination with ODNI and the Office of the Under Secretary of Defense for Intelligence, to, no later than 30 days after enactment of this Act, select a five member, external, and independent panel to conduct a review of NIU. The panel shall submit a report detailing the results of such review to the congressional intelligence and defense committees within 180 days of enactment of this Act. The panel should be composed of recognized academics, personnel from other DoD joint professional military education institutions, national security experts, and at least one member of NIU's Board of Visitors.

This review and the resulting report shall, among other things, assess:

(1) Methods for ensuring a student body that is more representative of all IC elements;

(2) Incentives for IC elements to send personnel to NIU to earn a degree or certificate, to include designating attendance at NIU as positions reimbursable by ODNI and requiring IC elements to employ the workforce concept of ''float'' for personnel enrolled in higher-education programs;

(3) How certificate programs align with NIU's unique value as an institution of advanced intelligence education;

(4) Methods to enhance NIU's research program, to include publication of a journal, hosting of conferences and other collaborative fora, and more formalized relationships with intelligence studies scholars;

(5) Whether and how educational components of other IC elements could provide educational offerings as part of the NIU curriculum;

(6) Potential advantages and risks associated with alternative governance models for NIU, to include moving it under the auspices of ODNI; and

(7) The feasibility and resource constraints of NIU tailoring degree offerings to meet the needs of IC personnel at different stages in their careers, similar to DoD's joint professional military education model.

Cost of living consideration

The congressional intelligence committees are concerned with the high cost of living for military, civilian, and contractor personnel at overseas Combatant Command intelligence centers. Although the committees recognize the benefits of co-locating intelligence analysts with the operational commander, the intelligence centers for both U.S. European Command (USEUCOM) and U.S Africa Command (USAFRICOM) are located over 600 miles from their Combatant Command headquarters. Combatant Commanders based in the United States regularly communicate with forward deployed units, and the USEUCOM and USAFRICOM intelligence centers have developed mechanisms to effectively employ various teleconferencing and virtual communication tools to ensure collaboration across large distances.

The congressional intelligence committees are concerned that despite the utility of these virtual collaboration tools, DoD has not taken action to reduce the number of intelligence personnel stationed in high cost of living areas. These costs can exceed $65,000 per person, per year in annual cost of living allowances compared to the continental United States (CONUS) expenses. The additional costs associated with stationing intelligence personnel in high-cost overseas locations detract from other critical intelligence priorities. The committees are further concerned that DoD does not adequately account for the long-run expense of high costs of living when selecting locations for intelligence facilities.

Therefore, the Agreement directs the DIA to evaluate alternate mechanisms for staffing overseas Combatant Command intelligence centers, particularly those that are not co-located with Combatant Command headquarters, and to identify cost-savings opportunities by shifting personnel to lower cost locations, including in the continental United States.

Defense Intelligence Agency education opportunities

DIA presently allows DIA employees to receive pay for a single year only while attending certain graduate degree programs on a full-time basis. Employees may pursue such opportunities at the National Intelligence University and similar institutions; and, in certain circumstances, also at public and private civilian universities. However, the one-year limit discourages DIA personnel from pursuing multi-year graduate degree programs. Expanding DIA's program to allow highly qualified DIA employees to pursue multi-year graduate degree programs from accredited civilian universities would further improve retention, recruitment, and foster diversity of thought at DIA.

Therefore, the Agreement directs DIA, no later than 180 days after the enactment of this Act, to:

(1) Provide for and fund a program that allows for DIA employees to attend civilian graduate degree programs for up to two years each, based on the standard length of the relevant program, provided that:

(a) Where DIA deems appropriate, employees may pursue academic programs extending beyond two years. Consistent with current practices, the program should be made available to at least five employees each year, with each employee receiving a full-time salary while participating in the program; and

(b) Each DIA participant shall be subject to any program approvals, service obligations, repayment obligations, and other requirements pertaining to academic programs, as prescribed by applicable laws and policies.

(2) Brief the congressional intelligence committees on the status of the program's implementation.

Mental health prevalence

The congressional intelligence committees are committed to supporting the men and women of the IC, who bravely risk their lives serving their country as civilians in conflict zones and other dangerous locations around the world. These individuals often serve next to their military counterparts in areas of active hostilities. As such, they are often exposed to many of the emotional stresses generally associated with a tour of duty abroad. The committees believe there are deficiencies and inconsistencies in the pre- and post-deployment mental health and wellness services available to civilian employees.

Therefore, the Agreement directs the National Security Agency (NSA), NGA, the Central Intelligence Agency (CIA), and DIA, no later than 180 days after the enactment of this Act, to provide a joint briefing to the congressional intelligence committees on the mental health screenings and related services that these agencies offer employees, both before and after they deploy to combat zones. Such briefing shall include a description of:

(1) Existing services available;

(2) Agency resources for and analysis of these services, including the frequency of use by employees compared to the total number returning from deployment; and

(3) How agencies with deployed civilian employees are sharing best practices and leveraging services or resources outside their agencies.

Review of the Office of the Director of National Intelligence

It has been more than ten years since the Congress established the position of the Director of National Intelligence (DNI) in the Intelligence Reform and Terrorism Prevention Act of 2004, building on its predecessor, the Director of Central Intelligence. Given this experience and the evolving security environment, the committees believe it appropriate to review the DNI's roles, missions and functions and adapt its authorities, organization and resources as needed.

Therefore, the Agreement directs the President to form an independent, external panel of at least five individuals with significant intelligence and national security expertise to review ODNI's roles, missions and functions and make recommendations, as needed, regarding its authorities, organization and resources. The panel shall:

(1) Evaluate ODNI's ability to fulfill the responsibilities assigned to it in law given its current scope and structure;

(2) Assess whether any roles and responsibilities currently assigned to the DNI could be more effectively or efficiently executed by other IC components or government agencies outside the IC;

(3) Analyze the personnel, funding, and authorities required for each component of ODNI to perform each of its assigned responsibilities;

(4) Evaluate the organizational structure of ODNI;

(5) Review the size, role, purpose and function of ODNI's mission centers;

(6) Assess the value of the national intelligence manager construct;

(7) Review the size and mix of the ODNI workforce—to include the ratio between cadre and detailees, the balance between government and contractors, and grade structure—to perform its roles, missions and functions; and

(8) Make recommendations regarding the above.

The Agreement directs the President, no later than 30 days after the enactment of this Act, to select the individuals who will serve on the external panel and notify the congressional intelligence committees of such selection.

In addition, the Agreement directs the panel, no later than 180 days after the enactment of this Act, to provide a report on this review to the congressional intelligence committees. This report shall be unclassified, but may contain a classified annex. The Agreement further directs ODNI to reimburse the Executive Office of the President for any costs associated with the review.

Improving pre-publication review

The congressional intelligence committees are concerned that current and former IC personnel have published written material without completing mandatory pre-publication review procedures or have rejected changes required by the review process, resulting in the publication of classified information. The committees are particularly troubled by press reports suggesting that officials are unaware of the existence or scope of pre-publication review requirements.

The committees are also aware of the perception that the pre-publication review process can be unfair, untimely, and unduly onerous—and that these burdens may be at least partially responsible for some individuals ''opting out'' of the mandatory review process. The committees further understand that IC agencies' pre-publication review mechanisms vary, and that there is no binding, IC-wide guidance on the subject.

The committees believe that all IC personnel must be made aware of pre-publication review requirements and that the review process must yield timely, reasoned, and impartial decisions that are subject to appeal. The committees also believe that efficiencies can be identified by limiting the information subject to pre-publication review, to the fullest extent possible, to only those materials that might reasonably contain or be derived from classified information obtained during the course of an individual's association with the IC. In short, the pre-publication review process should be improved to better incentivize compliance and to ensure that personnel fulfill their commitments.

Therefore, the Agreement directs that, no later than 180 days after the enactment of this Act, the DNI shall issue an IC-wide policy regarding pre-publication review. The DNI shall transmit this policy to the congressional intelligence committees concurrently with its issuance. The policy should require each IC agency to develop and maintain a pre-publication policy that contains, at a minimum, the following elements:

(1) Identification of the individuals subject to pre-publication review requirements (''covered individuals'');

(2) Guidance on the types of information that must be submitted for pre-publication review, including works (a) unrelated to an individual's IC employment; or (b) published in cooperation with a third party, e.g.—

(a) Authored jointly by covered individuals and third parties;

(b) Authored by covered individuals but published under the name of a third party; or

(c) Authored by a third party but with substantial input from covered individuals.

(3) Guidance on a process by which covered individuals can participate in pre-publication reviews, and communicate openly and frequently with reviewers;

(4) Requirements for timely responses, as well as reasoned edits and decisions by reviewers;

(5) Requirements for a prompt and transparent appeal process;

(6) Guidelines for the assertion of interagency equities in pre-publication review;

(7) A summary of the lawful measures each agency may take to enforce its policy, to include civil and criminal referrals; and

(8) A description of procedures for post-publication review of documents that are alleged or determined to reveal classified information but were not submitted for pre-publication review.

Additionally, the Agreement directs ODNI, no later than 180 days after the enactment of this Act, to provide to the congressional intelligence committees a report on the adequacy of IC information technology efforts to improve and expedite pre-publication review processes, and the resources needed to ensure that IC elements can meet this direction.

The Agreement further directs the DNI, no later than 270 days after the enactment of this Act, to certify to the congressional intelligence committees that IC elements' pre-publication review policies, non-disclosure agreements, and any other agreements imposing pre-publication review obligations reflect the policy described above.

Student loan debt report

IC components need to be able to recruit talented young professionals. However, the soaring cost of college and post-graduate education in the United States is causing many young people to forgo public service in favor of career opportunities with more competitive pay or loan forgiveness benefits.

Therefore, the Agreement directs ODNI, no later than 180 days after the enactment of this Act, to provide a report to the congressional intelligence committees on programs that seek to help IC personnel manage student loan debt. The report shall include details about each IC element's program, including loan forgiveness, loan repayment, and financial counseling programs; efforts to inform prospective and current employees about such programs; and the number of employees who use such programs The report shall also include an analysis of the benefits and drawbacks of creating new programs and expanding existing programs, and shall identify any barriers to the establishment of IC-wide programs

Workforce development partnership

The congressional intelligence committees have long promoted novel recruiting, hiring, and retention practices, especially with respect to highly expert, highly sought-after Science, Technology, Engineering, and Math (STEM) students and professionals. Despite these efforts, the IC continues to struggle with meeting STEM recruitment, hiring, and retention goals inside the IC.

The committees are therefore encouraged to learn that the IC is considering new and creative practices in this regard. For example, the committees were intrigued by the Pacific Northwest National Laboratory's (PNNL) budding Workforce Development Partnership with the CIA. Partnerships like this may allow IC agencies to leverage PNNL's robust employee recruiting network and seek out STEM students who might not otherwise consider IC employment.

Similarly, to address concerns that potential hires will accept other job offers while awaiting clearances, NGA has a program to allow interim hires to work on unclassified projects until clearances are adjudicated. In addition, several IC agencies have instituted a unique pay scale for their junior STEM workforce. The committees recognize the benefits of these initiatives, and believes that such efforts could have wider applicability across the IC.

Therefore, the Agreement directs the DNI Chief Human Capital Officer, no later than 180 days after the enactment of this Act, to provide to the congressional intelligence committees an interagency briefing on new approaches, including outreach and advertising, the IC is considering or conducting to attract a diverse, robust Science, Technology, Engineering, and Math and information technology workforce to meet the increasing demands in the IC.

Distributed Common Ground/Surface System-Army

The congressional intelligence committees believe the Distributed Common Ground/Surface System-Army (DCGS–A) provides operational and tactical commanders with enhanced, state-of-the-art intelligence, surveillance, and reconnaissance (ISR) tasking, processing, exploitation, and dissemination capabilities and connectivity to the defense intelligence information enterprise. DCGS-A is a critical tool for enabling military intelligence warfighters to process, fuse, and exploit data. In the past, the Army has struggled to keep pace for pre-deployment and in-theater training for DCGS-A. However, training for military intelligence analysts must be prioritized in the pre-deployment readiness cycle to ensure that those using this intelligence tool can effectively utilize its capabilities.

The Army has fielded over 95 percent of DCGS-A Increment 1 systems, with mixed results and often negative feedback from the users. The Army is in the process of fielding Increment 1, Release 2, which will address many of the initial concerns and deficiencies of Increment 1. The committees remain concerned that the Army has not sufficiently planned for user training in support of the release of Increment 1, Release 2 to operational users.

Therefore, the congressional intelligence committees request that the Army, no later than 90 days after the enactment of this Act, submit a plan to the congressional intelligence and defense committees on how the Army will fully incorporate Distributed Common Ground/Surface System-Army (DCGS–A) training into the readiness cycle for Army personnel. The plan should specifically address any lessons learned from the fielding of DCGS–A Increment 1 and any ongoing corrective actions to improve the rollout of Increment 1, Release 2.

Common controller for unmanned aircraft systems

The congressional intelligence committees support the Army's efforts to develop a common controller for the RQ–7A/B Shadow and the RQ–11B Raven tactical unmanned aerial vehicles. However, the committees are concerned that the Army is not collaborating with the Marine Corps on similar efforts to develop a ground controller for the Marine Corps family of tactical unmanned aerial systems (UAS), including the RQ–11B Raven, the RQ–12A Wasp, and the RQ–20A Puma.

Therefore, the Agreement requests that the Army and the Marine Corps Intelligence Activity (MCIA), no later than 90 days after the enactment of this Act, jointly submit a report to the congressional intelligence and defense committees on the feasibility of developing a common controller for all Brigade and Below unmanned aircraft systems (UAS) airframes, as well as U.S. Marine Corps small unit UAS. The report should address the potential performance and operational benefits of a common controller, anticipated development costs, and anticipated life-cycle cost savings of a common controller.

Review of dual-hatting relationship

The congressional intelligence committees support further evaluation of the dual-hatting of a single individual as both Commander of U.S. Cyber Command (USCYBERCOM) and Director of the National Security Agency (DIRNSA).

Therefore, the Agreement directs the Secretary of Defense, no later than 90 days after the enactment of this Act, to provide to the congressional intelligence and defense committees a briefing that reviews and provides an assessment of the dual-hatting of DIRNSA and Commander, USCYBERCOM. This briefing should address:

(1) Roles and responsibilities, including intelligence authorities, of USCYBERCOM and NSA;

(2) Assessment of the current impact of the dual-hatting relationship, including advantages and disadvantages;

(3) Plans and recommendations on courses of action that would be necessary to end the dual-hatting of DIRNSA and Commander, USCYBERCOM, which satisfy Section 1642 of the conference report accompanying S. 2943, the National Defense Authorization Act for Fiscal Year 2017;

(4) Suggested timelines for carrying out such courses of action;

(5) Recommendations for any changes in law that would be required by the end of dual-hatting; and

(6) Any additional topics as identified by the intelligence and defense committees.

The congressional intelligence committees further believe that a larger organizational review of NSA should be conducted with respect to the eventual termination of the dual-hatting relationship. The congressional intelligence committees seek to promote the efficient and effective execution of NSA's national intelligence mission. Specifically, the congressional intelligence committees believe that the organization of NSA should be examined to account for the evolution of its mission since its establishment, the current structure of the intelligence community, and the fact that the NSA is predominantly funded through the NIP.

Therefore, the Agreement further directs the DNI, no later than 120 days after the enactment of this Act, to conduct an assessment and provide a briefing to the congressional intelligence committees on options to better align the structure, budgetary procedures, and oversight of NSA with its national intelligence mission in the event of a termination of the dual-hafting relationship. This briefing should include:

(1) An assessment of the feasibility of transitioning NSA to civilian leadership appointed by the DNI in lieu of military leadership appointed by the Secretary of Defense;

(2) How NSA could be organizationally separated from DoD if USCYBERCOM were elevated to become a unified combatant command; and

(3) Any challenges, such as those requiring changes in law, associated with such a separation.

Acquisition security improvement

The congressional intelligence committees remain concerned about supply chain and cybersecurity vulnerabilities in the IC. The committees believe the IC should implement a more comprehensive approach to address these vulnerabilities, particularly during the acquisition process. However, ICD 801, the IC guideline governing the acquisition process, is outdated and must be revised to reflect current risks. In particular, despite issuance of ICD 731, Supply Chain Risk Management, in 2013, ICD 801 has not been updated to reflect this policy nor does it include consideration of cybersecurity vulnerabilities and mitigation.

Therefore, the Agreement directs ODNI, no later than 180 days after the enactment of this Act, to review and consider amendments to Intelligence Community Directive (ICD) 801 to better reflect and anticipate supply chain and cybersecurity risks and threats, as well as to outline policies to mitigate both risks and threats. In particular, the review should examine whether to:

(1) Expand risk management criteria in the acquisition process to include cyber and supply chain threats;

(2) Require counterintelligence and security assessments as part of the acquisition and procurement process;

(3) Propose and adopt new education requirements for acquisition professionals on cyber and supply chain threats; and

(4) Factor in the cost of cyber and supply chain security.

The Agreement further directs ODNI, no later than 210 days after the enactment of this Act, to provide to the congressional intelligence committees a report describing the review, including ODNI's process for considering amendments to ICD 801, and specifically addressing ODNI's analysis and conclusions with respect to paragraphs (1) through (4) above.

Cyber information sharing and customer feedback

The congressional intelligence committees commend NSA's new policies and procedures to facilitate greater information sharing of cyber threat indicators and defensive measures with the Department of Homeland Security (DHS) at the unclassified level.

With the recent enactment of the Cybersecurity Act of 2015, which encourages greater information sharing between private sector stakeholders, as well as with government entities, the committees believe the next step is to ensure the entire IC is working to disseminate timely, actionable information to private sector stakeholders so they can better protect their information technology networks. The vast majority of U.S. networks reside in the private sector, and it is good governance to ensure that those networks are safe and secure for the general public.

The committees appreciate that the IC has begun efforts to increase unclassified cyber threat sharing. Because an increase in the quantity of reporting does not necessarily indicate effectiveness or usefulness, this Committee continues to monitor the quality of the information distributed.

Therefore, the Agreement directs ODNI, no later than 120 days after the enactment of this Act, to brief the congressional intelligence committees on IC-wide efforts to share more information with the Department of Homeland Security (DHS) for further dissemination to the private sector. This briefing shall specifically address types of information shared, metrics on output, tabulation of low output producing agencies, recommendations on how low output agencies can increase sharing, timeliness of information shared, and average total time it takes for information to transit the system.

The Agreement also directs ODNI, in coordination with the DHS Office of Intelligence and Analysis (I&A), to conduct a survey of government and private sector participants of the National Cybersecurity and Communications Integration Center (NCCIC). The survey shall be anonymous, provide an accurate assessment of the usefulness and timeliness of the data received, and determine if customers are satisfied with intelligence briefings on threat actors impacting their specific industry. The Agreement further directs ODNI, no later than one year after the enactment of this Act, to provide to the congressional intelligence and homeland security committees an unclassified report detailing the results of this survey.

Department of Homeland Security utilization of National Labs expertise

The congressional intelligence committees believe that the Department of Energy (DOE) National Labs represent a unique and invaluable resource for the government and the IC in particular.

Therefore, the Agreement directs, no later than 180 days after the enactment of this Act, DHS I&A, in coordination with DOE Office of Intelligence and Counterintelligence (DOE–IN), to provide to the congressional intelligence committees a report on the current utilization of Department of Energy (DOE) National Labs expertise by DHS I&A. This report should address opportunities to increase DHS I&A's utilization of cybersecurity expertise of the National Labs as well as the budgetary implications of taking advantage of these potential opportunities.

Cybersecurity courses for Centers of Academic Excellence

The congressional intelligence committees are concerned by a recent analysis from a security firm, which determined that not one of the nation's leading undergraduate computer science programs requires students to take a cybersecurity course before graduating. Cybersecurity depends on IC professionals having a strong understanding of the cyber threat and how to mitigate it—which in turn requires a strong academic background. NSA and DHS cosponsor the Centers of Academic Excellence (CAE) in Cyber Defense program, which includes an emphasis on basic cybersecurity. Nevertheless, even some CAE-designated institutions lack cybersecurity course prerequisites in their computer science curricula.

Therefore, the Agreement directs ODNI, no later than 180 days after the enactment of this Act, to submit to the congressional intelligence committees a report on improving cybersecurity training within NIP-funded undergraduate and graduate computer science programs. The report should specifically address:

(1) The potential advantages and disadvantages of conditioning an institution's receipt of such funds on its computer science program's requiring cybersecurity as a precondition to graduation;

(2) How Centers of Academic Excellence programs might bolster cybersecurity educational requirements; and

(3) Recommendations to support the goal of ensuring that federally-funded computer science programs properly equip students to confront future cybersecurity challenges.

PART III: SECTION-BY-SECTION ANALYSIS AND EXPLANATION OF LEGISLATIVE TEXT

The following is a section-by-section analysis and explanation of the Intelligence Authorization Act for Fiscal Year 2017.

TITLE I—INTELLIGENCE ACTIVITIES

Section 101. Authorization of appropriations

Section 101 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 2017.

Section 102. Classified Schedule of Authorizations

Section 102 provides that the details of the amounts authorized to be appropriated for intelligence and intelligence-related activities and the applicable personnel levels by program for Fiscal Year 2017 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 103. Personnel ceiling adjustments

Section 103 provides that the DNI may authorize employment of civilian personnel in Fiscal Year 2017 in excess of the number of authorized positions by an amount not exceeding three percent of the total limit applicable to each IC element under Section 102, and ten percent of the number of civilian personnel authorized under such schedule for the purposes of contractor conversions. The DNI may do so only if necessary to the performance of important intelligence functions.

Section 104. Intelligence Community Management Account

Section 104 authorizes appropriations for the Intelligence Community Management Account (ICMA) of the DNI and sets the authorized personnel levels for the elements within the ICMA for Fiscal Year 2017.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Section 201. Authorization of appropriations

Section 201 authorizes appropriations in the amount of $514,000,000 for Fiscal Year 2017 for the Central Intelligence Agency Retirement and Disability Fund.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Section 301. Restriction on conduct of intelligence activities

Section 301 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 302. Increase in employee compensation and benefits authorized by law

Section 302 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 303. Support to nonprofit organizations assisting intelligence community employees

Section 303 permits the DNI to engage in fundraising in an official capacity for the benefit of nonprofit organizations that provide support to surviving family members of a deceased employee of an element of the IC or otherwise provide support for the welfare, education, or recreation of IC employees, former employees, or their family members. Section 303 requires the DNI to issue regulations ensuring that the fundraising authority is exercised consistent with all relevant ethical limitations and principles. Section 303 further requires that the DNI and the Director of the CIA notify the congressional intelligence committees within seven days after they engage in such fundraising.

Section 304. Promotion of science, technology, engineering, and mathematics education in the intelligence community

Section 304 requires the DNI to submit a five-year investment strategy for outreach and recruiting efforts in the fields of science, technology, engineering, and mathematics (STEM), to include cybersecurity and computer literacy. Section 304 further requires elements of the IC to submit STEM investment plans supporting this strategy for each of the fiscal years 2018 through 2022, along with the materials justifying the budget request of each element for these STEM recruiting and outreach activities.

Section 305. Retention of employees of the intelligence community who have science, technology, engineering, or mathematics expertise

Section 305 authorizes a new payscale to permit salary increases for employees in the IC with STEM backgrounds. Section 305 also requires notifications to individual employees if a position is removed from this new payscale. Section 305 further requires the head of each IC element to submit to the congressional intelligence committees a report on the new rates of pay and number of positions authorized under this payscale.

Section 306. Management of intelligence community personnel

Section 306 prohibits the Congress's use of government personnel ceilings in the management of the IC workforce starting in Fiscal Year 2019. Section 306 requires the DNI to provide briefings on the IC's initiative to maintain both employees and contractors within the IC, as well as both a briefing and a report on the methodology, cost analysis tool, and implementation plans. Section 306 further requires the IC IG to provide a written report on the accuracy of IC workforce data. This section will align the IC's management of personnel consistent with the practices of the Department of Defense and other federal agencies.

Section 307. Modifications to certain requirements for construction of facilities

Section 307 clarifies that the requirement to notify the congressional intelligence committees of improvement projects with an estimated cost greater than $1,000,000 for facilities used primarily by IC personnel includes repairs and modifications.

Section 308. Guidance and reporting requirement regarding interactions between the intelligence community and entertainment industry

Section 308 requires the DNI to issue public guidance regarding engagements by elements of the Intelligence Community with entertainment industry entities. The guidance will include DNI providing an annual report to the congressional intelligence committees detailing interactions between the IC and the entertainment industry. Section 308 also requires the report to include a description of the nature, duration, costs, benefits, and results of each engagement, as well as a determination that each engagement did not result in a disclosure of classified information and whether any information was declassified for the disclosure. Section 308 further requires that before an IC element may engage with the entertainment industry, the head of that element must approve the proposed engagement. Contractual relationships for professional services and technical expertise are exempt from these reporting requirements.

Section 309. Protections for independent inspectors general of elements of the intelligence community

Section 309 requires the ODNI to develop and implement a uniform policy for each identified Inspector General (IG) office in the IC to better ensure their independence. The provision specifies elements to be incorporated in such a policy including (a) guidance regarding conflicts of interest, (b) standards to ensure independence, and (c) a waiver provision. Section 309 further prohibits the DNI from requiring an employee of an OIG to rotate to a position in the element for which such office conducts oversight.

Section 310. Congressional oversight of policy directives and guidance

Section 310 requires the DNI to submit to the congressional intelligence committees notifications and copies of any classified or unclassified Presidential Policy Directive, Presidential Policy Guidance, or other similar policy document issued by the President which assigns tasks, roles, or responsibilities to the IC, within the specified timeframes. Section 310 further requires the Director to notify the congressional intelligence committees of guidance to implement such policies.

Section 311. Notification of memoranda of understanding

Section 311 requires the head of each element of the IC to submit to the congressional intelligence committees copies of each memorandum of understanding or other agreement regarding significant operational activities or policy entered into between or among such element and any other entity or entities of the federal government within specified timeframes.

Section 311 does not require an IC element to submit to the congressional intelligence committees any memorandum or agreement that is solely administrative in nature, including a memorandum or agreement regarding joint duty or other routine personnel assignments. An IC element also may redact any personally identifiable information from a memorandum or agreement which must be submitted to the intelligence committees.

Section 312. Technical correction to Executive Schedule

Section 312 contains a technical correction regarding the annual rate of basic pay for the Director of the National Counter Proliferation Center.

Section 313. Maximum amount charged for declassification reviews

Section 313 prohibits the head of an element of the IC from charging reproduction fees for a mandatory declassification review in excess of reproduction fees that the head would charge for a request for information under the Freedom of Information Act (FOIA). It also permits agency heads to waive processing fees for declassification reviews in the same manner as for FOIA.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

SUBTITLE A—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Section 401. Designation of the Director of the National Counterintelligence and Security Center

Section 401 renames the National Counterintelligence Executive as the ''National Counterintelligence and Security Center,'' with conforming amendments.

Section 402. Analyses and impact statements by Director of National Intelligence regarding proposed investment into the United States

Section 402 directs the DNI to submit to the congressional intelligence committees, after the completion of a review or an investigation of any proposed investment into the United States, any analytic materials prepared by the DNI. This requirement includes, but is not limited to, national security threat assessments provided to the Committee on Foreign Investment in the United States (CFIUS) in connection with national security reviews and investigations conducted by CFIUS pursuant to Section 721(b) of the Defense Production Act of 1950 (50 U.S.C. 4565). This section is not intended to limit the ability of the DNI to transmit supplementary materials to the congressional intelligence committees along with the threat assessments.

Section 402 also directs the DNI to provide the committees with impact statements when the DNI determines a proposed investment into the United States will have an operational impact on the IC.

Section 403. Assistance for governmental entities and private entities in recognizing online violent extremist content

Section 403 requires the DNI to publish on a publicly available Internet website a list of all logos, symbols, insignia, and other markings commonly associated with, or adopted by, State Department-designated foreign terrorist organizations.

SUBTITLE B—CENTRAL INTELLIGENCE AGENCY

Section 411. Enhanced death benefits for personnel of the Central Intelligence Agency

Section 411 authorizes the Director of the CIA to pay death benefits substantially similar to those authorized for members of the Foreign Service, and requires the Director to submit implementing regulations to the congressional intelligence committees.

Section 412. Pay and retirement authorities of the Inspector General of the Central Intelligence Agency

Section 412 amends the Central Intelligence Agency Act of 1949 to authorize the IC of the CIA to consider certain positions as law enforcement officers for purposes of calculating retirement eligibility and entitlements under chapters 83 and 84 of title 5, United States Code, if such officer or employee is appointed to a position with responsibility for investigating suspected offenses against the criminal laws of the United States. Section 412 may not be construed to confer on the IG of the CIA, or any other officer or employee of the CIA, any police or law enforcement or internal security functions or authorities.

SUBTITLE C—OTHER ELEMENTS

Section 421. Enhancing the technical workforce for the Federal Bureau of Investigation

Section 421 requires the Federal Bureau of Investigation (FBI) to produce a comprehensive strategic workforce report to demonstrate progress in expanding initiatives to effectively integrate information technology expertise in the investigative process. Section 421 further requires the report to include: (1) progress on training, recruitment, and retention of cyber-related personnel; (2) an assessment of whether FBI officers with these skill sets are fully integrated in the FBI's workforce; (3) the FBI's collaboration with the private sector on cyber issues; and (4) an assessment of the utility of reinstituting and leveraging the FBI Director's Advisory Board.

Section 422. Plan on assumption of certain weather missions by the National Reconnaissance Office

Section 422 requires the Director of the NRO to develop a plan to carry out certain space-based environmental monitoring missions currently performed by the Air Force. It also authorizes certain pre-acquisition activities and directs that an independent cost estimate be submitted to the congressional intelligence and defense committees. The Director of NRO may waive the requirement of Section 422 if the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the Chairman of the Joint Chiefs of Staff; jointly submit a certification to the congressional intelligence and defense committees.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Section 501. Committee to counter active measures by the Russian Federation to exert covert influence over peoples and governments

Nothing in this section shall authorize the Committee to take action with regard to activities protected by the First Amendment. Section 501 requires the President to establish an interagency committee to counter active measures by the Russian Federation that constitute Russian actions to exert covert influence over peoples and governments.

Section 502. Limitation on travel of accredited diplomats of the Russian Federation in the United States from their diplomatic post

Section 502 requires the Secretary of State, in coordination with the Director of the FBI and the DNI, to establish an advance notification regime governing all Russian Federation accredited diplomatic and consular personnel in the United States, as well as to take action to secure compliance and address noncompliance with the notification requirement. Section 502 also requires the Secretary of State, the Director of the FBI,

and the DNI to develop written mechanisms to share such travel information and address noncompliance. Section 502 further requires written reporting to the specified committees detailing the number of notifications, and the number of known or suspected violations of such personnel requirements.

Section 503. Study and report on enhanced intelligence and information sharing with Open Skies Treaty member states

Section 503 requires the DNI, with support of other federal agencies, to conduct a study to determine the feasibility of creating an intelligence sharing arrangement and database among parties to the Open Skies Treaty (OST) with higher frequency, quality, and efficiency than that currently provided by the parameters of the OST. Section 503 also requires the Director to issue a report that includes an intelligence assessment on Russian Federation warfighting doctrine, the extent to which Russian Federation flights under the Open Skies Treaty contribute to the warfighting doctrine, a counterintelligence analysis as to the Russian Federation's capabilities, and a list of the covered parties that have been updated with this information.

TITLE VI—REPORTS AND OTHER MATTERS

Section 601. Declassification review of information on Guantanamo detainees and mitigation measures taken to monitor the individuals and prevent future attacks

Section 601 requires the DNI to complete a declassification review of intelligence reports prepared by the National Counterterrorism Center (NCTC) on the past terrorist activities of each Guantanamo detainee, for a detainee's Periodic Review Board (PRB) sessions, transfer, or release from Guantanamo. To the extent a transfer or release preceded the PRB's establishment, or the NCTC's preparation of intelligence reports, Section 601 requires the DNI to conduct a declassification review of intelligence reports containing the same or similar information as the intelligence reports prepared by the NCTC for PRB sessions, transfers, or releases.

Section 601 further requires the President to make any declassified intelligence reports publicly available, including unclassified summaries of measures being taken by the transferee countries to monitor the individual and prevent future terrorist activities. Section 601 requires the DNI to submit to the congressional intelligence committees a report setting forth the results of the declassification review, including a description of covered reports that were not declassified. Section 601 also sets the schedule for such reviews and further defines past terrorist activities to include terrorist organization affiliations, terrorist training, role in terrorist attacks, responsibility for the death of United States citizens or members of the Armed Forces, any admission thereof, and a description of the intelligence supporting the past terrorist activities, including corroboration, confidence level, and any dissent or reassessment by the IC.

Section 602. Cyber Center for Education and Innovation Home of the National Cryptologic Museum

Section 602 amends 10 U.S.C. 449 to enable the establishment of a Cyber Center for Education and Innovation—Home of the National Cryptologic Museum (the ''Center''). Section 602 also establishes in the Treasury a fund for the benefit and operation of the Center.

Section 603. Report on national security systems

Section 603 requires the Director of the National Security Agency, in coordination with the Secretary of Defense and Chairman of the Joint Chiefs of Staff to submit to the appropriate congressional committees a report on national security systems.

Section 604. Joint facilities certification

Section 604 requires that before an element of the IC purchases, leases, or constructs a new facility that is 20,000 square feet or larger, the head of that element must first certify that all prospective joint facilities have been considered, that it is unable to identify a joint facility that meets its operational requirements, and it must list the reasons for not participating in joint facilities in that instance.

Section 605. Leadership and management of space activities

Section 605 requires the DNI, in consultation with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, to issue an update to the strategy for a comprehensive review of the United States national security overhead satellite architecture required in the Intelligence Authorization Act for Fiscal Year 2016. Section 605 requires the DNI, in consultation with the Secretary of Defense, to submit a plan to functionally integrate the IC's governance, operations, analysis, collection, policy, and acquisition activities related to space and counterspace. The congressional intelligence committees believe the current fragmented arrangement across the IC does not provide sufficient coherence to meet the threat, fosters duplication, hinders integrated congressional oversight, and impedes effective alignment with the Department of Defense space activities. Section 605 also requires the DNI to submit a workforce plan for space and counterspace operations, policy, and acquisition. Section 605 further requires the Director of the NRO and the Commander of U.S. Strategic Command to submit a concept of operations and requirements documents for the Joint Interagency Combined Space Operations Center, and to conduct quarterly update briefings.

Section 606. Advances in life sciences and biotechnology

The congressional intelligence committees recognize the rapid advancements in the life sciences and biotechnology and firmly believes that biology in the twenty-first century will transform the world as physics did in the twentieth century. The potential risks associated with these advancements are less clear. The posture of the IC to follow and predict this rapidly changing landscape is a matter of concern recognizing the global diffusion and dual-use nature of life sciences and biotechnology along with the dispersed responsibility of the life sciences related issues across several National Intelligence Officer portfolios.

Section 606 requires the DNI to brief the congressional intelligence committees and the congressional defense committees on a proposed plan and actions to monitor advances in life sciences and biotechnology to be carried out by the DNI. The Director's plan should include, first, a description of the IC's approach to leverage the organic life science and biotechnology expertise both within and outside the Intelligence Community; second, an assessment of the current life sciences and biotechnology portfolio, the risks of genetic editing technologies, and the implications of these advances on future biodefense requirements; and, third, an analysis of organizational requirements and responsibilities to include potentially creating new positions. Section 606 further requires the DNI to submit a written report and provide a briefing to the congressional intelligence committees and the congressional defense committees on the role of the IC in the event of a biological attack, including a technical capabilities assessment to address potential unknown pathogens.

Section 607. Reports on declassification proposals

Section 607 requires the DNI to provide the congressional intelligence committees with a report and briefing on the IC's progress in producing four feasibility studies undertaken in the course of the IC's fundamental classification guidance review, as required under Executive Order 13526. Section 607 further requires the Director to provide the congressional intelligence committees with a briefing, interim report, and final report on the final feasibility studies produced by elements of the IC and an implementation plan for each initiative.

Section 608. Improvement in government classification and declassification

Section 608 assesses government classification and declassification in a digital era by requiring the DNI to review the system by which the Government classifies and declassifies national security information to improve the protection of such information, enable information sharing with allies and partners, and support appropriate declassification. Section 608 requires the DNI to submit a report with its findings and recommendations to the congressional intelligence committees. Section 608 further requires the DNI to provide an annual written notification to the congressional intelligence committees on the creation, validation, or substantial modification (to include termination) of existing and proposed controlled access programs, and the compartments and subcompartments within each. This certification shall include the rationale for each controlled access program, compartment, or subcompartment and how each controlled access program is being protected.

Section 609. Report on implementation of research and development recommendations

Section 609 requires the DNI to conduct and provide to the congressional intelligence committees a current assessment of the IC's implementation of the recommendations issued in 2013 by the National Commission for the Review of the Research and Development (R&D) Programs of the IC.

Section 610. Report on Intelligence Community Research and Development Corps

Section 610 requires the DNI to develop and brief the congressional intelligence committees on a plan, with milestones and benchmarks, to implement a R&D Reserve Corps, as recommended in 2013 by the bipartisan National Commission for the Review of the R&D Programs of the IC, including any funding and potential changes to existing authorities that may be needed to allow for the Corps' implementation.

Section 611. Report on information relating to academic programs, scholarships, fellowships, and internships sponsored, administered, or used by the intelligence community

Section 611 requires the DNI to submit to congressional intelligence committees a report on information that the IC collects on certain academic programs, scholarships, and internships sponsored, administered, or used by the IC.

Section 612. Report on intelligence community employees detailed to National Security Council

Section 612 requires the DNI to submit to the congressional intelligence committees a classified written report listing, by year, the number of employees of an element of the IC who have been detailed to the National Security Council during each of the previous ten years.

Section 613. Intelligence community reporting to Congress on foreign fighter flows

Section 613 directs DNI to submit to the congressional intelligence committees a report on foreign fighter flows to and from terrorist safe havens abroad.

Section 614. Report on cybersecurity threats to seaports of the United States and maritime shipping

Section 614 directs the Under Secretary of Homeland Security for Intelligence and Analysis (I&A) to submit to the congressional intelligence committees a report on the cybersecurity threats to seaports of the United States and maritime shipping.

Section 615. Report on reprisals against contractors of the intelligence community

Section 615 directs the IC IG to submit to the congressional intelligence committees a report on known or claimed reprisals made against employees of contractors of elements of the IC during the preceding three-year period. Section 615 further requires the report to include an evaluation of the usefulness of establishing a prohibition on reprisals as a means of encouraging IC contractors to make protected disclosures, and any recommendations the IC IG deems appropriate.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak about Senate Amendment to H.R. 244, "Making Consolidated Appropriations for Fiscal Year 2017."

The legislation before us is an imperfect vehicle for appropriations for FY 2017, but this Omnibus Appropriations package contains new funding for the remainder of Fiscal Year 2017 for federal agencies under the eleven remaining Appropriations subcommittees.

The Omnibus Budget Agreement appropriates $1.070 trillion in base discretionary budget authority, allocating $551 billion for defense and $519 billion for nondefense in line with the Budget Control Act's statutory discretionary spending caps, as well as $93.5 billion in additional funding designated for Overseas Contingency Operations(OCO).

Mr. Speaker, this budget agreement is far from perfect, but it is a positive step since it ensures that funding for appropriated entitlements will continue at a rate maintaining program levels under current law and prevents congressional Republicans from shutting down the government again and manufacturing a crisis that only harms our economy, destroys jobs, and weakens our middle class.

The government shutdown of 2013, which was manufactured by the Republican majority lasted 16 days and cost taxpayers $24 billion.

The enormous harm and disruption of the lives of federal employees and the people they serve, however, was irreparable.

As I stated, Mr. Speaker, this Omnibus Budget Agreement is a product of goodwill and realism, and averts a shutdown of government operations and the disruption a shutdown causes to the lives of millions of Americans who depend upon federal programs to do their jobs, educate their kids, care for their parents, and contribute to their communities.

Our constituents look to the Congress and the President to make responsible choices and decisions to keep the nation safe, the economy prosperous, and to make necessary and prudent investments in education, healthcare and research, transportation and infrastructure, economic development, science, the arts and humanities, and the environment.

This is, after all, just another way of saying that the American people expect their leaders in Washington be guided by the Constitution's Preamble and pursue policies and provide the resources that will:

"establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty."

The funding priorities that have been floated by the Trump Administration fail this essential test of leadership because they are irresponsible, impracticable, unrealistic, and, in many respects, insensitive or indifferent to the deleterious impact they will have on the lives of real people living in the real world.

They do not command majority support in the Congress or of the public and have been rejected in this budget.

Instead, in a stinging defeat for the Trump, the Omnibus Budget Agreement does not fund the immoral and unwise border wall or create a cruel new deportation force.

Also eliminated are more than 160 Republican poison pill riders, ranging from undermining a woman's right to reproductive health to dismantling Dodd-Frank's vital Wall Street consumer protections.

Mr. Speaker, I am also pleased that we succeeded in securing Democratic policy priorities and funding increases for critical nondefense items.

This will save lives and create jobs.

Mr. Speaker, let me identify some of the important policy and funding priorities included in this budget agreement:

Fully funds community development block grants and low income housing programs in urban and rural communities.

$2 billion for Medical Research: the budget rejects President Trump's dangerous plans to steal billions from lifesaving medical research;

$221 million overall for Community Oriented Policing (COPS) and $137 million for the COPS hiring program;

$1 billion for Coal Miners' Health: Democrats secured funding to deliver permanent health benefits for the thousands of coal miners and their families who stood to lose their health benefits this month;

$600 million to combat and respond to the Opioid Epidemic;

Provides level funding for the Environmental Protection Agency despite Republicans' hopes to gut it;

Year-Round Pell Grants: Democrats insisted on, and won an increase of $105 in the maximum Pell Grant award and succeeded in restoring access to year-round Pell Grants which will make a huge difference in the lives of hard-working students;

Science Funding: the omnibus budget increases funding for Energy Efficiency and Renewable Energy, the Department of Energy Office of Science and ARPA-E, all initiatives President Trump wanted cut;

Puerto Rico's Medicaid: the omnibus budget includes vital funds to stabilize Puerto Rico's underfunded Medicaid program, which threatened so many of our fellow Americans in Puerto Rico;

$1 billion for Emergency Famine Relief to alleviate famine resulting from war, drought and displacement in Africa and the Middle East, saving countless lives around the world;

Mr. Speaker, I support the omnibus budget agreement before us because it achieves the following goals and objectives that I laid out last week:

"To establish justice" and "To promote the general welfare":

1. Funding for the U.S. Department of Justice Civil Rights Division and the Department of Education Office of Civil Rights so that they have funds needed to enforce laws protecting civil rights, voting rights, and prosecuting hate crimes.

2. Fully funds community development block grants and low income housing programs in urban and rural communities.

3. Fully funds the Legal Services Corporation so that working and low-income persons who lack an army of lobbyists to represent them in Washington will at least have the assistance of counsel to defend their legal rights in courts of law.

4. Fully funds programs providing food assistance to housebound seniors, such as Meals on Wheels.

5. Fully funds programs that provide students from low and moderate-income families access to affordable access to higher education and provides students with special needs the support needed to receive the free appropriate public education (FAPE) in the least restrictive environment (LRE) guaranteed by the Individuals with Disabilities Education Act (IDEA Act).

6. Funds before and after school programs and other student enrichment programs that help students succeed.

7. Fully funds programs that make federal housing safer through energy efficient healing and cooling systems.

8. Preserves tax credit programs that help revitalize low income communities.

9. Fully funds the Environmental Protection Agency and Department of Energy programs developing the next generation of clean energy and transportation technologies.

"Provide for the common defense":

1. Provides robust funding for the Department of State and USAID to advance national security interests in places like Iraq and Afghanistan and to end violent conflicts in trouble spots which could threaten the security interests of the United States.

2. Provides adequate funding for United Nations peacekeeping missions throughout the world and distribution of food aid to people in developing and famine stricken countries, such as South Sudan, Somalia, Yemen, and Nigeria.

"To ensure domestic tranquility":

1. Fully funds cost-sharing reduction subsidies, or CSRs, to compensate insurers for reducing deductibles and out-of-pocket maximums for low-income customers on the Affordable Care Act exchanges.

2. Protects the adequacy, solvency, and integrity of the Medicare and Medicaid programs, which provide health sustaining support for 70 million Americans.

3. Fully funds the National Institutes of Health research programs so that patient access to lifesaving treatments is not delayed.

4. Does not convert funding for the Centers for Disease Control and Prevention into block grants which would hindering the nation's ability to respond swiftly and effectively to public health crises like Ebola, Zika, and HIV/AIDS.

Mr. Speaker, working together the House and Senate has reached an agreement on an appropriate budget framework that invests in the American people, preserves our national security, and keeps faith with the values that have served our nation well and made the United States the leading nation on earth.

Ms. BONAMICI. Mr. Speaker, I rise today in support of the Senate amendments to H.R. 244, the FY2017 omnibus spending bill. This is not a perfect bill, but many priorities that are important to my constituents in Oregon and people around the country are funded and protected, and it prevents a government shutdown.

In March, President Trump released a budget proposal that, if enacted, would be devastating to Oregonians, Americans, and people worldwide. Thankfully, this omnibus bill largely bypasses the President's misguided funding recommendations, and instead focuses on making sure our federal dollars are being spent to help hardworking families get ahead, support vulnerable populations at home and abroad, and help grow the economy

This bill funds the National Endowment for the Arts and the National Endowment for the Humanities, and allows Legal Aid work to continue through Legal Services Corporation. There is a strong commitment to securing our infrastructure through robust funding of TIGER transportation grants and environmental cleanup projects, and there is funding for Flint, Michigan to continue upgrading its drinking water infrastructure. Importantly, the bill does not waste any taxpayer dollars to build a border wall between the United States and Mexico, and it does not include harmful policy riders to defund Planned Parenthood, unwind the consumer protections of Dodd-Frank, or withhold federal funds from cities and states that decline to enforce federal immigration law that is outside their jurisdiction.

In Oregon, I hear from families of all backgrounds who are struggling to maintain their economic security. This bill provides funding for the Low-Income Home Energy Assistance Program, and increases funding for housing programs such as Choice Neighborhoods, Housing Opportunities for People with AIDS, and Housing for the Elderly. The bill secures funding for Special Supplemental Nutrition for Women, Infants, and Children and provides robust funding for Meals on Wheels and summer Electronic Benefits Transfer, to address food insecurity among some of our most vulnerable Americans—children and seniors.

The bill also recognizes the devastating toll of the opioid epidemic in our communities by providing a $650 million increase over 2016 funding to help address this crisis. That funding, coupled with a $2 billion increase to the National Institutes of Health, will help fulfill the commitment Congress has made to partner with our states and communities to address this and other health crises facing our country.

As a member of the Science Committee, I am committed to funding basic science research, mitigating the effects of climate change, and supporting healthy oceans and estuaries. I am glad the bill includes increases for the National Oceanic and Atmospheric Administration, which provides weather forecasting, oceanic and atmospheric research, ocean and coastal services, and fisheries management to the communities I represent.

As a member of the Education and the Workforce Committee, I am committed to making sure that all students can receive a quality education, from pre-K through college. The bill before us will provide supports for students, including reinstating year-round Pell grants, increasing Head Start funding by $85 million, and increasing Title I, IDEA, TRIO, and Gear Up funding over FY2016 enacted levels. I am disappointed, however, that Congress has raided the Pell Grant reserve fund to pay for other programs. I am also concerned that this bill significantly underfunds the Student Support Academic Enrichment Grants created in the bipartisan Every Student Succeeds Act (ESSA). The ESSA provided $1.6 billion for these grants to enable school districts to provide locally-tailored programming and supportive services for students who need them most, including school-based mental health programs, drug and violence prevention programs, and well-rounded learning opportunities such as arts, music, and civics education. This bill only provides a fraction of the amount necessary to fully fund this grant program, and I will continue to advocate for full funding as we consider the FY2018 spending bills.

I am also disappointed that the bill reauthorizes the Scholarships for Opportunity and Results (SOAR) program that funds vouchers for private schools in Washington, DC, despite the program's negative outcomes for students. In fact, a study released just last week from the Department of Education showed that students who received SOAR vouchers had lower math scores than before their enrollment in the program.

Finally, I do not support yet another increase in defense spending, especially when the President has failed to outline a clear strategy for how he intends to use our powerful military around the world. With cuts to programs that protect the environment, provide consumer protections, and provide access to women's health services, it is shortsighted to further increase our defense spending without a plan in place from the President on how he will keep our country safe.

Mr. Speaker, I would like to thank our leaders in the House for working together on this bipartisan legislation that protects many of our most vulnerable communities and restores confidence in our economy by preventing a government shutdown. It is not a perfect bill, but one that I will support. I look forward to continuing to work with my colleagues on bipartisan agreements that will keep our communities safe, support public education, protect our natural resources, and create good jobs in our 21st century economy.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 305, the previous question is ordered.

The question is on the motion by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

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

Mr. FRELINGHUYSEN. 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, this 15-minute vote on adopting the motion will be followed by 5-minute votes on:

Suspending the rules and passing H.R. 244, if ordered, and

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

The vote was taken by electronic device, and there were—yeas 309, nays 118, not voting 4, as follows:

[Roll No. 249]

YEAS—309

Adams
Aderholt
Aguilar
Allen
Amodei
Bacon
Barletta
Barr
Bass
Beatty
Bera
Bergman
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Dunn
Engel
Eshoo
Esty (CT)
Evans
Faso
Fitzpatrick
Fleischmann
Flores
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Garamendi
Gonzalez (TX)
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Guthrie
Hanabusa
Harper
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Higgins (LA)
Higgins (NY)
Hill
Himes
Hoyer
Huffman
Huizenga
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marino
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Palazzo
Pallone
Panetta
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Roby
Rogers (KY)
Rohrabacher
Rokita
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Ross
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rutherford
Ryan (OH)
Ryan (WI)
Sánchez
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Trott
Tsongas
Turner
Upton
Valadao
Veasey
Velázquez
Visclosky
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin

NAYS—118

Abraham
Amash
Arrington
Babin
Banks (IN)
Barragán
Barton
Biggs
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Buck
Budd
Cárdenas
Castro (TX)
Chabot
Cheney
Correa
Davidson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Emmer
Espaillat
Estes (KS)
Farenthold
Ferguson
Fortenberry
Foxx
Franks (AZ)
Gaetz
Gallagher
Gallego
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Graves (LA)
Griffith
Grijalva
Grothman
Gutiérrez
Harris
Hice, Jody B.
Holding
Hollingsworth
Hudson
Hultgren
Hunter
Johnson (LA)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kustoff (TN)
Labrador
LaHood
Lamborn
Latta
Lewis (MN)
Lieu, Ted
Long
Loudermilk
Love
Marchant
Marshall
Massie
McClintock
Meadows
Messer
Mullin
Noem
Olson
Palmer
Pearce
Perry
Peterson
Poe (TX)
Posey
Ratcliffe
Renacci
Roe (TN)
Rogers (AL)
Rooney, Francis
Roskam
Rothfus
Rouzer
Rush
Russell
Sanford
Schweikert
Sensenbrenner
Smith (MO)
Smith (TX)
Stewart
Tipton
Torres
Vargas
Vela
Wagner
Walker
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wittman
Yoho

NOT VOTING—4

Chaffetz
Newhouse
Pittenger
Poliquin

□ 1619

Messrs. WITTMAN, KING of Iowa, FRANKS of Arizona, and BROOKS of Alabama changed their vote from ''yea'' to ''nay.''

Messrs. JENKINS of West Virginia, CLEAVER, Ms. SCHAKOWSKY, Messrs. RYAN of Ohio and RICHMOND changed their vote from ''nay'' to ''yea.''

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 for:

Mr. PITTENGER. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 249.

MOMENT OF SILENCE IN MEMORY OF MATTHEW McCLANAHAN

The SPEAKER. The Chair asks that the House now observe a moment of silence in memory of Matthew McClanahan, a pipefitter for the Architect of the Capitol who died in a tragic accident on the Capitol Grounds on April 18.

ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT AMENDMENT

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the question on suspending the rules and passing the bill (H.R. 1678) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act concerning the statute of limitations for actions to recover disaster or emergency assistance payments, and for other purposes, as amended.

The Clerk read the title of the bill.

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

The question was taken.

The SPEAKER. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 423, noes 0, not voting 7, as follows:

[Roll No. 250]

AYES—423

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guthrie
Gutiérrez
Hanabusa
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—7

Butterfield
Chaffetz
Diaz-Balart
Grijalva
Newhouse
Poliquin
Smith (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COLLINS of Georgia) (during the vote). There are 2 minutes remaining.

□ 1628

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.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for tomorrow, and I yield to the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY. Mr. Speaker, tomorrow the House will vote on H.R. 1644, our North Korean sanctions bill. I do believe it is important that the House speak with one voice against the recent actions of the Kim regime.

Next, as I said in our colloquy on Friday, additional legislative items are possible. As soon as any items are added to our schedule, I will be sure to notify Members. However, Members should be prepared to be here and voting tomorrow.

Mr. HOYER. Mr. Speaker, I would hope the majority leader might give us some idea. Obviously, everybody in this town and around the country believes the possible legislation that might come forward is a version of, revision of, the American Health Care Act that has been pending for some time not necessarily on the House floor, but in this House.

Can the gentleman tell me whether or not Members ought to prepare for a debate on that bill tomorrow? And if so, does the gentleman know whether there will be a CBO score on the bill that might be brought to the floor, and thirdly, the timing for tomorrow so that Members might plan on what the schedule would be?

I yield to my friend.

Mr. MCCARTHY. I thank my friend for yielding. I appreciate his questions.

As has been reported in the press, we have made significant progress on our healthcare bill. When we are ready to bring the bill to the floor, I will make an announcement and relay scheduling information to all Members.

Mr. HOYER. I asked a question, though, you did not address. If, in fact, the healthcare bill were brought to the floor tomorrow, would it have a score from the Congressional Budget Office?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

As the gentleman clearly knows, there is a CBO score out there right now on the bill. As the gentleman knows, we are making progress; and as soon as we designate that, yes, we will move the bill, and I will notify the gentleman.

Mr. HOYER. Mr. Speaker, I presume, therefore, Members ought to be prepared for that bill to come forward, and what we hear, we don't know, is in a revised form.

Mr. Speaker, we hope, if it comes forward in a revised form, that it is accompanied with a Congressional Budget Office score so that Members on both sides of the aisle might know the ramifications of the changes in the bill.

Unless the gentleman wants to say anything further, I will yield back, but I hope that we can get as much notice and information as possible, Mr. Leader.

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

THE JOURNAL

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 236, noes 178, not voting 16, as follows:

[Roll No. 251]

AYES—236

Abraham
Aderholt
Allen
Amodei
Arrington
Bacon
Banks (IN)
Barletta
Barr
Barton
Beatty
Biggs
Bilirakis
Bishop (UT)
Black
Blumenauer
Blunt Rochester
Bonamici
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Buchanan
Budd
Bustos
Byrne
Calvert
Carson (IN)
Carter (TX)
Cartwright
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cole
Collins (NY)
Comstock
Cook
Cooper
Correa
Courtney
Cramer
Crawford
Crist
Cuellar
Cummings
Davidson
Davis (CA)
Davis, Danny
DeLauro
DelBene
Demings
Dent
DeSaulnier
DesJarlais
Deutch
Dingell
Donovan
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Ferguson
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Gabbard
Gallego
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Green, Al
Griffith
Grothman
Guthrie
Hanabusa
Harper
Harris
Hartzler
Heck
Hensarling
Higgins (LA)
Higgins (NY)
Hill
Himes
Hollingsworth
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Kuster (NH)
Kustoff (TN)
Labrador
LaMalfa
Lamborn
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Lawrence
Lewis (MN)
Lipinski
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Maloney, Carolyn B.
Marino
Marshall
Massie
McCarthy
McCaul
McClintock
McCollum
McHenry
McMorris Rodgers
McNerney
Meadows
Meng
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Noem
Nunes
O'Rourke
Palazzo
Palmer
Pascrell
Perlmutter
Pingree
Pittenger
Pocan
Polis
Posey
Quigley
Reichert
Rice (SC)
Richmond
Roby
Rogers (KY)
Rooney, Thomas J.
Rosen
Ross
Rothfus
Royce (CA)
Ruppersberger
Russell
Scalise
Schiff
Schneider
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Stefanik
Stewart
Suozzi
Takano
Taylor
Thornberry
Tiberi
Titus
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Trott
Wagner
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Walker
Walters, Mimi
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Wasserman Schultz
Waters, Maxine
Webster (FL)
Welch
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Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoho
Young (IA)
Zeldin

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Adams
Aguilar
Amash
Babin
Barragán
Bass
Bera
Bergman
Beyer
Bishop (GA)
Bishop (MI)
Blackburn
Blum
Bost
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Buck
Bucshon
Burgess
Capuano
Carbajal
Cárdenas
Carter (GA)
Castor (FL)
Clyburn
Coffman
Cohen
Collins (GA)
Comer
Conaway
Connolly
Conyers
Costa
Costello (PA)
Crowley
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
DeSantis
Doyle, Michael F.
Duffy
Farenthold
Faso
Fitzpatrick
Flores
Foxx
Franks (AZ)
Fudge
Gaetz
Gallagher
Garamendi
Garrett
Gibbs
Gosar
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Gutiérrez
Hastings
Herrera Beutler
Hice, Jody B.
Hoyer
Hudson
Huizenga
Hunter
Jackson Lee
Jayapal
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jones
Jordan
Joyce (OH)
Keating
Kelly (IL)
Khanna
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Kilmer
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Lewis (GA)
Lieu, Ted
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McGovern
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Meehan
Meeks
Mitchell
Moolenaar
Murphy (PA)
Neal
Nolan
Norcross
O'Halleran
Pallone
Panetta
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Poe (TX)
Price (NC)
Ratcliffe
Reed
Renacci
Rice (NY)
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Rouzer
Roybal-Allard
Ruiz
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schrader
Sewell (AL)
Sires
Slaughter
Speier
Stivers
Swalwell (CA)
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walorski
Watson Coleman
Weber (TX)
Wenstrup
Woodall
Yoder
Young (AK)

NOT VOTING—16

Butterfield	Emmer	Olson
Chaffetz	Gohmert	Poliquin
DeGette	Grijalva	Raskin
Delaney	Holding	Rooney, Francis
Diaz-Balart	Messer	
Doggett	Newhouse	

□ 1641

Mr. STIVERS changed his vote from ''aye'' to ''no.''

So the Journal was approved.

The result of the vote was announced as above recorded.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 244

Mr. FRELINGHUYSEN. 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. MITCHELL). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 53

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 244, the Clerk of the House of Representatives shall make the following corrections:

(1) Amend the long title so as to read: ''Making appropriations for the fiscal year ending September 30, 2017, and for other purposes''.

(2) Strike the first section 1 immediately following the enacting clause and all that follows through ''Sec. 4. Display of Award''.

(3) In the table of contents for the Consolidated Appropriations Act, 2017, strike **''Division N—Honoring Investments in Recruiting and Employing American Military Veterans Act of 2017''** and insert the following:

DIVISION N—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2017

DIVISION O—HONORING INVESTMENTS IN RECRUITING AND EMPLOYING AMERICAN MILITARY VETERANS ACT OF 2017

(4) Insert immediately before ''It is unlawful for any employer to publicly display a HIRE Vets Medallion Award'' the following:

''DIVISION O—HONORING INVESTMENTS IN RECRUITING AND EMPLOYING AMERICAN MILITARY VETERANS ACT OF 2017

''SECTION 1. SHORT TITLE.

''This division may be cited as the 'Honoring Investments in Recruiting and Employing American Military Veterans Act of 2017' or the 'HIRE Vets Act'.

''SEC. 2. HIRE VETS MEDALLION AWARD PROGRAM.

''(a) PROGRAM ESTABLISHED.—Not later than 2 years after the date of enactment of this Act, the Secretary of Labor shall establish, by rule, a HIRE Vets Medallion Program to solicit voluntary information from employers for purposes of recognizing, by means of an award to be designated a 'HIRE Vets Medallion Award', verified efforts by such employers—

''(1) to recruit, employ, and retain veterans; and

''(2) to provide community and charitable services supporting the veteran community.

''(b) APPLICATION PROCESS.—Beginning in the calendar year following the calendar year in which the Secretary establishes the program, the Secretary shall annually—

''(1) solicit and accept voluntary applications from employers in order to consider whether those employers should receive a HIRE Vets Medallion Award;

''(2) review applications received in each calendar year; and

''(3) notify such recipients of their awards; and

''(4) at a time to coincide with the annual commemoration of Veterans Day—

''(A) announce the names of such recipients;

''(B) recognize such recipients through publication in the Federal Register; and

''(C) issue to each such recipient—

''(i) a HIRE Vets Medallion Award of the level determined under section 3; and

''(ii) a certificate stating that such employer is entitled to display such HIRE Vets Medallion Award.

''(c) TIMING.—

''(1) SOLICITATION PERIOD.—The Secretary shall solicit applications not later than January 31st of each calendar year for the Awards to be awarded in November of that calendar year.

''(2) END OF ACCEPTANCE PERIOD.—The Secretary shall stop accepting applications not earlier than April 30th of each calendar year for the Awards to be awarded in November of that calendar year.

''(3) REVIEW PERIOD.—The Secretary shall finish reviewing applications not later than August 31st of each calendar year for the Awards to be awarded in November of that calendar year.

''(4) SELECTION OF RECIPIENTS.—The Secretary shall select the employers to receive HIRE Vets Medallion Awards not later than September 30th of each calendar year for the Awards to be awarded in November of that calendar year.

''(5) NOTICE TO RECIPIENTS.—The Secretary shall notify employers who will receive HIRE Vets Medallion Awards not later than October 11th of each calendar year for the Awards to be awarded in November of that calendar year.

''(d) LIMITATION.—An employer who receives a HIRE Vets Medallion Award for one calendar year is not eligible to receive a HIRE Vets Medallion Award for the subsequent calendar year.

''SEC. 3. SELECTION OF RECIPIENTS.

''(a) APPLICATION REVIEW PROCESS.—

''(1) IN GENERAL.—The Secretary shall review all applications received in a calendar year to determine whether an employer should receive a HIRE Vets Medallion Award, and, if so, of what level.

''(2) APPLICATION CONTENTS.—The Secretary shall require that all applications provide information on the programs and other efforts of applicant employers during the calendar year prior to that in which the medallion is to be awarded, including the categories and activities governing the level of award for which the applicant is eligible under subsection (b).

''(3) VERIFICATION.—The Secretary shall verify all information provided in the applications, to the extent that such information is relevant in determining whether or not an employer should receive a HIRE Vets Medallion Award or in determining the appropriate level of HIRE Vets Medallion Award for that employer to receive, including by requiring the chief executive officer or the chief human relations officer of the employer to attest under penalty of perjury that the employer has met the criteria described in subsection (b) for a particular level of Award.

''(b) AWARDS.—

''(1) LARGE EMPLOYERS.—

''(A) IN GENERAL.—The Secretary shall establish 2 levels of HIRE Vets Medallion Awards to be awarded to employers employing 500 or more employees, to be designated the 'Gold HIRE Vets Medallion Award' and the 'Platinum HIRE Vets Medallion Award'.

''(B) GOLD HIRE VETS MEDALLION AWARD.—No employer shall be eligible to receive a Gold HIRE Vets Medallion Award in a given calendar year unless—

''(i) veterans constitute not less than 7 percent of all employees hired by such employer during the prior calendar year;

''(ii) such employer has retained not less than 75 percent of the veteran employees hired during the calendar year preceding the preceding calendar year for a period of at least 12 months from the date on which the employees were hired;

''(iii) such employer has established an employee veteran organization or resource group to assist new veteran employees with integration, including coaching and mentoring; and

''(iv) such employer has established programs to enhance the leadership skills of veteran employees during their employment.

''(C) PLATINUM HIRE VETS MEDALLION AWARD.—No employer shall be eligible to receive a Platinum HIRE Vets Medallion Award in a given calendar year unless—

''(i) the employer meets all the requirements for eligibility for a Gold HIRE Vets Medallion Award under subparagraph (B);

''(ii) veterans constitute not less than 10 percent of all employees hired by such employer during the prior calendar year;

''(iii) such employer has retained not less than 85 percent of the veteran employees hired during the calendar year preceding the preceding calendar year for a period of at least 12 months from the date on which the employees were hired;

''(iv) such employer employs dedicated human resources professionals to support hiring and retention of veteran employees, including efforts focused on veteran hiring and training;

''(v) such employer provides each of its employees serving on active duty in the United States National Guard or Reserve with compensation sufficient, in combination with the employee's active duty pay, to achieve a combined level of income commensurate with the employee's salary prior to undertaking active duty; and

''(vi) such employer has a tuition assistance program to support veteran employees' attendance in postsecondary education during the term of their employment.

''(D) EXEMPTION FOR SMALLER EMPLOYERS.—An employer shall be deemed to meet the requirements of subparagraph (C)(iv) if such employer—

''(i) employs 5,000 or fewer employees; and

''(ii) employs at least one human resources professional whose regular work duties include those described under subparagraph (C)(iv).

''(E) ADDITIONAL CRITERIA.—The Secretary may provide, by rule, additional criteria with which to determine qualifications for receipt of each level of HIRE Vets Medallion Award.

''(2) SMALL- AND MEDIUM-SIZED EMPLOYERS.—The Secretary shall establish similar awards in order to recognize achievements in supporting veterans by—

''(A) employers with 50 or fewer employees; and

''(B) employers with more than 50 but fewer than 500 employees.

''(c) DESIGN BY SECRETARY.—The Secretary shall establish the shape, form, and design of each HIRE Vets Medallion Award, except that the Award shall be in the form of a certificate and shall state the year for which it was awarded.

"SEC. 4. DISPLAY OF AWARD.".

(5) In section 5(b) of division O, strike ''Act'' and insert ''division''.

(6) In section 6 of division O, strike ''Act'' and insert ''division''.

(7) In section 8 of division O, strike ''Act'' and insert ''division''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

□ 1645

PAKISTAN

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

Mr. POE of Texas. Mr. Speaker, for years, Pakistan has provided support for America's enemies with American blood on their hands. Pakistan has supported the Taliban providing them safe haven, cash, and weapons. It is no coincidence that the leader of the Taliban was living in Pakistan when a United States air strike took him out last year.

Pakistan harbored the number one enemy of the world, Obama bin Laden, until our SEALs brought him to justice. Pakistan's intelligence services has been dubbed the veritable arm of the terrorist group Haqqani Network. They have even cut off supply routes for our troops in Afghanistan.

The Ambassador to Afghanistan has said that Pakistan supports terrorist groups in Afghanistan, but still Pakistan is considered a major non-NATO ally of the U.S. This status means that they get priority for significant benefits in the areas of foreign aid and defense cooperation. I am introducing a bill that removes Pakistan from this list of trusted allies.

Pakistan is playing both sides. It is time to call it like it is. Pakistan should not be counted as a major non-NATO ally of the United States.

And that is just the way it is.

HONORING THE LIFE AND MEMORY OF GENERAL AMEDEO ''ARMIE'' MEROLLA

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

Mr. LANGEVIN. Mr. Speaker, I rise today to honor the life and memory of General Amedeo ''Armie'' Merolla—a dedicated patriot, a passionate legal mind, a community leader in Rhode Island, and someone whom I was proud to call a dear friend.

Armie's distinguished military career spanned 36 years, during which time he served in the United States Marine Corps and the Rhode Island National Guard. He served as assistant adjutant general for the State and retired as the first brigadier general of Italian heritage in the history of the Rhode Island National Guard.

As an accomplished attorney for more than 60 years, he provided legal counsel and advice to several public officials—myself included—and maintained a very successful private practice.

As a tireless community leader, he served as chairman of the Warwick School Committee and held leadership positions in local branches of charities and children's organizations. Above all, he prioritized his family, whom he loved dearly and to whom he devoted his life's work.

Mr. Speaker, it is an honor to remember Armie on the floor today, just as it was to consider him a trusted friend and adviser. Mr. Speaker, he made a difference, and he will be greatly missed.

ARE WE LOSING OUR DEMOCRACY?

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

Mr. SMITH of Texas. Mr. Speaker, are we losing our democracy?

CNN has censored and refused to air an ad by Trump for President, claiming that it is inaccurate. Of course, that is their opinion and they are entitled to it. What they are not entitled to do is violate the Constitution's protection of free speech.

Where are all the editorial boards of the media who rightly advocate for free speech? Why are most silent?

To censor a political ad because CNN disagrees with it is to threaten our democratic form of government.

2017 CONTINUED APPROPRIATIONS

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

Ms. JACKSON LEE. Mr. Speaker, I rise to support the continued appropriations for 2017 and to say: Say it isn't so.

When the Trump budget was presented—the skinny budget—$600 billion was cut out of NIH, which would impact a major research in diseases that impact Americans. Thank goodness that we worked for a $2 billion increase for the NIH in this appropriations bill.

And, equally so, how important it is that we can announce in Houston that the Houston Housing Authority will be able to reissue vouchers for homeless families because $654 million-plus was put in the section 8 vouchers, $40 million-plus was put in for veterans who are homeless, and $10 million was put in for the disabled.

In addition, we added to the Cops on the Beat program and, as well, provided additional dollars to enhance the Civil Rights Division some $897.5 million.

The budget or the appropriations should be a road map for serving Americans, not a nickel-and-dime approach to undermine. I am glad the resistance remains strong, and that is why we have a budget or an appropriation that listens to the people and the healthcare subsidies are being paid for, so that people can have that health insurance.

ANTIQUITIES ACT

(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, this week in the Natural Resources Committee, we conducted an important hearing and review on the Antiquities Act. This is the process for which these days the President unilaterally can declare national monuments, thereby placing acres that are deemed to be preserved into a monument, which then cannot be touched by human hands as it is interpreted and enforced these days.

Under President Obama, twice as many acres were placed into that type of monument status as all other Presidents combined over the history of the country.

Now, what this means is that you can't have access for forestry, fire protection, and other things you need to do for human activity. Even access for hunting and fishing is oftentimes limited. What we need is to have a process where Congress can have approval of the Antiquities Act if one of these proposals comes into place. We need to have that so that the people will have access to their lands so they can be managed if need be.

The size of the monument, yes, we have areas we need to declare and protect. But the size of the monument is very important as well because it doesn't need to be always hundreds of thousands, even millions, of acres. Indeed, under the act, the idea is that it would be under the smallest possible size to preserve the object.

NATIONAL SMALL BUSINESS WEEK

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

Mr. PAYNE. Mr. Speaker, I rise to recognize this week as National Small Business Week and to applaud the vast contributions of small-business owners and entrepreneurs across my district—the 10th Congressional District of New Jersey.

National Small Business Week is the perfect opportunity to recognize the

importance of small businesses, entrepreneurs, and the diversity of businessowners.

In New Jersey, small businesses employ nearly 2 million people and make up 99.6 percent of all businesses in the State. Over the last decade, women-owned businesses have increased by 45 percent and generated over $1.6 trillion in revenue. Minority-owned businesses have produced over $1.3 trillion and created 7 million jobs.

Small businesses are truly the backbone of our Nation and economy. As Members of Congress, we must do our part to support all efforts to open the doors of opportunity for small business growth. Their success is our success.

COMMEMORATING THE LIFE OF JOSEPH STONE

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

Ms. KAPTUR. Mr. Speaker, as co-chair of the Congressional Ukraine Caucus, I rise to commemorate the precious life of Joseph Stone of Tucson, Arizona. The 36-year-old American was serving his part of an official international peace team monitoring the border conflict between Ukrainian Government troops and Russian-backed separatists who invaded Ukraine.

Mr. Stone was working with a German and a Czech peace monitor when an explosion—likely a mine—damaged their vehicle in Pryshyb, Ukraine. The two other monitors are hospitalized in stable condition. Stone is the first Organization for Security and Co-operation in Europe monitor killed in that very important mission.

Stone's career in foreign assistance missions brought him to Afghanistan and Liberia before Ukraine. Before entering the aid community, Stone worked at American Medical Response in southern Arizona for 9 years, starting out as an EMT and rising to the level of paramedic. He graduated from Pima Community College. He is survived by his mother, two brothers, a longtime companion, and 13-year-old daughter.

Since its establishment in 2014, the OSCE has played a vital role in monitoring the Minsk agreements designed to bring peace to eastern Ukraine after Russia's brutal invasion of a sovereign neighbor. This fateful tragedy makes clear the absolute brutality of Vladimir Putin's threats to liberty and democracy in Ukraine.

It also instructs us about the unrecognized selfless heroes among us who define the meaning and cost of liberty. May our recognition of his selfless sacrifice bring comfort to those bearing this great loss, and may he be remembered always in the protracted struggle for a free Ukraine.

THE OMNIBUS BILL

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

Mr. ESPAILLAT. Mr. Speaker, I am pleased that we found a solution to keep the government open through October and that this deal does not include funding for President Trump's border wall, nor does it eliminate money for sanctuary cities. These are several issues that I am proud to champion in addition to programs such as the NIH, Child Care and Development Block Grants, Pell grants, nutrition programs for seniors, Planned Parenthood, affordable housing, and Head Start.

However, the devil is in the details, and after further reviewing this total package, I cannot, in good conscience, support it. This bill will increase funding for homeland security and is essentially $1.2 billion of President Trump's original proposed $3 billion request for border security and interior enforcement. We fully know that any funding for homeland security and border security will be used to increase raids and detentions, essentially funding the President's mass deportation agenda.

In addition, this omnibus bill does not provide a long-term solution to Puerto Rico's economic crisis, leaving Puerto Rico's Medicaid funding with only one-third of the funding it needs.

Finally, the bill comes at the same time that Trump and House Republicans continue to push to eliminate ACA. The devil is in the detail, and that, too, will be a nightmare in hell for many of us.

CHANGES TO AMERICAN HEALTH CARE ACT DO NOT REMEDY BILL'S SHORTCOMINGS

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

Mr. CARTWRIGHT. Mr. Speaker, I rise because evidently, in the House of Representatives, we will be taking up the possible passage of a revised but, as yet, unseen American Health Care Act.

I rise to urge my colleagues on both sides of the aisle to vote against this. The CBO has not scored it, so we don't know how much it will cost. We don't know how many Americans will be thrown off their health care.

I want to quote Dr. Andrew Gurman, who is the president of the American Medical Association, who said this today:

''Not only would the AHCA eliminate health insurance coverage for millions of Americans, the legislation would, in many cases, eliminate the ban against charging those with underlying medical conditions vastly more for their coverage.''

This is a bad bill that has gotten worse with time. We haven't seen it. It hasn't been scored for money or how many patients will be thrown off their health care. It will hurt patients, it will hurt medical providers, it will hurt hospitals, and it will hurt this country.

I urge my colleagues to vote ''no'' on this bill.

THE AMERICAN HEALTH CARE ACT

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

Mr. RASKIN. Mr. Speaker, I also rise in opposition to this suddenly undead GOP plan to strip millions of Americans of their health insurance and Medicaid coverage and dramatically increase our monthly premiums. Just when you thought we had actually slain the zombie, the repeal-and-replace plan comes back again with no hearings, no witnesses, no budget score, and no policy coherence. It is like the bloody hand emerging from the grave in ''Carrie,'' even as the credits are rolling and the people in the audience have already left for their cars.

Mr. Speaker, let's return this so-called American Health Care Act to its own preexisting legislative condition: dead on arrival.

What makes anyone think it improves the appeal of this plan to strip preexisting coverage from the American people?

The fact that you have a preexisting condition is why you need medical attention. It is not the reason to deny it to someone.

In the last round, I heard colleagues complain that, under the current system, healthy citizens have to pay for other citizens when they get sick. Yes, my friends, that is what insurance is. Any Member who believes that the currently healthy should not help insure the currently sick must believe no one in his or her family will ever get sick. That is magical thinking. But in America, as Bruce Springsteen says: We take care of our own.

MATH AND FACTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Arizona (Mr. SCHWEIKERT) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

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

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

There was no objection.

Mr. SCHWEIKERT. Mr. Speaker, we have a whole hour here, and we may actually use the whole hour. This is an opportunity to actually walk through three areas that I care an awful lot about.

One, I actually want to walk through something called math, and math in regards to health care. Some of this is actually to deal with—and I don't want to be mean, because I am going to try to do this in as nonpartisan a way as possible, but some of the things that we have just heard moments ago that lack just sort of basic roots in math and facts.

□ 1700

Let me move this easel back just a little bit so we can get this. We are going to do a little bit of show-and-tell here to sort of help.

First off, a conceptual problem, since, I believe, it is 1986, we in the United States have had statutes that say, if a sick person walks into a hospital and they have cancer, they are bleeding, they are going to get health services.

This is a really important concept for us all to get our heads around. There is no such thing as not receiving care in this country. It may not be the care you want at the place you want, but it is the law. It has been the law for 30 years.

If we are going to be brutally honest, much of the debate and discussion we are having here, whether it be the ACA or prior to the ACA where it was uncompensated care, where it was disproportionate share within our hospitals, or our reform legislation, it is not whether someone gets coverage or doesn't get coverage; it is who and how it is paid for and where is it paid for.

Remember, these costs are already in the system. Does it go as a loss on a hospital balance sheet? Does it get pushed over to other populations within an insurance pool? That is the math we are actually working on.

A couple of moments ago, you had a handful of Members come up and talk about preexisting conditions. If you hear someone use the term ''preexisting conditions,'' they basically are years out of date. There functionally is no such thing anymore. There is guaranteed issuance of insurance.

We are going to go through this in more depth.

Someone like myself, I am a severe asthmatic. I walk around with an inhaler in my pocket. I can grab any insurance today and I get guaranteed issue.

Whether it be in the current ACA—ObamaCare, as many know it—there are variations in what we refer to as community rating. There are age levels. If you are a smoker, you get a different pricing.

Some of those same mechanics we are doing in our reform bill. We are going to walk through why the way we are doing it we think actually will ultimately lower prices. We are trying to get that efficiency of the young and healthy to participate in the insurance pool, because they are not participating today.

We are going to keep this board close by because this is important for everyone to understand conceptually. I know the chart is hard to see, but 5 percent of the population is 50 percent of the healthcare cost.

Think about this. Of our brothers and sisters who have chronic conditions, they are 50 percent of the healthcare costs, even though they are only 5 percent of the population. That is why we did the risk-sharing model that is being attached to our legislation. We are going to walk more through that.

If you start to think about this curve—for those who want to do some math—it looks like a hockey stick. The healthiest 50 percent only use 3 percent of healthcare dollars. So 50 percent of the population only use 3 percent of the healthcare dollars. Then it comes along and explodes up like a hockey stick. The top part of this hockey stick, this 3 percent of the population up here, whether it be because they are hemophiliacs or uncontrolled diabetics or have other types of great difficulties, that population is 50 percent of the entire cost.

What happened in the current ACA is, let's face it, the model did not work. You remember the whole discussion: keep your doctor; $2,500 savings; fewer visits to emergency rooms, which, actually, emergency room visits have skyrocketed or gone up substantially.

Their model did not work, and mathematically it is imploding. We are going to go through some data, particularly from my home State of Arizona, on how much trouble we are in.

One of the reasons it has not worked is less than half the population of those buying in that individual market are buying. Particularly, if you look at our healthy 20-year-olds, our 30-year-olds, that 50 percent of the population that only uses 3 percent of health care, they are not participating in the insurance pool.

Well, how do you spread risk when you have millions and millions and millions and millions of Americans who are choosing not to purchase because it is too darned expensive or, because the contribution before you receive health care is so expensive and the number of waivers, it is just cheaper to pay the penalty?

So what happens when you are trying to do the math and you have your brothers and sisters here in this body on the other side who either make up facts or just say, ''Well, just keep it as it is''? I am going to make the argument that the cruelty of that is just stunning.

We are going to start to walk through a little bit more of these so we can actually help folks sort of understand this is the underlying math, this is why we must have a substantial change.

Let's go back prerecession, just before the recession. Let's go back here to 2007. We had about 14.6 percent of our population going uninsured. That is unacceptable. Today after having spent almost—as some data says, as much as $1 trillion, but we will stick with a half trillion because that I can absolutely document—$500 billion of subsidies, losses, if you actually add up the losses insurance companies have had, if you add up the copays individuals had, if you actually add up the money that has been spent through the bureaucracies, we have dropped, say, a half-trillion dollars, today we are at 10.9 percent.

If you are on the left, this is the grand success of ObamaCare. The grand success of the ACA is that you have gone from 14.6 percent of the population is uninsured, and today it is 10.9? Where is some of the intellectual credibility around this place to at least tell the truth of the math?

If you start to divide up how much we have spent—and we were just doing this on the back of a napkin a little while ago. If you add up the population that has now gained insurance through the exchanges that did not have insurance or access to insurance before, some of the math comes to around only 6 million people.

If you divide that by a half-trillion dollars, that is $84,000 per life for 3 years of coverage. We could have bought them their health insurance and a really nice car. You understand how absurd the current model is.

I am not questioning the good intentions of wanting to help our brothers and sisters have access to health coverage. Great. Now let's make the math actually work.

This chart is really important. This is actually not coming from me. This one, I think, is from Gallup. Most of the other data we are going to get is going to come from Kaiser or the Congressional Budget Office.

I want you to understand I am going to be Arizona-centric because that is my home State. I am blessed to represent the Phoenix-Scottsdale area. But let's take a look at my little State down here. We are going to burn through these fairly quickly.

I have about 6.7 million residents in Arizona. Okay. There are 6.7 million residents in Arizona. This is from Kaiser.

Let's switch to the next board. Of that 6.7 million residents in Arizona, my citizens, how many buy their health care on that individual market? That is what we are talking about.

When you keep hearing the grandiose ''the world is coming to an end,'' how many of my brothers and sisters buy on the individual market? About 278,000 people. That is a lot of people. But if you divide it by our population, it is 4 percent of my population. In my congressional district, it is somewhere around 2 percent of my population.

The elegance of actually being honest about that piece of math is that it helps you understand we can fix this. This is the individual purchasing market.

Let's take one step backwards.

The majority of Americans receive our health care from our employers. Then we come over here: Medicare, VA, Indian Health Service, TRICARE, a number of these things. What we are talking about in the ACA and our replacement is that sliver of our population that is in the individual market and how to reform Medicaid. That is all.

But often when something is complicated, it comes ripe for political hyperbolic language, acting like the world is on fire, instead of being honest and making the math work so we can

serve our brothers and sisters with the health coverage we want.

Remember, we have just come back here to Arizona. Only 4 percent of my population is in the individual market. In my congressional district, it is only 2 percent of the population.

Now, you need to understand that when you hear many of us get behind these microphones and we talk about the system, the current ACA—ObamaCare, as it is known; but I think that is unfair, so let's just call it the ACA—is imploding. For my State, it is. We are going to show you how few choices happen in my State. This is only between 2016 and 2017.

Do you see this blue right here? If you were in that county, if you were in that individual market, you would have three or more choices.

Do remember that, when this law went into effect, we were promised dozen of choices. Should we hold the left to their own promises? It hasn't happened.

What is happening now, if you take a look all over the country, when you see this chart, county after county after county now has one choice. I want you to see what has happened in my home State.

First off, statewide in my State, if you were buying the mean exchange plan, that Silver plan, statewide, last year, a 116 percent price hike. That is if you are in Maricopa County and you are buying the mean Silver plan.

Maricopa County is the fourth most populated county in the United States, so it is not just a little outlier. It is the fourth most populated county. It is 64 percent of my State's population in one county.

If there were ever an example of a county that should have had health care efficiency and pricing, it is Maricopa County. It is a large population. If you were in that mean Silver plan, you had a 145 percent price hike last year.

How can I see people get behind these microphones and act like this system is working? Do you understand the crushing you are doing to people in my State, hardworking people who just want to say: I am the neighborhood plumber; I would like to buy health care?

Either the deductibles have gotten so huge or the underlying price has gone up so high, we are actually seeing something fascinating in the uninsured curve. The uninsured population has now moved into our hardworking middle class because of the number of them that work for themselves that can no longer afford to participate.

We will just say it was one of the unintended consequences of the current ACA. But it is one of those occasions we all see the data, and yet how many people get behind these microphones and tell the truth about how many people we are crushing from these deductibles to the current pricing?

You saw the previous chart. We have gone from 14.6 percent of our population uninsured before the ACA to, now, 10.9 percent. We dropped about a half-trillion dollars. That is $500 billion. That is not counting Medicaid expansion. That is just the numbers over here.

We have had testimony in the Ways and Means Committee that we believe only about 6 million Americans were newly insured, newly covered for that half-trillion dollars. Look, it is great they have coverage, but the math doesn't make sense. We could have done this so much more elegantly.

So let's actually take a look at Arizona. This is 2014. If you go before that, it was even bigger, but take a look at my county. See all those little squares? Those were health insurance providers that were available to you in 2014.

If you go a couple years before that, we had counties that had 15, 18 different possible insurance choices, companies who would provide; today, 2017, you see one little blue square.

We are being told that we are going to have entire counties in my State—and Arizona is unique in that we have only 15 counties in the entire State. We are going to have entire counties with no insurance provider to that individual market. This is a system that is working?

Take a look at my State. This is one of the reasons we have been working so hard, why we did the risk-sharing model. This is reality. This is Arizona. This is my home. My folks have had these massive, triple-digit price hikes. Now they have a single choice, and they are being told next year they may have no choice. This is the reality we are at.

□ 1715

So let's actually talk about solutions. How do you deal with this? How do you actually help our brothers and sisters be able to afford insurance? How do you encourage providers to come in and actually participate in providing coverage to that individual market so there are options, there is competition, there is choice?

If you actually think about what drives that price, so why the explosion in price? Well, the current ACA, because of the way it has these three tiers within, we will call it, the community rating—that is where you take all the people in your community who are participating in this insurance population, and say: You don't all get the same price. There are certain adjustments, and some of the adjustments were for age.

So the ACA, ObamaCare, the current law, had three adjustments plus adjustments for smoking and a couple other externalities, and it made the concentration of cost and risk so expensive that—remember our 50 percent of the population who only use 3 percent of health care—they have chosen not to buy, which, in some ways, is a perfectly economically logical reaction to the current cost, to a world where it is so expensive it is cheaper to pay the penalty, so we have to find a way to drive down that cost for that population so they participate.

When you were in school and you would hear the story in your economics class of there are occasions where by lowering the price you make more profit because you sell more units? The concept is pretty much the same here in insurance. If we can lower the price for our healthy population, more participate; we spread the risk over a larger, healthier population; we lower the price for that 5 percent of our brothers and sisters who are in that chronic category; plus we are going to overlay a couple other things to help mitigate that cost to get the price efficiency for everyone. It is important.

I know some of these slides are a little hard to get our heads around, but we have put together something called an invisible risk pool. If you are that American who has bought, who is participating in this individual market but has a chronic condition, you never do a traditional risk pool today because what we learned from the data over the last 30, 40 years of risk pools, there have been a couple successes, but most risk pools, hey, the cost goes up, you hit that sort of threshold, and you dump that person, saying: Hey, you are now the risk pool's problem, or you are the State's problem.

We wanted a continuity of care. We wanted the sick person to receive services where the medical provider, the insurer, and the patient themselves all have skin in the game. They all have a need to participate, to manage, whether it be the individual's diabetes or some other ailments. That is the beauty of sort of this risk-sharing model, that for the population that is our sickest brothers and sisters, as their cost graduates up, there will be participation from this risk-sharing pool.

Why is this absolutely fair? Remember how we talked about how most Americans receive their health care in the employer market? Well, your employer gets a fairly substantial tax deduction for providing that health care. They get to take it off their taxes. Well, we don't do that for when you are in that individual market. When you are in that individual market, for you to be able to take it off your taxes, so we have tried to come up with this methodology to make it fair, so we have come up with this tax credit. But we want you to have the money to help purchase your policy in the beginning, so there is this whole term, sort of this made-up new language that says a prefundable tax credit so you can buy your health insurance in that individual market. So that is on the front end. On the back end, to make sure the premiums, what we call premium efficiency, have stayed low and affordable, we are actually doing this risk sharing up here to help mitigate that spiking of cost so we can lower the prices for everyone so we maximize participation.

There is some elegance in the math, and I think actually there is a great

love for our brothers and sisters who have preexisting conditions up here because it is an invisible risk pool. They never know whether their cost is being subsidized by this pool, nor should they. We made a societal decision 30 years ago that someone walks into an emergency room, someone walks into a hospital with a condition, they get services, so the cost is already in the population.

What we have been debating now for years is how do we pay, how do we move the chairs around? But if we are going to get efficiency in lowering premiums for everyone, remember, we need our healthy population over here to participate in this, and then there is a couple other things we are going to talk about.

So functionally what we have done with the risk sharing, it actually accomplishes a couple really great things. One is the obvious part, if you are the insurer, and let's say you are the actuary at the insurer, and you are doing your math, you actually know what your risk exposure is on each life. Why that is important is you don't have to build what is often referred to as a shock absorber in your rates, saying: Dear heaven, what happens if tomorrow I get a handful of folks with a very difficult chronic condition that blows the cost off the charts? I have to build cushion into my rates.

Well, with the risk-sharing model, they no longer have to have the rates padded for that externality that might happen. It becomes this multiplier effect where if I don't have to put that in the rates, I have lower costs over here. If I have lower costs over here, the model says I get a lot more participation in the health care pool, and everyone benefits. That is what we are trying here.

So what do you actually do, if the argument I am making, whether it be the ACA, whether it be our replacement, in many ways what we are discussing is how to pay for the health care that is already in our society. Remember, as we have been talking, there is no such thing, if you are going to be completely honest, as a preexisting condition denying you coverage. There are some cost stratas, but that is in the current ObamaCare ACA, just as in our replacement, but some of that is by age or if you smoke or other things.

How do you actually lower costs? Some of that comes in the next piece of legislation because, as you all know, in the bill we are trying to move now, we have to deal with the rules of we have no one on the left in the Senate who is going to work with us. We are on our own. So we have to find a way to do this with 52 votes in the Senate. We don't have eight Democrats who are going to work with us. That means we have to do it through reconciliation. Probably those of you who are interested in this stuff, you have read how reconciliation limits the things we can put into a piece of legislation. If you would like us to have more things, go find us eight votes on the Democratic side in the U.S. Senate.

So what do you do to lower costs? We all know information. How many of you can grab your supercomputer you carry in your pocket right now, log into the hospital surgery center—your doctor—and immediately hit a button and say, Hey, the retina detachment, the cataract, the kidney problems I have, here is my cost for the services, here is my cost for the procedure?

We need information. That is going to come, I believe, later this year.

The next thing is, with that information, you create competition. That is incredibly important. Competition in health care comes as much from the price as it does the quality. We have done some great things in collecting quality data. With quality data and price information, we are hoping there becomes now this incentive to actually compare and move around. But what is the next revolution? I am going to make you the argument—and this is one of the elegant things I believe that is also now happening on the Medicaid side of our piece of legislation, and that is to allow creativity at our State levels.

Arizona may have one of the most creative Medicaid systems, we call it AHCCCS in Arizona. We buy functionally capitated HMO policies for our indigent population. But every time we want to make a change, every time we want to try something new to service our brothers and sisters in Arizona, we have to march over to the Federal Government and get a waiver. We have to get permission from the Federal Government. Well, here is my question to you: Does a poor person—as a matter of fact, anyone, if you are in the individual market, if you are on Medicare, Medicaid, do you have the right to talk to your primary care physician on this? Of course you do. Do you have the right to wear the sensor on your body that helps you manage your high blood pressure? How about this contact lens that is going to be out probably next year that will actually sit in your eye and manage your blood glucose? No more punching a hole in your finger and doing a blood test to check for your blood sugars, your blood glucose. It will be constant, talking to your phone, talking to your pump. If that keeps some of our brothers and sisters with diabetes from crashing, it is great for all of us. It is great for society. It is great for them. It is great for healthcare costs.

There is a revolution coming technologywise. One of the things I found fascinating is they actually have a little thing now where you can put your fingers on it and it does a full EKG. There is disruptive technology that is now available and is rolling out. How many of us now wear a Fitbit that helps you manage parts of your health care? This right here is about to bring a revolution in health care.

A simple example, just a thought experiment for anyone who actually cares about these things: In Arizona, the majority of babies are born in our Medicaid system. Even my little girl who we adopted a year and a half ago, I believe she was born in my State's Medicaid system. Most perfect little girl ever.

We know we have a problem in this country and in Arizona, a substantial number of the moms don't show up for their prenatal visits. When we have surveyed them, we get information back that says: It is hard waiting for the bus. It is hot out. Dial-a-Ride makes me wait. Why wouldn't you allow that poor person to hit a button on their phone and have ridesharing pick them up? There are solutions. If we could get our brothers and sisters on the right and the left here to actually talk to each other about solutions, but instead right now health care is such a potent political issue, I can show you article after article after article where the facts that are being disseminated to the American public are completely wrong. We heard some of that just minutes ago behind these microphones where the facts are absolutely made up. It is just incredibly cruel.

Let me explain the cruelty. A couple weeks ago, we were doing just coffees with residents. A group of my constituents who are on the left brought a woman, and she has tears running down her face. She is standing in front of me wanting to know why we are about to take the health care away from her husband who is across the street in the hospital. How cruel does the left have to be to lie, to say something like that to someone because none of that was true. Our bill, their bill, that just can't happen in the language that if you are already in the hospital, if you have a preexisting condition, these things are covered, whether it be from the right or the left's language. But to manipulate someone who is already suffering like that, what sort of cruelty is in someone's soul to get a political advantage to manipulate a wonderful woman who is already suffering with the difficulties of her husband in the hospital?

I beg of you, whether you be on the right or the left, actually read the amendments, actually read the language, understand what reality is, understand we live in a society now where all preexisting conditions have coverage. We already live under a law that has age brackets, if you smoke, variances, but very small variances. Even in the latest amendments, the discussion is, if your State wanted to do a statewide prenatal program, or my State where we have a disproportionate share of our population with diabetes, particularly with my Native-American population, if my State wanted to get everyone together, whether it be Indian Health Service, the VA, private insurers, our Medicare, Medicaid system wanted to try to put together a statewide program to reach out to our brothers and sisters with diabetes, that

would be—if the actuaries and the math works—maybe wonderful. That would be an occasion where my State would reach over to the HHS Director and say: Can we have a waiver? We no longer need to have this type of coverage mandated in these individual policies because we are going to do it at the statewide level. I beg of you, think creatively.

How do we cover our brothers and sisters? How do we deal with the reality that a huge number of our population right now is choosing not to buy because of price or have been able to receive waivers substantially because of price?

□ 1730

And if we succeed here at driving the price down by our actuarial efficiency, the risk sharing up here, and spreading out, a couple of years from now, we are going to be standing behind these microphones and saying math won out over hyperbolic rhetoric.

So can we talk about a couple of other things that are really, really important?

I am blessed to be on the Ways and Means Committee. So why is tax reform so incredibly important to all of us?

Understand, those of you who want to see Medicare, those of you who want to see Social Security stay solvent, do you understand what is happening with economic growth and the pressures right now and what is going on?

So this little pie chart up here is functioning 9 years from now. You have got to understand, in 9 years, only 22 percent of the spending will be what we call discretionary, stuff I really get to vote on, stuff that is not in the formula. Eleven percent will be nondefense. Everything you sort of think of as government—the Park Service, FDA, Education—those things where moneys come to the Federal Government that go to these things is only going to be 11 percent of our spending. Another 11 percent will be defense. Everything else is either Social Security, Medicare, Medicaid, interest on the debt, or some of the other unearned entitlement programs.

This is substantial because we are graying. You all heard of baby boomers. But the reality of it is, in less than 9 years, every dime of Federal revenues—and we are going to be taking in $1 trillion more. We are going to go from $4 trillion to $5 trillion of revenue. Every dime of Federal revenue will be consumed by what we call mandatory spending, entitlements. Military and every other part of government is going to exist on borrowed money.

So if you are someone who really likes education, if you are someone who really thinks drug research is important, if you are someone who thinks NASA is important, if you are someone who thinks the parks are important, you should care about this.

The reality of it is the math curve, even with a substantial growth in the economy, we are going to have to look at entitlement reform. And I know that sets people off because they are fearful, but it is a lot better than hiding from it.

The thing that makes it less painful is a growing economy. Tax reform, we know, is the single greatest engine, the single greatest lever we have here as Members of Congress to get the economy growing. Fixing the healthcare issue will go a long way to help. Dealing with regulatory, dealing with immigration, dealing with embracing technology into our society and government can all be very powerful for economic growth, because our future does not have to be one buried in debt.

But without a revolution in the way we think around here and a willingness to do tough things—and tax reform is going to be hard, but without it, you are basically sentencing my little 18-month-old girl to a future buried in debt, buried in slow growth.

For those of you who may be my age, who are hoping to receive Medicare and Social Security, you are putting those programs at financial risk, and it doesn't need to happen. We can fix this, but you have got to move it away from the hyperbolic politics and actually start to be willing to own a calculator and start looking at the math.

Why this is so important, right here on this chart, is start to understand, as you get down here—remember, 2027 is functioning 9 years from now, and, actually, only 8 budget years from now. One more time, every dime is consumed by Social Security, Medicare, Medicaid, interest on the debt, and the other handful of mandatory, what we call, entitlements. This is your future. It happens in less than a decade. It is here.

Please, big, bold, dynamic tax reform is the first thing we can do this year, and then we are going to have to continue to move on to technology and everything else to sort of do whatever is necessary to get this economy growing.

This one is a little more difficult, but we wanted to actually hold it up just so that there is an understanding of how fast we move from right now. Today, in 2017, about 7 percent of our total spending is interest. In a couple of decades, we start getting up to where it is 20 percent, a quarter of all of our spending.

And this chart, think of this. In 9 years, interest is 19 percent of the budget. Okay. In 9 years, Medicare is 22 percent of our budget, of all of our spending; Social Security is 29. Just add that up. Think of that. Interest, Medicare, Social Security, the three of those start to consume the majority of this institution's spending.

And then you add in what we call mandatory spending, other entitlements, and you start to see, in 9 years, it consumes every dollar of tax revenues. That is really, really important to understand why we need to have this two-phase approach.

Right now we do everything that we can to maximize economic growth and opportunity. And when we talk about economic growth, this isn't just for the top line, big corporations. We need that economic growth of those people that pay the FICA tax. Our brothers and sisters that pay Social Security, our brothers and sisters that pay the unemployment tax, our brothers and sisters that pay into Medicare, we need their jobs to pay more. We need more of them. We need them to have more options in the workplace.

So this is a tax design of how you maximize economic growth not just for big corporations, but for everyone. That concept of: Remember when we were all in school, that sort of velocity of economic opportunity, that mobility? We have been stagnant for a decade. We must, must, must bring it back.

And why these numbers become so difficult—and this chart is a little hard to understand at first. These are the predictions of what economic growth was going to be this year, to understand how much trouble we are really in.

In 2013, the brilliant—excuse me. Yes, let's just make fun of them. The economists around this town were saying: Hey, it is 2013; but by the time you hit 2017, all this stimulus, all this spending, all this debt, you are going to get a 4 percent GDP growth.

You all saw what we had last quarter. What was it, 0.7?

Now, honestly, first quarters the last couple of years have had a distortion, I think, in the seasonally adjusted numbers. But do you think we are going to hit 4 percent GDP this year? Because that is actually what a lot of the budgets were projected on.

So sometimes we will be here in a debate with my brothers and sisters on the left, and they are holding up these charts saying: Well, it is 2013; we are going to be just fine over the next 10 years. And you get into those next 10 years, and you start to realize we are going to be lucky to hit 2 percent.

So much of what we have shared with the American people in the previous decade, the numbers were blatantly wrong, and not to the good side, to a much more difficult side. So when we start to look at this chart—and, once again, 2026 isn't that long from now—you start to realize we are going to be approaching $30 trillion of debt. Why this becomes incredibly important, once again, for all my Keynesian economists out there who think we should just go more into debt, spend and we will get stimulus, now we have built up so much debt that the ratcheting effect you get if you start to raise interest rates and half your debt needs to be refinanced within a 5-year period—they call it a weighted daily average—all of a sudden any new revenues you may be getting from that Keynesian stimulus are being consumed by interest.

Every day we wait to deal with this we lose options on how we can protect Medicare, on how we can protect Social

Security, and on how we can protect our economic future. The sooner we do what is necessary in tax reform and all the other reforms and stop some of the crazy squabbling—I am sorry the left lost; well, actually, I am not, but I am sorry it hurt their feelings so much—and maybe come to the table and prove to the American people you actually care about them in a fashion where you are being honest with the math, hold up a calculator and demonstrate that we actually are going to do what is right.

Back to the last part. We are going to do this slide over again because this is really important. Remember, we said part of this is just math.

The economic growth. The part of our society that uses 50 percent of the healthcare dollars is 5 percent of our population. It is all fixable.

So there are two themes here on the first parts of this. In health care, the expense, the cost is already in the system. Whether it be our reform, whether it be the ACA, whether it be before the ACA, the total cost is already there.

What we have been working on are two things. How do you move the cost around so that we can actually lower the cost for that 50 percent that only uses 3 percent so they will actually participate in the insurance market, lowering everyone's rate, instead of what is happening today where they just don't participate?

Remember, you saw the slide. 10.9 percent of the population is not buying health insurance today. They don't have coverage. They are uninsured. Some of that is because of the cost; some of that is because of the waivers. The only way you get them in is that thing we call premium efficiency. We have got to drive down that cost. But if we do that, I am actually pretty optimistic good things are going to happen.

Now, I want to actually take you to something that there really are bipartisan solutions. I am going to make you this argument that technology is the great optionality around this, it is the great unifying thing. I am going to walk you through something, and later I want you to tell me whether this is Republican, Democratic, right, or left. I am going to make the argument it is data.

I live in Maricopa County, the fourth most populous county in the United States. It is what we call a nonattainment county. It means certain types of pollutants are in excess, and on occasion it spikes up. In the past, we would get a phone call from EPA saying: Hey, one of our monitors shut off. We think we are going to shut down your building permits.

Well, remember how we were just talking about we live in a society where we must have economic growth if we are going to be able to finance and pay for our promises? So I came to you and said there is a much more elegant way to keep the air clean and actually have economic growth: reward those who are following the rules and catch those who are breaking the rules when it comes to polluting our air quality. And it is data.

So right now, here is how we regulate.

You want to open a business. Let's say you want to do a powder coating business in Phoenix. You have to go out and get a bunch of permits from the county, from the State DEQ. You also submit to the EPA. Depending on the types of volatile organics and other things you are using, you may have to file reports every quarter. You have to do a major audit every year.

Does filling up file cabinets full of paper make the air quality cleaner in your community? Seriously, because this is our regulatory model. We basically have a 1938 regulatory model where we make people fill out lots and lots of pieces of paper. We send them in. We hire lawyers and auditors, and we hire consultants to help us fill out this paper, and we shove it in file cabinets down at the air quality regulator or environmental quality regulator. Do full file cabinets make the air quality cleaner in your community?

It is an absurd model when we are all walking around with supercomputers in our pocket. There is now technology coming on the market where you, through Bluetooth, through an actual plug-in, you can actually be walking around with your own air quality monitoring system.

Well, think about my community. If I could have a couple thousand people driving around, traveling around, walking around, hiking around my community getting air quality samples every 5 minutes, at the end of the week I have a couple hundred thousand data points. You put it up on a GIS map, and you catch those who are sinning.

Think about it. It basically is a combination of crowdsourcing citizen science. And the tradeoff is don't make that company fill out lots and lots of pieces of paper or that organization over here fill out lots and lots of pieces of paper and fill up a file cabinet, because if I have enough monitors and sensors moving around the community, if they screw up, you catch them instantly.

It is not like today's world where a couple of years later maybe an auditor catches them; you go to the file cabinet and use the file cabinet as a tool to sue them, but yet you have had 2 years of pollutants in your air. Let's catch the bad guys immediately and leave the good guys alone.

We can do that by this sort of crowdsource data model, the idea that the entire community gets to participate in the collecting of the data. You get to look on the GIS map. The air quality regulator gets to look and say: Hey, we have a hot point over here. Let's go find out what it is. Hey, we found some clowns painting cars in the back of a lot.

Are those clowns out there getting air quality permits to do it? The folks down the street that are using the filters and are in the booth, if they are following the rules, they get left alone, but you catch the ones that have been escaping. It is a use of crowdsource data. We actually have a whole video of this on our website.

We now have introduced a piece of legislation that is over at Energy and Commerce. This should be a bipartisan piece of legislation because that Republican or Democrat—it uses data to let you know what is happening in the air quality in your community. It uses data to catch bad actors, and it uses data to let you know you can leave good actors alone so they can grow their businesses, so they can pay people more, so there are more job opportunities, instead of spending the money filling up file cabinets and hiring consultants. It is an elegant solution.

□ 1745

Is that Republican or Democrat? I will make the argument it is data. There are solutions that both sides around here can use.

So the next time you have someone getting behind these microphones and saying, well, we are deregulating this—no. It is time for a revolution in the way we think.

We are all walking around with these. With the new sensors, you can manage your health care, you can test your water, you can test your soil, you can check the ambient sound, but you can also do the air quality in your community.

I am going to make you an argument there are actually solutions moving around here, and if I can get beyond the hyperbolic rhetoric, maybe we can start to move some of these solutions forward.

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

PROGRESSIVE CAUCUS

The SPEAKER pro tempore (Mr. FRANCIS ROONEY of Florida). Under the Speaker's announced policy of January 3, 2017, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Mr. Speaker, I am here on behalf of the Progressive Caucus, which is the largest values-based caucus within the Democratic Party—74 members strong—who are helping to lead the legislative arm of the resistance in this country.

We, every year, put forth a Progressive Caucus budget, which is really a statement of the values of the Progressive Caucus and the values of the American people. This year, this week, we released our budget. But before I talk about it, let me just take a step back.

One of the things that people have asked us to do, asked so many of our Progressive Caucus members in this Congress to do, is to really fight and to lead the resistance here in Washington, D.C. And we are fighting many of the

bad ideas that get proposed, from the idea of having a wall on the Mexican border to the terrible tax plan that is going to cost tens of millions of people access to health care, to a tax plan that is going to lower rates for the wealthiest in the country and leave the working class and those aspiring to be in the working class without any benefits.

The cuts that the Trump administration has proposed in their budget, there is just so many bad things, day after day, sometimes hour after hour, in Washington, D.C., that happens. And it is the Congressional Progressive Caucus that is largely leading many of those fights, saying no to the bad ideas. But it is not enough to just say no. We also have to have a positive, progressive alternative so that the American people can see there is a true alternative.

You don't have to just go by the policies of this administration. You don't have to go down the path that really leaves so many people out so that the top 1 or 2 percent can continue to benefit. And that is exactly what the Congressional Progressive Caucus is doing.

So when we put forth a Congressional Progressive Caucus budget, it is a comprehensive budget that lays out the values of the American people from everything from education, to infrastructure, to health care, to our Nation's security. It is a document that we use throughout the year to put forth positive, progressive ideas to show that there is an alternative. You don't have to follow the ideas that have come forth from the Republican majority in this House and the President.

Let me just start by talking about the Republican budget, the budget that Donald Trump has proposed in his skinny budget he released a while ago. He will be producing a more in-depth budget, but he laid out the fundamental foundation of what his budget is going to look like. That budget is a budget that has no additional revenue. It has $54 billion of additional spending for the military, and because it has no additional revenue, it has cuts to almost every other program that we see, and these are deep cuts—20, 30 percent cuts—to all sorts of agencies.

So let me share a little bit about what that budget looks like, and then I will offer the contrast of what the Congressional Progressive Caucus has put forward and why it means so much to have that budget in place.

First of all, that $54 billion increase means you are going to have to have a lot of cuts to a lot of other areas in the budget, and let me just point a few of those out. One that means a lot to my district, and I represent the people of south central Wisconsin, but it means a lot to everyone across the country, is funding for the National Institutes of Health, NIH.

That is the area where that funding goes to researchers across the country who are finding cures for diseases so that we can live longer, and better, and have healthier lives, and it is essential funding. That is so important that, in the last Congress, one of the few things we got done in a bipartisan way is, we did additional funding for the National Institutes of Health.

Just today, in the Omnibus bill to get us through funding through September 30 of this year, we upped funding in a bipartisan way for the National Institutes of Health, because we, in a bipartisan way, value the work they do. In President Trump's budget, there is a $6 billion cut—almost 20 percent of that budget—that would happen, threatening all sorts of research across the country.

For the Department of Education, there is a 13 percent cut, but that is not just a 13 percent cut. That cut would be even deeper if you didn't count the hundreds of millions of dollars put into taxpayer funds going into private schools. It would be more like an 18 or 19 percent cut, but it is huge cuts.

Just in higher education alone, Pell grants—something that I was fortunate enough to have—I grew up in a lower middle class family, and I was fortunate enough to get loans, and work through college, and get some Pell grants to help me so I could attend college. There is a $4 billion cut just in that line item. So clearly, there is not the attention to education from the K–12 level or higher education in that budget.

Programs like Head Start and others are devastated in the pre-K level. So there are a lot of problems with President Trump's budget for education. When you get to transportation, there is a 13 percent cut—$2.4 billion—everything from Amtrak, to dollars going to other rail programs and transit programs, investment programs that help people in rural areas, TIGER grants for highway projects, and more.

In energy, we see the nonnuclear weapon portion of the energy budget, a cut by 18 percent below the current level, and that contains programs like LIHEAP that helps provide assistance to low-income seniors in winter. Now, maybe a low-income senior in winter in Arizona isn't experiencing the same thing they are in Wisconsin, or Michigan, or Pennsylvania, or New York, or a lot of our States, but it gets cold. And sometimes those heating bills can really sock a senior who is on a limited income. That money is just vital to them being able to live in their homes.

It completely cuts the Community Development Block Grant program. That is things like housing programs, Meals on Wheels. I had the good fortune of going around my district and delivering Meals on Wheels about a year ago to constituents one day.

It is not just that you are providing a nourishing meal to seniors who often can't get out of their homes, who this is the only place they may get that nourishing meal, but it is also a check-in to make sure that they are all right. Some are still living by themselves, and often you don't know if you don't have that visit to be able to check in. It would cut programs like that completely from getting any Federal funds.

At the Environmental Protection Agency, environmental programs, 50 programs would be eliminated, and 31.4 percent of their budget would be gutted for all sorts of things that protect our clean air and clean water—programs like the Great Lakes Restoration Initiative or the Chesapeake Bay Watershed Initiative. So many areas would be cut through that funding, and that just doesn't make any sense.

This is a time that we have the Flint, Michigans of the world, and we are finding that more and more communities with aging infrastructure of their waterways are having lead in their water and other contaminants. This is not the time to be cutting a program that watches out for this by 31 percent; and on, and on.

There are so many cuts that affect real people. So while maybe it is good for the defense contractors to get $54 billion because, trust me, that money is not going to be shared with the people who actually protect our country.

I was talking to another Member of Congress recently whose son is in the military making $22,000 a year. I can guarantee you that $54 billion is not going to be targeted to truly improve what that person is doing, what they are getting paid as they fight for our country to protect our country, but it is going to go to a bunch of new weapons systems and other things that allow the money that, again, is going to go to that top 1 and 2 percent in this Nation.

So let me offer what that contrasts. Instead of putting 54 billion new dollars into defense and cutting all of those programs I talked about by huge amounts—20, 30 percent, our State Department, 28 percent, go down the list, huge cuts—we actually invest in this country, and we invest in multiple levels.

The People's Budget: A Roadmap for the Resistance—that is what we call it—does a whole lot of different things. Let me just highlight some of what we put forward this week, along with 60 organizations, major organizations that are endorsing the efforts that we put forward.

First of all, we have a $2 trillion investment in our Nation's infrastructure; $2 trillion that is going into programs to modernize our roads and bridges; modernize our water and sewer systems, our ports and waterways; investing in our transit systems; investing in our K–12 school reconstruction; investing in high-speed broadband infrastructure that we need so desperately in our rural parts of the country; investing in the VA hospitals and extended-care facilities; and investing in the actual workers who are going to do these projects.

This alone is a $2 trillion investment, and, throughout this budget, it is estimated, by the Economic Policy Institute, would create 2.4 million new jobs

in this country, good family supporting wages, while we are reinvesting in our Nation's bridges, and roads, and schools, and broadband, and other infrastructure. That is a key part of what we have put out there, and it is what is needed in this country.

We have to invest in our country, and this budget does just that. We also look at taxes in a very different way, and we rewrite the rules in a system that often seems rigged against the middle class and those aspiring to be in the middle class.

We close loopholes for big corporations that send jobs overseas. We stop CEOs from receiving millions in tax-free bonuses, and we tackle income and equality by having fair tax rates—fair for those who are working, and sharing a little more for those who are the wealthiest in this country. We level the playing field for the working families across this country.

In this budget, we also have a new initiative to invest $1 trillion into childcare, childcare for everyone who needs it, pre-K education in this country. There is no question, we know more people are working more and working more jobs, but you can't if you don't have someone to watch your children when you are doing that.

Having this in place will allow us to make sure that those crucial years in education that really develop you for often the rest of your educational experience—K–12 and higher education—we have a plan to truly invest in every single person so that no one is paying more than 10 percent of their income for childcare.

It is not just that. We are funding K–12 schools. We are funding that infrastructure for our schools. We are making sure that people who live in rural areas have broadband so they can do the homework that you do in a modern America.

At the higher education level, we have several innovative ideas offered in our budget, from refinancing of student loans to the lowest current available rate so that you are not paying some of these high 6.6 percent interest rates that don't even make sense in today's economy, to providing for debt-free college; to make sure that if you actually work and you want to do a workstudy job, you should be able to leave a 4-year public institution debt free, and leave with a degree, compared to the $30,000 plus on average that people are leaving with now. We also tackle some of the ideas about free tuition in public institutions. So we have got some real ideas from pre-K, to K–12, to higher education.

We also make sure that we are addressing the costs of prescription drugs because that is one of the drivers as we have this debate around health care.

One of the reasons we have seen the spikes we have had is because, quite honestly, a lot of prescription drug companies have charged prices that are quite unreasonable, by any reasonable person's standards. There is no reason why the same drug you pay for in Canada or Ireland is substantially cheaper than it is in the United States.

We have measures to make sure that we can reduce the price of prescription drugs here in this country and that people don't have to make a decision between paying for their medicine or their groceries.

We also are looking at health care in another way. First of all, the Affordable Care Act, as I think now many people across this country understand and now support the concept—while they may not have supported ObamaCare, they love the Affordable Care Act. Same thing, folks.

What we are finding is, there are things we need to do to improve it. And while we look at some of those, one of those is allowing States to look at going to a single-payer system, and we provide the pathway to do that, to reduce costs and increase coverage so that even more people can have that.

We also expand access to mental health care—this is Mental Health Awareness Month in this country, and we are making sure we are doing that—and treatment for opioid addiction.

We also have a humane and comprehensive immigration reform proposal. We are not talking about building walls at a time we should be talking about building bridges. Instead, we are having sensible plans that provide for full implementation of the Deferred Action for Childhood Arrivals program, the DACA program.

We preserve funding for sanctuary cities, and we prohibit any funding whatsoever to go to President Trump's wall.

□ 1800

Those are just a few of the things that we have in this budget. When you contrast those deep cuts to programs that help middle class families and those aspiring to be in the middle class across the country, when you contrast it with the proactive positive alternatives we have in this budget, I think people will see that there truly is a significant difference and why we don't have to settle for something that is out there that is not going to take care of the working families in this country.

You know, a lot of people across the country talk to our Members of Congress. We see these huge attendances right now at townhalls, and every Member should be out having those townhalls. And what we are hearing from people is that they are not happy with the proposals offered by the Trump administration and by the Republicans in Congress, the healthcare proposal that they put forward that we could be voting on as early as tomorrow—the second attempt at this.

I will tell you, I have learned something very interesting. When someone doesn't want to put their name on something, in this place especially, it is usually not very good. I have found people really like to put their name on things in this town.

It's funny that the Trump administration was calling their healthcare bill RyanCare, Congress is calling it TrumpCare, people back home call it I Don't Care.

In the end, what we are finding is this is a bill that is going to cut access to 24 million people, give tax breaks of $600 billion-plus to the wealthiest in this country, the top 1 and 2 percent, to insurance companies, to Big Pharma, and other big entities. That is often what it seems like it is really about.

It is going to increase fivefold. People will be paying five times as much—older Americans—for their health care, and it cuts Medicaid to so many people who need it in this country.

Don't forget, Medicaid is not just for people who are poor and trying to get health care and trying to get work; it is also people with disabilities, it is seniors in nursing homes.

It is, quite honestly, incomprehensible that the Republicans think it is all right to cut those programs. That is their tax plan. But here is the best part: they are making it now even worse. The words we are hearing and that they are bragging about are amendments to make it so that, State by State, they can turn down things like coverage for preexisting conditions and turn down other essential health benefits, things like prescription drug care, maternal care, emergency room visits.

That is what health care is all about. If you gut everything out of health care, all you have is a shell of what you can call health care but doesn't actually provide any of the benefits.

They are doing this to bring in the Tea Party, the most conservative element of their caucus that fundamentally doesn't believe in the functioning of government. They are going to basically do that, make sure government doesn't have any say in what health care is. You will have no guarantees.

I guarantee with what they are doing—this is according to the official nonpartisan estimates by the CBO, the Congressional Budget Office, not our estimates—at least 24 million people will lose care under the old proposal. Take the new proposal, and if you start adding the States being able to make those decisions, more and more people will lose access to their health care.

We will see what happens, whether or not they can get this done. I think they are having a difficult time. When we had a little conversation on the floor about it today, we noticed they didn't quite have answers about when the bill will come up. We will see what does happen with that.

But when you contrast that sort of a healthcare proposal with the fundamentals that we have in the Progressive Caucus budget, you see a stark difference. We take and expand upon the progress of the Affordable Care Act that has allowed tens of millions of people to have access.

When you look at the proposals that we put forward, there was an Economic

Policy Institute article and a Washington Post article today that I will include in the RECORD.

[From Economic Policy Institute, May 2, 2017]

THE PEOPLE'S BUDGET, NOT TRUMP'S BUDGET, WILL HELP WORKING AMERICANS

(By Mark Pocan)

After President Trump's first 100 days in office, it's clear that his promises to help the working class were little more than a campaign ploy. His dismantling of Obama-era regulations like the Fair Pay and Safe Workplaces rule and deregulation of the financial industry reveal what he really cares about—lining the pockets of America's ultra-rich.

Nothing demonstrates his disdain for working people more than his budget proposal. In it, he cuts 31 percent of the Environmental Protection Agency (EPA)'s budget, which ensures people across the country have clean air and water, and 21 percent from Department of Labor programs that provide job training to seniors and disadvantaged youth. Instead of helping working people, Trump's budget imposes a hiring freeze on crucial federal agencies and calls for many more staff to be laid off from public sector jobs—the largest reduction in the federal workforce since World War II.

The FY 2018 People's Budget: A Roadmap for the Resistance by the Congressional Progressive Caucus stands in stark contrast to Trump's budget. The People's Budget is a plan to actually help working Americans who have felt left behind by an economy rigged against them. Our budget is a roadmap for the resistance, investing in the progressive priorities and kitchen table issues that matter to real people: infrastructure to create jobs and ensure public safety; education to help our kids reach their full potential; and sustainable energy to protect our precious environment. Progressives in Congress fully want to make investments in our future generations and protect programs that improve the lives of people every day. We believe our budget should strengthen Social Security and Medicare and invest in job growth through infrastructure, education, and research and development, while responsibly reducing our deficits and cutting wasteful spending and redundant programs where they exist.

As a business owner from Wisconsin and a long-time union member, I understand what it means to take the economic high road. It means ensuring that working people get a fair shake at economic opportunities, that the wealthy pay their fair share of taxes, and that we all do better, when we all do better. I urge President Trump and Republicans in Congress to seriously consider the proposals in the People's Budget so that we can create a fairer economy.

[From the Washington Post]

THIS NEW BUDGET POINTS THE WAY FORWARD FOR DEMOCRATS

(By James Downie)

Out of power in Washington and around the country, Democrats are struggling with how to move forward as a party. Already the jockeying for the 2020 nomination has begun. What policies the party chooses to champion will be essential to how long or short the path will be to recovery. On Tuesday, the Congressional Progressive Caucus—led by Reps. Raúl M. Grijalva (D–Ariz.) and Keith Ellison (D–Minn.)—released its annual ''People's Budget'' for 2018. The CPC has produced a budget for years, but with the party at a crossroads, this edition may be the most important ever. Democrats should recognize its ideas as an inspiration for the party going forward.

The People's Budget starts by acknowledging a problem that most leaders acknowledge but few have addressed: the country's crumbling infrastructure. It provides $2 trillion over 10 years to repair bridges and tunnels, revitalize mass transit, replace contaminated water systems, rebuild public schools and more. Furthermore, weak wage growth and other indicators demonstrate that the economy remains short of where it was before the Great Recession, and infrastructure investment can provide badly needed jobs that will help propel the economy to new heights. The Economic Policy Institute projects that the People's Budget would add 2.4 million jobs and increase GDP by 2 percent in the near term.

The CPC's plan also addresses other crucial domestic issues. While Republicans struggle to reconcile repealing Obamacare with keeping health care affordable, the CPC puts forward actual ideas to bring the cost of health care down: The People's Budget introduces a public option—which would lower premiums—and ends the ridiculous prohibition on Medicare negotiating drug prices. The document also recognizes the dangers of climate change, puffing a price on carbon and eliminating tax breaks for the fossil fuel industry. And it funds universal pre-kindergarten and strengthens antitrust enforcement, fighting back against the oligopolies in health care, cable and other industries that are hurting Americans' pocketbooks.

Finally, the People's Budget invests in communities that need critical help. It ends funding cuts to programs such as Head Start and needs-based nutrition programs—cuts which disproportionately hurt women and people of color. It invests millions to help veterans find housing, jobs and health care. And it commits money toward fighting homelessness and funding affordable housing.

With all this spending, people may wonder what happens to the national debt, but the People's Budget reduces the debt as a percentage of GDP. In addition to the savings and the carbon pricing mentioned above, the budget raises trillions while making the tax system more fair. In addition to closing numerous loopholes for businesses and high earners, there are three major changes: restoring Clinton-era tax rates for income above $250,000 and higher rates for income over $1 million, going after companies that defer tax by sending income overseas, and reintroducing a financial transaction tax (which the United States had from 1914 to 1966). All told, these three reforms raise nearly $5 trillion over 10 years.

The People's Budget has no chance of becoming law in a GOP-controlled government. But this budget is a marker for Democrats aspiring to lead the party forward. The party is increasingly seen as out of touch, even by its own supporters. The People's Budget by contrast is built around sound policies that are also politically popular. It reflects Americans' long-standing desires for fixing the country's infrastructure, strengthening entitlements, lowering the cost of health care and making the wealthiest pay their fair share. These ideas, if adopted, could be the foundation of a rebuilt and resurgent party, and by embracing the goals of the People's Budget, Democrats can reorient toward the future.

Mr. POCAN. Mr. Speaker, I would like to read a little bit from The Washington Post.

''This new budget points the way forward for Democrats.''

And what this specifically is addressing is the Progressive Caucus budget. It is looking at it and saying:

''Democrats should recognize its ideas as an inspiration for the party going forward.

''The People's Budget starts by acknowledging a problem that most leaders acknowledge but few have addressed: the country's crumbling infrastructure. It provides $2 trillion over 10 years to repair bridges and tunnels, revitalize mass transit, replace contaminated water systems, rebuild public schools and more.''

And that is what we talked about. Those are the very provisions that we put forward in that $2 trillion investment in our infrastructure.

Mr. Speaker, I will go back to reading this.

''The Economic Policy Institute projects that the People's Budget would add 2.4 million jobs and increase GDP by 2 percent in the near term.''

That is 2.4 million people with a good family-supporting job while we are rebuilding our Nation's infrastructure and increasing our Nation's gross domestic product.

What does that mean?

I have been a small-business owner for 29 years. It is the rising tide that lifts all boats. The more people that have money in their pockets that can spend it, puts money right back into the economy.

If we make sure that more people are working and more people have a family-supporting wage that they can buy a sofa, they can take their family out to dinner or to a movie, that creates more economic activity, and that creates even more jobs. That is exactly what we need in this country.

That is, again, the Economic Policy Institute projecting what our budget would do.

Mr. Speaker, let me go back to the document.

''While Republicans struggle to reconcile repealing ObamaCare with keeping health care affordable, the CPC puts forward actual ideas to bring the cost of health care down: The People's Budget introduces a public option—which would lower premiums—and ends the ridiculous prohibition on Medicare negotiating drug prices.''

Can you believe that?

We don't use our purchasing power right now to negotiate for cheaper prices for prescription drugs. There is a reason why we pay sometimes 8 more, 20 times more, than other countries for the exact same drug. It is because we are not allowed to use that purchasing power in a way that will help create that economic savings.

Mr. Speaker, I will go back to the document.

''The document also recognizes the dangers of climate change, putting a price on carbon and eliminating tax breaks for the fossil fuel industry.''

Think about it. We still subsidize gas and oil, which is one of the most profitable businesses on the planet, and we are subsidizing them with tax subsidies. We get rid of those tax subsidies.

Mr. Speaker, I will go back to the document.

''And it funds universal pre-kindergarten and strengthens antitrust enforcement, fighting back against the oligopolies in health care, cable and other industries that are hurting Americans' pocketbooks.''

These are the things that we have in our Progressive Caucus budget to make sure that real families, as you are sitting at your kitchen table trying to decide if you can afford to pay your mortgage, send your kids to college, take a family vacation this year, maybe have that one luxury of a camper or a snowmobile, only if you live up north, or a boat. Those are the things that I grew up with. I grew up in Kenosha, Wisconsin, like I said, in a lower middle class family. That was the existence of most everyone I knew. We are trying to make sure that that can be the existence again for every single person.

While wages have been largely flat, the economy has come back. We have just recently had a little bit of a bump in the last year or so of the Obama Presidency. We need to do more for those families.

Mr. Speaker, let me go back to this document.

''With all this spending, people may wonder what happens to the national debt. But the People's Budget reduces the debt as a percentage of GDP. In addition to the savings and the carbon pricing mentioned above, the budget raises trillions while making the tax system more fair.''

This budget actually reduces overall debt by $4 trillion between now and 2027. You don't see that out of almost any other budget proposed. Yet our budget, while investing in America and investing in Americans, we also help to turn back that crushing debt that this country has so often had and that we need to address.

Mr. Speaker, let me just finish with reading a little more of this document.

''The People's Budget, by contrast, is built around sound policies that are also politically popular. It reflects Americans' longstanding desires for fixing the country's infrastructure, strengthening entitlements, lowering the cost of health care, and making the wealthiest pay their fair share. These ideas, if adopted, could be the foundation of a rebuilt and resurgent party, and by embracing the goals of the People's Budget, the Democrats can reorient toward the future.''

Now, that is, again, an opinion out of The Washington Post today about the budget we released yesterday.

I encourage people to go to the Progressive Caucus website to learn more about this budget, to look at the work that the Economic Policy Institute has done in working the numbers of this budget, and see what the contrast can be.

You don't have to settle for second or third best. We don't just have to make sure the top 1 and 2 percent have even more, and we hope that some of that trickles down on the other 98 percent of us.

Instead, we can have a budget that invests in infrastructure and creates good jobs, that invests in our public education system from pre-K to higher education. We can have a budget that expands our healthcare opportunities so that even more people can have affordable health care and helps lower the cost of prescription drugs.

We can have a budget that does these things, and we have put that forward in the People's Budget, which is the product of the Progressive Caucus here in Congress.

Mr. Speaker, I appreciate the time to be on the floor of Congress to present this on behalf, again, of the 74 Members of the Progressive Caucus, the largest value-based caucus within the Democratic Party. We are proud to present this budget. This should be coming to the floor as we debate all budgets in the coming months. But we are proud to put ours out first. Let's set the standard. Let's see how we can see what the Republicans in this House will put forward, and we will see what details the President puts forward.

I can guarantee no one will have more in place for the middle class in this country and those aspiring to be in the middle class than the People's Budget that is put forward by the Congressional Progressive Caucus.

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 6 o'clock and 12 minutes p.m.), the House stood in recess.

□ 2215

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 10 o'clock and 15 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2192, PUBLIC HEALTH SERVICE ACT AMENDMENT, AND PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1628, AMERICAN HEALTH CARE ACT OF 2017

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 115–109) on the resolution (H. Res. 308) providing for consideration of the bill (H.R. 2192) to amend the Public Health Service Act to eliminate the non-application of certain State waiver provisions to Members of Congress and congressional staff, and providing for further consideration of the bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017, which was referred to the House Calendar and ordered to be printed.

PUBLICATION OF BUDGETARY MATERIAL

ALLOCATION FOR THE COMMITTEE ON APPROPRIATIONS PURSUANT TO S. CON. RES. 3, THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2017

Mrs. BLACK. Mr. Speaker, pursuant to section 4001(b)(1) of the Concurrent Resolution on the Budget for Fiscal Year 2017 (S. Con. Res. 3, 115th Congress), I hereby submit for printing in the CONGRESSIONAL RECORD the 302(a) allocation to the Appropriations Committee of the House consistent with that concurrent resolution. Allocations for authorizing committees were previously filed on March 24, 2017.

Section 4001(b) of S. Con. Res. 3 authorized the House Committee on the Budget to file 302(a) allocations consistent with the budgetary levels established in S. Con. Res. 3. This filing authority was necessary because there was no joint statement of managers accompanying S. Con. Res. 3. Under section 301(e)(2)(F) of the Congressional Budget Act of 1974, the allocations are to be included in the report accompanying the concurrent resolution on the budget.

This allocation is enforced by section 302(f) of the Congressional Budget Act of 1974, which prohibits the consideration of appropriations measures that would cause the applicable allocation of new budget authority to be exceeded for the budget year, fiscal year 2017.

This allocation applies to bills, joint resolutions, and amendments thereto or conference reports thereon, considered by the House subsequent to this filing.

A corresponding table is attached. If there are any questions on this allocation for fiscal year 2017, please contact Brad Watson or Jim Bates.

ALLOCATION OF SPENDING AUTHORITY TO HOUSE COMMITTEE ON APPROPRIATIONS

[In millions of dollars]

	2017
Base Discretionary Action:	
BA	1,069,599
OT	1,171,865
Current Law Mandatory:	
BA	1,017,272
OT	1,005,175

PUBLICATION OF BUDGETARY MATERIAL

ADJUSTMENTS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2017 BUDGET RESOLUTION

Mrs. BLACK. Mr. Speaker, I hereby submit for printing in the Congressional Record revisions to the budget allocations and aggregates of the Fiscal Year 2017 Concurrent Resolution on the Budget, S. Con. Res. 3.

These revisions are designated for the House Amendment to the Senate Amendment to H.R. 244, the Consolidated Appropriations Act for Fiscal Year 2017. The revisions designated are made pursuant to section 314 of the Congressional Budget Act of 1974.

These revisions represent an adjustment for purposes of budget enforcement. These revised allocations and aggregates are to be considered as the aggregates and allocations included in the budget resolution, pursuant to S. Con. Res. 3, as adjusted. Pursuant to section 314 of the Congressional Budget Act of

1974, these revisions to the allocations and aggregates shall apply only while the House Amendment to the Senate amendment to H.R. 244 is under consideration or upon its enactment. Corresponding tables are attached.

TABLE 1—REVISION TO ON-BUDGET AGGREGATES

[Budget aggregates—(On-budget amounts, in millions of dollars)]

	Fiscal year	
	2017	2017–2026
Current Aggregates:		
Budget Authority	3,308,000	[1]
Outlays	3,264,662	[1]
Revenues	2,682,088	32,351,660
Adjustment for House Amendment to Senate Amendment to H.R. 244:		
Budget Authority	19,983	[1]
Outlays	2,985	[1]
Revenues	0	0
Revised Aggregates:		
Budget Authority	3,327,983	[1]
Outlays	3,267,647	[1]
Revenues	2,682,088	32,351,660

[1] Not applicable because annual appropriations acts for fiscal years 2019–2026 will not be considered until future sessions of Congress.

TABLE 2—REVISION TO ALLOCATION OF SPENDING AUTHORITY TO HOUSE COMMITTEE ON APPROPRIATIONS

(In millions of dollars)

	2017
Current Allocation:	
BA	1,069,599
OT	1,171,865
Global War on Terrorism Adjustment:	
BA	103,717
OT	45,832
Program Integrity Adjustment:	
BA	1,960
OT	1,635
Disaster Relief Adjustment:	
BA	8,129
OT	371
Revised Allocation:	
BA	1,183,405
OT	1,219,703

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. 141. An act to improve understanding and forecasting of space weather events, and for other purposes; to the Committee on Science, Space, and Technology; in addition, to the Committee on Armed Services; to the Committee on Transportation and Infrastructure; to the Committee on Foreign Affairs; and to the Permanent Select Committee on Intelligence 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.

N O T I C E

Incomplete record of House proceedings. Except for concluding business which follows. The Explanatory Statement regarding House Amendment to the Senate Amendments on H.R. 244 will be continued in Book II and Book III.

ADJOURNMENT

Mr. COLLINS of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 4, 2017, 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:

1250. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the Army's proposed Letter of Offer and Acceptance to the Government of Kenya, Transmittal No. 17-07, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1251. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Access to Federal Employees Health Benefits (FEHB) for Employees of Certain Indian Tribal Employers received May 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

1252. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Medical Qualification Determinations received May 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

1253. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Definition of Kent County, Michigan, and Cameron County, Texas, to Nonappropriated Fund Federal Wage System Wage Areas (RIN: 3206-AN40) received May 2, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

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. COLLINS of Georgia: Committee on Rules. House Resolution 308. Resolution providing for consideration of the bill (H.R. 2192) to amend the Public Health Service Act to eliminate the non-application of certain State waiver provisions to Members of Congress and congressional staff, and providing for further consideration of the bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017 (Rept. 115–109). 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 Mr. CÁRDENAS (for himself, Mr. FARENTHOLD, Mr. CARTWRIGHT, Mr. GALLEGO, Mr. GUTIÉRREZ, Mr. COHEN, Mr. FOSTER, Ms. JUDY CHU of California, Ms. LEE, and Mr. KILMER):

H.R. 2303. A bill to establish a task force to share best practices on computer programming and coding for elementary schools and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CÁRDENAS (for himself, Mr. COSTELLO of Pennsylvania, Mr. CARTWRIGHT, Ms. DELBENE, Ms. SLAUGHTER, and Mr. KILMER):

H.R. 2304. A bill to establish a grant program to promote the development of career education programs in computer science in secondary and postsecondary education; to the Committee on Education and the Workforce.

By Mr. CÁRDENAS (for himself, Mr. POLIS, Mr. KILMER, and Ms. ESTY of Connecticut):

H.R. 2305. A bill to direct the Secretary of Education to award grants to State educational agencies to develop comprehensive plans to strengthen elementary and secondary computer science education, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Science, Space, and Technology, 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. DEFAZIO (for himself, Mr. BLUMENAUER, Mr. CARTWRIGHT, Mr. CONYERS, Mr. CICILLINE, Mr. GARAMENDI, Mr. GRIJALVA, Mr. KHANNA, Mr. LOWENTHAL, Mrs. NAPOLITANO, Ms. NORTON, Mr. POCAN, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. MCGOVERN, and Mr. RASKIN):

H.R. 2306. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Ways and Means.

By Ms. WASSERMAN SCHULTZ (for herself and Mrs. BROOKS of Indiana):

H.R. 2307. A bill to amend title XVIII of the Social Security Act to protect coverage for screening mammography, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself, Mrs. BROOKS of Indiana, Mr. TAKANO, and Mr. STIVERS):

H.R. 2308. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to support maker education and makerspaces; to the Committee on Education and the Workforce.

By Mr. THOMPSON of Mississippi (for himself and Mrs. LOWEY):

H.R. 2309. A bill to enhance the security operations of the Transportation Security Administration and stability of the transportation security workforce by applying the personnel system of title 5 of the U.S. Code to employees of the Transportation Security Administration who provide screening of all passengers and property, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Oversight and Government Reform, 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. KELLY of Pennsylvania (for himself, Mr. PETERSON, Mr. SAM JOHNSON of Texas, Ms. JENKINS of Kansas, Mr. RENACCI, Mr. SMITH of Nebraska, Mrs. WALORSKI, Mr. BISHOP of Michigan, Mr. SCHWEIKERT, Mr. POSEY, Mr. HULTGREN, Mr. TIPTON, Mr. KING of Iowa, Mr. WALBERG, Mr. ROTHFUS, Mr. FORTENBERRY, Mr. WEBER of Texas, Mr. PALAZZO, Mr. FLORES, Mr. MOOLENAAR, Mr. CARTER of Georgia, Mr. LAMALFA, Mr. YODER, Mr. LAMBORN, Mr. JONES, Mr. FRANKS of Arizona, Mr. BLUM, Mr. WEBSTER of Florida, Mr. BOST, Mr. HUDSON, Mr. BRAT, Mr. GOHMERT, Mr. PALMER, Mr. BABIN, Mr. JOHNSON of Ohio, Mr. GIBBS, Mr. CRAMER, Mr. YOUNG of Alaska, Mr. LOUDERMILK, Mr. ROSKAM, Mr. BARLETTA, and Mr. SMITH of Missouri):

H.R. 2310. A bill to amend the Internal Revenue Code of 1986 to make members of health care sharing ministries eligible to establish health savings accounts; to the Committee on Ways and Means.

By Mr. O'ROURKE (for himself, Ms. BROWNLEY of California, Mr. CICILLINE, Mr. HURD, Mr. KILMER, Mr. LANGEVIN, Mr. MASSIE, Ms. PINGREE, Ms. TITUS, Mr. YOUNG of Iowa, Mr. COSTELLO of Pennsylvania, and Mr. LOEBSACK):

H.R. 2311. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide veterans the option of using an alternative appeals process to more quickly determine claims for disability compensation; to the Committee on Veterans' Affairs.

By Mr. O'ROURKE (for himself, Mr. COFFMAN, Mr. SARBANES, and Mr. MCGOVERN):

H.R. 2312. A bill to amend title 38, United States Code, to provide for covered agreements and contracts between the Secretary of Veterans Affairs and eligible academic affiliates for the mutually beneficial coordination, use, or exchange of health-care resources, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCNERNEY (for himself, Mr. EVANS, Mrs. NAPOLITANO, Ms. CLARKE of New York, and Mr. RYAN of Ohio):

H.R. 2313. A bill to amend the Internal Revenue Code of 1986 to encourage hiring unemployed individuals; to the Committee on Ways and Means.

By Mr. GALLEGO:

H.R. 2314. A bill to amend title 5, United States Code, to prohibit certain acts of nepotism, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. LYNCH (for himself, Mr. HUNTER, Mrs. DAVIS of California, and Mr. MAST):

H.R. 2315. A bill to posthumously award the Congressional Gold Medal to each of Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith in recognition of their contributions to the Nation; to the Committee on Financial Services.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. GENE GREEN of Texas):

H.R. 2316. A bill to amend the Mineral Leasing Act and the Energy Policy Act of 1992 to repeal provisions relating only to the Allegheny National Forest; to the Committee on Natural Resources.

By Mr. COURTNEY (for himself, Mr. HUNTER, Mr. BISHOP of Georgia, Ms. BORDALLO, Ms. BROWNLEY of California, Mr. COFFMAN, Mr. COLE, Mr. CONNOLLY, Mr. COSTELLO of Pennsylvania, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mrs. DINGELL, Mr. FRANKS of Arizona, Mr. GARAMENDI, Mr. GUTHRIE, Mrs. HARTZLER, Mr. HIMES, Mr. HUFFMAN, Ms. KAPTUR, Mr. LARSON of Connecticut, Mrs. CAROLYN B. MALONEY of New York, Ms. NORTON, Mr. PERLMUTTER, Ms. PINGREE, Mr. POCAN, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SIRES, Ms. SLAUGHTER, Mr. THOMPSON of Pennsylvania, Mr. TONKO, Mrs. WALORSKI, Mr. YARMUTH, Ms. ESTY of Connecticut, Mr. COOPER, Mr. RUSH, Mr. EVANS, Mr. PALLONE, Mr. MCGOVERN, Mr. DONOVAN, Mr. LANGEVIN, Mrs. BEATTY, Ms. BARRAGÁN, Mr. THOMPSON of California, Mr. MCEACHIN, Mr. CARTWRIGHT, Mr. RUPPERSBERGER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CAPUANO, Mr. BRADY of Pennsylvania, Mr. NORCROSS, Mr. LARSEN of Washington, Mr. CORREA, and Mrs. DAVIS of California):

H.R. 2317. A bill to require the Secretary of the Treasury to mint coins in commemoration of the United States Coast Guard; to the Committee on Financial Services.

By Ms. SHEA-PORTER (for herself, Mr. BROWN of Maryland, Mr. GALLEGO, Mr. GARAMENDI, Ms. HANABUSA, Mr. O'HALLERAN, Mr. JONES, Mr. KHANNA, Ms. ROSEN, Mr. CARBAJAL, Ms. LOFGREN, Mr. SCOTT of Virginia, Ms. SPEIER, and Ms. DELAURO):

H.R. 2318. A bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit; to the Committee on Ways and Means.

By Mr. ROTHFUS (for himself, Ms. MOORE, and Mr. STIVERS):

H.R. 2319. A bill to protect the investment choices of investors in the United States, and for other purposes; to the Committee on Financial Services.

By Mr. LARSEN of Washington (for himself, Mr. COOK, Mr. COLE, Mr. CARTWRIGHT, Mr. CÁRDENAS, Mrs. TORRES, Mr. DENHAM, Ms. MCCOLLUM, Mr. JONES, Mr. GALLEGO, Mr. GRIJALVA, Mr. LAMALFA, Mr. AGUILAR, Mr. MOONEY of West Virginia, and Mr. POLIS):

H.R. 2320. A bill to direct the Secretary of the Interior to place certain lands in Skagit and San Juan Counties, Washington, into trust for the Samish Indian Nation, and for other purposes; to the Committee on Natural Resources.

By Mr. NEWHOUSE (for himself, Mr. MARSHALL, Mr. THOMAS J. ROONEY of Florida, Ms. PINGREE, Mr. PANETTA, and Mrs. BUSTOS):

H.R. 2321. A bill to amend the Agricultural Trade Act of 1978 to extend and expand the Market Access Program and the Foreign Market Development Program; to the Committee on Agriculture.

By Mr. WALBERG (for himself, Mr. RUIZ, Mr. HUDSON, Mr. PITTENGER, and Mr. JONES):

H.R. 2322. A bill to direct the Secretary of Veterans Affairs to educate certain staff of the Department of Veterans Affairs and to inform veterans about the Injured and Amputee Veterans Bill of Rights, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. JUDY CHU of California (for herself, Mr. SCHIFF, Mrs. NAPOLITANO, Mr. CÁRDENAS, and Ms. SÁNCHEZ):

H.R. 2323. A bill to establish the San Gabriel National Recreation Area as a unit of the National Park System in the State of California, to modify the boundaries of the San Gabriel Mountains National Monument in the State of California to include additional National Forest System land, and for other purposes; to the Committee on Natural Resources.

By Mr. CICILLINE:

H.R. 2324. A bill to amend title 39, United States Code, to provide that post offices shall comply with public accommodation standards under the Americans with Disabilities Act of 1990, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CONYERS (for himself, Mr. KILDEE, Mrs. LAWRENCE, Mr. CARTWRIGHT, Mr. VEASEY, Mr. COHEN, Ms. LEE, Mrs. WATSON COLEMAN, Ms. NORTON, Ms. LOFGREN, Ms. JUDY CHU of California, Mr. NADLER, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, Mr. CONNOLLY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Ms. JAYAPAL, Mr. JEFFRIES, and Ms. BASS):

H.R. 2325. A bill to require the Attorney General to ensure that State-appointed emergency financial managers do not violate Constitutional protections and that they ensure public health and safety, and for other purposes; to the Committee on the Judiciary.

By Mr. DELANEY (for himself, Mr. FASO, Mr. CURBELO of Florida, Mr. DEUTCH, Mr. MEEHAN, Mr. LOWENTHAL, Mr. FITZPATRICK, Mr. PETERS, Ms. STEFANIK, Mr. SUOZZI, Ms. ROS-LEHTINEN, and Mr. SCHNEIDER):

H.R. 2326. A bill to accelerate reductions in climate pollution in order to leave a better planet for future generations, and to create a bipartisan commission to develop economically viable policies to achieve science-based emissions reduction targets; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, 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. DESANTIS (for himself, Mr. BLUMENAUER, Mr. BUTTERFIELD, Mr. BYRNE, Mr. DONOVAN, Mr. HENSARLING, Ms. NORTON, Mr. HURD, Mr. JONES, Mr. JOYCE of Ohio, Mr. LOBIONDO, Mr. LYNCH, Mr. NORCROSS, Ms. PINGREE, Mr. POLIS, Mr. THOMAS J. ROONEY of Florida, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Mr. SABLAN, Ms. SÁNCHEZ, Mr. SESSIONS, Ms. SINEMA, Ms. STEFANIK, Ms. VELÁZQUEZ, Mrs. WAGNER, Mr. ZELDIN, Mr. COHEN, Mr. JODY B. HICE of Georgia, Mr. HASTINGS, Mr. KNIGHT, Mr. AUSTIN SCOTT of Georgia, Mr. GALLEGO, Ms. SHEA-PORTER, Mr. BARTON, Mr. FRANKS of Arizona, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. SEAN PATRICK MALONEY of New York, Mr. RASKIN, Mr. GENE GREEN of Texas, Mr. CURBELO of Florida, Mrs. CAROLYN B. MALONEY of New York, Mr. POCAN, Mr. ROYCE of California, Mr. PALLONE, Mr. POE of Texas, Mr. RUTHERFORD, Mr. O'ROURKE, Ms.

KAPTUR, Mr. TROTT, Mr. SCOTT of Virginia, Ms. TITUS, Mr. BRAT, Mrs. COMSTOCK, and Mr. WALKER):

H.R. 2327. 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; to the Committee on Veterans' Affairs.

By Ms. FUDGE (for herself, Mrs. NAPOLITANO, Mr. RYAN of Ohio, Mr. KILDEE, Mr. CONYERS, Ms. KAPTUR, Mr. THOMPSON of Mississippi, Mrs. BEATTY, Mr. MCGOVERN, Ms. NORTON, and Mr. RUSH):

H.R. 2328. A bill to amend the Federal Water Pollution Control Act to establish a low-income sewer and water assistance pilot program; to the Committee on Transportation and Infrastructure.

By Mr. HIGGINS of New York:

H.R. 2329. A bill to direct the Secretary of Transportation to establish a transformational infrastructure competitive grant program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUFFMAN (for himself and Ms. SPEIER):

H.R. 2330. A bill to make funds available for fisheries resource disaster assistance for the 2016 Yurok Tribe Klamath River Chinook salmon fishery disaster, and for other purposes; to the Committee on Appropriations.

By Ms. KELLY of Illinois (for herself and Mr. PALLONE):

H.R. 2331. A bill to require a new or updated Federal website that is intended for use by the public to be mobile friendly, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KIND (for himself and Mr. SENSENBRENNER):

H.R. 2332. A bill to reform the Federal Crop Insurance Act and reduce Federal spending on crop insurance; to the Committee on Agriculture.

By Mr. KNIGHT (for himself, Mr. CURBELO of Florida, and Ms. JUDY CHU of California):

H.R. 2333. A bill to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies; to the Committee on Small Business.

By Mr. LANCE (for himself, Ms. ESHOO, Mr. COLLINS of New York, Mr. BILIRAKIS, Ms. MATSUI, Mr. CÁRDENAS, Ms. SPEIER, and Mr. SARBANES):

H.R. 2334. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt from sequestration certain user fees of the Food and Drug Administration; to the Committee on the Budget.

By Mr. LANCE (for himself and Mr. QUIGLEY):

H.R. 2335. A bill to direct the Director of the Government Publishing Office to provide members of the public with Internet access to Congressional Research Service reports, and for other purposes; to the Committee on House Administration.

By Mr. LOEBSACK (for himself and Mr. TONKO):

H.R. 2336. A bill to amend the Public Health Service Act to authorize a primary and behavioral health care integration grant program; to the Committee on Energy and Commerce.

By Mr. LOEBSACK (for himself, Mr. TONKO, Mr. ENGEL, Mrs. NAPOLITANO, and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 2337. A bill to amend title XIX of the Social Security Act to provide for a State Medicaid option to enhance administrative matching funds to support statewide behavioral health access program activities for children under 21 years of age, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 2338. A bill to amend the Internal Revenue Code of 1986 to prohibit 501(c)(4) entities from participating in, or intervening in (including the publishing or distributing of statements), any political campaign; to the Committee on Ways and Means.

By Mr. MARCHANT:

H.R. 2339. A bill to amend the Internal Revenue Code of 1986 to modify S corporation shareholder and preferred stock rules with respect to banks; to the Committee on Ways and Means.

By Mrs. MCMORRIS RODGERS (for herself, Ms. BONAMICI, Mr. DUFFY, Mr. NOLAN, Ms. HERRERA BEUTLER, and Mr. KILMER):

H.R. 2340. A bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, 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. ROSKAM (for himself and Mr. KIND):

H.R. 2341. A bill to amend the Internal Revenue Code of 1986 to clarify the retirement income account rules relating to church-controlled organizations; to the Committee on Ways and Means.

By Mr. SCHNEIDER:

H.R. 2342. A bill to amend the Employee Retirement Income Security Act of 1974, the Internal Revenue Code of 1986, and the Public Health Service Act to require employees to be provided with information about the availability of special enrollment periods to obtain marketplace coverage and Medicare coverage upon termination or separation, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, 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. SERRANO:

H.R. 2343. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate income tax overpayments as contributions to the United States Library Trust Fund; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SPEIER (for herself and Mr. HUFFMAN):

H.R. 2344. A bill to make funds available for fisheries resource disaster assistance for the 2015-16 Dungeness crab and rock crab fisheries disaster, and for other purposes; to the Committee on Appropriations.

By Mr. STEWART (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCKINLEY, Mrs. NAPOLITANO, Ms. SINEMA, Mr. GRIJALVA, Mr. THOMPSON of Pennsylvania, and Mr. BISHOP of Utah):

H.R. 2345. A bill to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system; to the Committee on Energy and Commerce.

By Mr. THOMPSON of California (for himself and Ms. ROS-LEHTINEN):

H.R. 2346. A bill to amend the Immigration and Nationality Act to protect the well-being of soldiers and their families, and for other purposes; to the Committee on the Judiciary.

By Mrs. TORRES (for herself and Mrs. NAPOLITANO):

H.R. 2347. A bill to direct the Secretary of the Treasury to establish a regional infrastructure accelerator program to facilitate investments in and the financing of certain infrastructure projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. TORRES:

H.R. 2348. A bill to require the Secretary of the Treasury to issue American Infrastructure Opportunity Bonds when the real rate equals zero percent or less and deposit the proceeds from such bonds into the Highway Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. TURNER:

H.R. 2349. A bill to require the Secretary of Transportation to modify a regulation regarding the involuntary deplaning or denial of boarding a flight of any passenger on an oversold flight to accommodate a member of the air carrier's flight crew or staff; to the Committee on Transportation and Infrastructure.

By Mr. FRELINGHUYSEN:

H. Con. Res. 53. Concurrent resolution providing for a correction in the enrollment of H.R. 244; considered and agreed to. considered and agreed to.

By Mr. ROE of Tennessee (for himself, Mr. ALLEN, Mr. ROKITA, Mr. GROTHMAN, Mr. LEWIS of Minnesota, Mr. BYRNE, and Mr. RASKIN):

H. Res. 307. A resolution expressing the sense of the House of Representatives relating to protecting freedom of speech, thought, and expression at institutions of higher education; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARSON of Indiana:

H. Res. 309. A resolution supporting the goals and ideals of National Poppy Day; to the Committee on Oversight and Government Reform.

By Mr. CARTWRIGHT (for himself, Mr. DELANEY, Mr. GALLEGO, Ms. JACKSON LEE, Mr. MCGOVERN, Ms. NORTON, Ms. SPEIER, and Mr. YARMUTH):

H. Res. 310. A resolution expressing support for the designation of May as ''National Bladder Cancer Awareness Month''; to the Committee on Energy and Commerce.

By Mr. CASTRO of Texas (for himself and Mrs. WAGNER):

H. Res. 311. A resolution recognizing that for 50 years the Association of South East Asian Nations (ASEAN) has worked toward stability, prosperity, and peace in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. GRAVES of Missouri (for himself, Ms. DELBENE, Mr. PERLMUTTER, Mr. LOEBSACK, Mr. LUETKEMEYER, Mr. EMMER, Mr. GUTHRIE, Mr. PALLONE, Mr. BOST, and Mr. MCGOVERN):

H. Res. 312. A resolution recognizing the roles and contributions of America's teachers to building and enhancing the Nation's civic, cultural, and economic well-being; to the Committee on Education and the Workforce.

By Mr. THOMAS J. ROONEY of Florida:

H. Res. 313. A resolution amending the Rules of the House of Representatives to exclude certain provisions relating to water resources development projects of the Corps of

Engineers or the Bureau of Reclamation from the definition of congressional earmark, and for other purposes; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CÁRDENAS:
H.R. 2303.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 1.
All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. CÁRDENAS:
H.R. 2304.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 1.
All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. CÁRDENAS:
H.R. 2305.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 1.
All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. DEFAZIO:
H.R. 2306.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Ms. WASSERMAN SCHULTZ:
H.R. 2307.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18

By Mr. RYAN of Ohio:
H.R. 2308.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8: To Make 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. THOMPSON of Mississippi:
H.R. 2309.
Congress has the power to enact this legislation pursuant to the following:
The United States Constitution Article 1, Section 8, Clause 18, that Congress shall have the power to make all laws which shall be necessary and proper.

By Mr. KELLY of Pennsylvania:
H.R. 2310.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution

By Mr. O'ROURKE:
H.R. 2311.
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 this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. O'ROURKE:
H.R. 2312.
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 this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCNERNEY:
H.R. 2313.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the United States Constitution.

By Mr. GALLEGO:
H.R. 2314.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18

By Mr. LYNCH:
H.R. 2315.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18

By Mr. THOMPSON of Pennsylvania:
H.R. 2316.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution which gives Congress the power ''to regulate Commerce with foreign Nations, and among the several states, and within the Indian Tribes.''

By Mr. COURTNEY:
H.R. 2317.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8

By Ms. SHEA-PORTER:
H.R. 2318.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the Constitution.

By Mr. ROTHFUS:
H.R. 2319.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3

By Mr. LARSEN of Washington:
H.R. 2320.
Congress has the power to enact this legislation pursuant to the following:
As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress.''

By Mr. NEWHOUSE:
H.R. 2321.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution

By Mr. WALBERG:
H.R. 2322.
Congress has the power to enact this legislation pursuant to the following:
Clause 12 of Section 8 of Article 1 of the United States Constitution.

By Ms. JUDY CHU of California:
H.R. 2323.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay Debts and provide for the common Defense and general welfare of the United States.''

By Mr. CICILLINE:
H.R. 2324.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.

By Mr. CONYERS:
H.R. 2325.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 and Article 1, Section 8, Clause 18.

By Mr. DELANEY:
H.R. 2326.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8

By Mr. DESANTIS:
H.R. 2327.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1: The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. And Article I, Section 8, Clause 18: The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. FUDGE:
H.R. 2328.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 3, the Commerce Clause.

By Mr. HIGGINS of New York:
H.R. 2329.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 18

By Mr. HUFFMAN:
H.R. 2330.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, section 9, clause 7, which states ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time. of the United States Constitution''.

By Ms. KELLY of Illinois:
H.R. 2331.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 ''to provide for the common defense and general welfare of the United States.''
Provided that low income individuals without access to computers primarily access the internet through their smartphones, this bill would improve their welfare by ensuring that those without computers have convenient online access to their government.

By Mr. KIND:
H.R. 2332.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8.

By Mr. KNIGHT:
H.R. 2333.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 3
''To regulate commerce with foreign nations, and among the several states, and with the Indian Tribes.''

By Mr. LANCE:
H.R. 2334.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1, of the United States Constitution, which states that Congress shall have power to lay and collect

taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. LANCE:

H.R. 2335.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Sec. 8 Clause 18: Congress shall have power . . . to make all laws which shall be necessary and proper for carrying in execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any other department or officer thereof

By Mr. LOEBSACK:

H.R. 2336.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. LOEBSACK:

H.R. 2337.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Ms. MICHELLE LUJÁN GRISHAM of New Mexico:

H.R. 2338.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. MARCHANT:

H.R. 2339.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Art. I Sec. 8 cl. 1, under the ''Power To lay and collect Taxes'';

Amd. 16, under the ''power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration''; and

Art. I Sec. 8 cl. 18, under 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 Mrs. MCMORRIS RODGERS:

H.R. 2340.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or any particular State.

By Mr. ROSKAM:

H.R. 2341.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, which states ''The Congress shall have Power To lay and collect Taxes,'' and Article I, Section 7, which states ''All Bills for raising Revenue shall originate in the House of Representatives.''

By Mr. SCHNEIDER:

H.R. 2342.

Congress has the power to enact this legislation pursuant to the following:

Article One

By Mr. SERRANO:

H.R. 2343.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution The Congress shall have power to lay and collect taxes, duties, imposts and exercises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and exercises shall be uniform throughout the United States

By Ms. SPEIER:

H.R. 2344.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. STEWART:

H.R. 2345.

Congress has the power to enact this legislation pursuant to the following:

Article I Sec 8

By Mr. THOMPSON of California:

H.R. 2346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

By Mrs. TORRES:

H.R. 2347.

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 this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. TORRES:

H.R. 2348.

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 this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TURNER:

H.R. 2349.

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. 36: Mr. MEADOWS and Mr. PETERSON.

H.R. 37: Ms. FOXX,

H.R. 93: Mr. O'ROURKE.

H.R. 102: Mr. O'ROURKE.

H.R. 113: Mr. MOULTON.

H.R. 147: Ms. FOXX.

H.R. 169: Mr. SCHIFF.

H.R. 173: Mr. THOMPSON of Pennsylvania, Mr. ROE of Tennessee, and Mr. STIVERS.

H.R. 203: Mr. LEVIN.

H.R. 242: Mr. BLUMENAUER and Mr. VISCLOSKY.

H.R. 256: Mr. PALAZZO, Mr. POLIQUIN, and Mr. OLSON.

H.R. 299: Mr. ENGEL, Mr. RASKIN, Mr. BACON, Mr. CONYERS, Mr. CROWLEY, and Mrs. BROOKS of Indiana.

H.R. 305: Mr. VEASEY.

H.R. 314: Mr. KELLY of Mississippi and Mr. FRANCIS ROONEY of Florida.

H.R. 338: Mr. RYAN of Ohio.

H.R. 350: Mr. ROSS and Mr. AUSTIN SCOTT of Georgia.

H.R. 367: Mr. ESTES of Kansas.

H.R. 448: Mrs. NAPOLITANO and Mr. TED LIEU of California.

H.R. 519: Mr. POLIS and Ms. CHENEY.

H.R. 544: Ms. BARRAGÁN and Mr. RUSH.

H.R. 548: Mr. MARCHANT and Mr. BILIRAKIS.

H.R. 550: Mr. DAVID SCOTT of Georgia.

H.R. 592: Mr. SIMPSON, Mr. RUTHERFORD, Mr. THOMPSON of California, and Mrs. DINGELL.

H.R. 619: Mr. BUCSHON and Mr. BIGGS.

H.R. 630: Mr. RASKIN.

H.R. 669: Ms. SCHAKOWSKY and Mr. JONES.

H.R. 721: Mr. ROE of Tennessee.

H.R. 747: Mr. MARCHANT.

H.R. 750: Mr. KENNEDY.

H.R. 807: Mr. BEYER, Mr. DOGGETT, and Mr. AGUILAR.

H.R. 820: Mr. WALORSKI and Mr. POLIQUIN.

H.R. 828: Mr. THOMAS J. ROONEY of Florida.

H.R. 848: Mr. THORNBERRY, Mr. PALAZZO, Mr. REICHERT, Mrs. NOEM, and Ms. HERRERA BEUTLER.

H.R. 852: Mr. KHANNA.

H.R. 874: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 919: Mr. FITZPATRICK.

H.R. 964: Mr. SEAN PATRICK MALONEY of New York and Mr. HIGGINS of New York.

H.R. 1002: Mr. HUFFMAN.

H.R. 1017: Mr. MITCHELL, Mr. MARCHANT, Mr. RENACCI, and Ms. TITUS.

H.R. 1057: Ms. ESTY of Connecticut and Mr. SHUSTER.

H.R. 1065: Ms. ESTY of Connecticut and Mr. GALLAGHER.

H.R. 1092: Mr. PETERS and Ms. SLAUGHTER.

H.R. 1098: Mr. HARPER, Mr. MCGOVERN, and Ms. PINGREE.

H.R. 1099: Ms. ESTY of Connecticut and Mr. NOLAN.

H.R. 1112: Mr. BUDD.

H.R. 1156: Mr. BILIRAKIS.

H.R. 1222: Mr. SESSIONS.

H.R. 1231: Mr. LIPINSKI.

H.R. 1235: Mr. NADLER, Ms. MAXINE WATERS of California, Ms. FRANKEL of Florida, Mr. MCNERNEY, Mr. SUOZZI, Mrs. DAVIS of California, Mr. HUFFMAN, Mr. KILMER, Mr. HECK, Mr. POLIS, Ms. DELBENE, Mr. NORCROSS, Ms. BARRAGÁN, Ms. SEWELL of Alabama, Mr. THOMPSON of California, Mr. SCHNEIDER, Mr. AGUILAR, Mr. CRIST, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. GARAMENDI, Mr. GOTTHEIMER, Mr. LOWENTHAL, Mr. LEVIN, Ms. MICHELLE LUJÁN GRISHAM of New Mexico, Mrs. MURPHY of Florida, Mr. RUIZ, Mr. RUPPERSBERGER, Mrs. TORRES, Mr. VEASEY, Mr. VISCLOSKY, Ms. ESHOO, and Mr. DOGGETT.

H.R. 1251: Mr. NORCROSS.

H.R. 1267: Mr. LOEBSACK.

H.R. 1277: Mr. DUNCAN of South Carolina.

H.R. 1303: Mrs. COMSTOCK.

H.R. 1334: Mr. LAMALFA and Mr. WILSON of South Carolina.

H.R. 1358: Mr. SCHIFF.

H.R. 1399: Mr. JORDAN.

H.R. 1405: Ms. BARRAGÁN and Mr. O'ROURKE.

H.R. 1409: Mr. GUTIÉRREZ, Mr. LANGEVIN, Ms. BONAMICI, Mr. BACON, and Mr. FRELINGHUYSEN.

H.R. 1421: Mr. RYAN of Ohio and Ms. MOORE.

H.R. 1448: Mr. POLIS.

H.R. 1454: Mr. JOHNSON of Louisiana.

H.R. 1456: Mr. FORTENBERRY.

H.R. 1473: Ms. LOFGREN and Ms. BARRAGAN.

H.R. 1498: Mr. DAVID SCOTT of Georgia and Mr. KHANNA.

H.R. 1531: Ms. SLAUGHTER.

H.R. 1532: Mr. MOONEY of West Virginia and Mr. DENHAM.

H.R. 1555: Mr. DESAULNIER.

H.R. 1560: Ms. DELAURO, Mr. SESSIONS, and Mrs. NOEM.

H.R. 1566: Ms. CLARK of Massachusetts.

H.R. 1578: Ms. WILSON of Florida and Mr. PRICE of North Carolina.

H.R. 1584: Ms. BONAMICI.

H.R. 1624: Mr. CURBELO of Florida.

H.R. 1625: Mr. KINZINGER, Mr. MARINO, Ms. BASS, Mrs. TORRES, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SCHIFF, Mr. DUNCAN of South Carolina, and Mr. WILSON of South Carolina.

H.R. 1626: Mr. DUNN, Mr. WEBSTER of Florida, Mr. LATTA, and Mr. FORTENBERRY.

H.R. 1632: Mr. SMITH of Missouri and Mr. POSEY.
H.R. 1639: Mr. QUIGLEY.
H.R. 1661: Mrs. NOEM and Mr. WELCH.
H.R. 1676: Mr. LAWSON of Florida.
H.R. 1677: Mr. SMITH of New Jersey.
H.R. 1698: Mr. FRELINGHUYSEN, Ms. ESTY of Connecticut, Ms. BROWNLEY of California, and Mr. O'ROURKE.
H.R. 1727: Ms. LOFGREN.
H.R. 1741: Mrs. NOEM.
H.R. 1777: Mr. ELLISON, Mr. ROKITA, Mr. BISHOP of Michigan, Mr. SCHRADER, and Mr. KELLY of Mississippi.
H.R. 1783: Mr. BIGGS.
H.R. 1794: Mr. SMUCKER and Mr. POLIS.
H.R. 1802: Mr. HIMES.
H.R. 1825: Mr. MCGOVERN, Mr. PAYNE, Mr. SMITH of New Jersey, Ms. MOORE, Mrs. WATSON COLEMAN, Mr. RYAN of Ohio, Ms. KUSTER of New Hampshire, and Mr. TAKANO.
H.R. 1838: Mr. MARCHANT.
H.R. 1844: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1861: Mr. LOBIONDO.
H.R. 1881: Mr. RUTHERFORD, Mr. MOOLENAAR, Mr. MEADOWS, and Ms. FOXX.
H.R. 1904: Mr. CARSON of Indiana.
H.R. 1953: Ms. MOORE and Ms. DELAURO.
H.R. 1960: Ms. KUSTER of New Hampshire.
H.R. 1997: Mr. MEEHAN.
H.R. 1999: Mr. COLE.
H.R. 2023: Mr. HARRIS and Mr. DUNCAN of South Carolina.
H.R. 2029: Mr. SMITH of Texas.
H.R. 2070: Mr. SMITH of Washington.
H.R. 2084: Ms. JUDY CHU of California, Mr. SHERMAN, Mr. TED LIEU of California, Mr. GENE GREEN of Texas, Ms. DELAURO, Mr. O'ROURKE, Mr. DOGGETT, Ms. MCCOLLUM, Mr. PRICE of North Carolina, Mr. CROWLEY, Ms. LEE, Mr. LAWSON of Florida, Mr. LARSON of Connecticut, Mr. WELCH, Ms. FRANKEL of Florida, Ms. KUSTER of New Hampshire, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. SEAN PATRICK MALONEY of New York, Ms. DEGETTE, and Ms. BROWNLEY of California.
H.R. 2124: Mr. QUIGLEY.
H.R. 2168: Ms. TENNEY.
H.R. 2174: Mr. COFFMAN, Mr. BARR, and Mr. SMUCKER.
H.R. 2192: Mrs. COMSTOCK, Mr. YOUNG of Iowa, and Mr. NUNES.
H.R. 2200: Mr. CICILLINE and Mr. SHERMAN.
H.R. 2211: Ms. VELÁZQUEZ.
H.R. 2227: Mr. MCCARTHY, Mr. HOYER, Mrs. DEMINGS, Ms. DELBENE, Mr. FARENTHOLD, Mr. ISSA, and Mr. RUPPERSBERGER.
H.R. 2234: Ms. MCCOLLUM and Mrs. TORRES.
H.R. 2243: Mr. DAVID SCOTT of Georgia, Mr. ALLEN, and Mr. LAMBORN.
H.R. 2248: Mr. CRIST.
H.R. 2266: Ms. CASTOR of Florida.
H.R. 2272: Mr. SARBANES, Mr. GRIJALVA, and Ms. JAYAPAL.
H. Con. Res. 8: Mr. LEWIS of Minnesota.
H. Con. Res. 10: Mr. FORTENBERRY.
H. Con. Res. 27: Mr. THOMPSON of California.
H. Con. Res. 41: Ms. GABBARD.
H. Con. Res. 47: Mr. MCGOVERN, Mr. SOTO, Mr. GALLEGO, Mr. NADLER, and Mr. KIHUEN.
H. Con. Res. 49: Mr. DESAULNIER.
H. Res. 28: Mr. DANNY K. DAVIS of Illinois.
H. Res. 69: Mr. COSTELLO of Pennsylvania.
H. Res. 118: Mr. DESAULNIER.
H. Res. 188: Mr. BISHOP of Michigan.
H. Res. 199: Mr. DEUTCH.
H. Res. 219: Mr. KIND and Mr. SUOZZI.
H. Res. 239: Mr. CAPUANO and Ms. NORTON.
H. Res. 255: Mr. CAPUANO and Mr. KNIGHT.
H. Res. 259: Mr. COOK, Mr. RASKIN, Mr. CHAFFETZ, Mr. STEWART, and Mr. AUSTIN SCOTT of Georgia.
H. Res. 265: Mr. JOHNSON of Georgia and Ms. CLARK of Massachusetts.
H. Res. 279: Mr. OLSON and Mr. POE of Texas.
H. Res. 284: Mr. SCOTT of Virginia and Ms. SHEA-PORTER.
H. Res. 294: Ms. MCCOLLUM, Mrs. TORRES, and Mr. MCNERNEY.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, WEDNESDAY, MAY 3, 2017 No. 76

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Lord and God, we would not journey through this day without contact with You. Increase our faith, hope, and love, that we may receive Your promises.

Be merciful to our lawmakers and fill them with Your hope. May they be fully persuaded in their minds about receiving guidance from You for the decisions they make.

Lord, deliver them from a reluctance to respect honest differences as they remember their ultimate accountability to You. Provide them with Divine insights as they grapple with complexities that require nuanced choices. May their ultimate goal be to serve You by doing what is best for our Nation and world.

We pray in Your strong 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

GOVERNMENT FUNDING LEGISLATION

Mr. MCCONNELL. Mr. President, later today, the House will vote to pass a funding agreement that advances a number of America's priorities, achieving important things that would not have been possible under the previous administration.

Let's take the border. President Trump and the Republican Congress made securing the border a priority, and this funding bill acts on it. After years of an administration that failed to get serious on border security, this bill provides the largest border security funding increase in a decade.

Passing this bill means updating physical border infrastructure. It means enhancements in surveillance technology. It means increasing support for border personnel. It means finally providing resources to end the practice of catch and release.

On securing our border, this bill obviously makes a departure from the Obama years, and it is an important step forward.

Let's take defense. President Trump and the Republican Congress made rebuilding our military a priority, and this funding bill acts on it. After years of an administration that drew down our conventional force structure and failed to address increasing threats across the globe, this bill provides a critically needed downpayment on rebuilding our military. Passing this bill means allowing our force to retain higher levels of end strength. It means funding the largest military pay raise in 6 years. It means replacing munitions used in the fight against ISIL. It means finally ignoring the Obama-era demand of requiring defense funding increases to be equally matched to nondefense increases.

On rebuilding our military, this bill obviously makes a departure from the Obama years and is another important step forward. These are notable wins, and they wouldn't have happened without this administration's tireless work in conjunction with the Republican Congress.

Of course, there is further to go in both areas. We know more work remains when it comes to strengthening our border infrastructure and stemming the tide of illegal immigration. We know more work remains when it comes to restoring our military's combat readiness and meeting the full needs of the force.

But this legislation represents a step in the right direction in both of these areas, and it advances conservative priorities in many others. It adheres to the spending caps, it reforms bureaucracy, and it consolidates, eliminates, or rescinds funds for more than 150 government programs and initiatives.

It supports the implementation of the Every Student Succeeds Act, which shifts control of education out of Washington, and it extends an important school choice program. It helps tackle terrorism, fight crime, support veterans, protect life, reform the IRS, and freeze funding for it.

It cuts funding for the EPA, prohibits funding for President Obama's climate slush fund, and advances an all-of-the-above energy policy that prioritizes research on technical advancements in nuclear, natural gas, and coal power generation.

This research funding, along with the bill's support for troubled coal mining communities and dislocated miners, is important for States like mine, as is the provision I was proud to secure that will permanently protect healthcare benefits for thousands of retired coal miners and their families.

This bill also extends resources for a pilot program I worked with Congressman HAL ROGERS to secure, which will fund the reclamation and development of abandoned mine sites.

Moreover, this bill also provides significant new resources to tackle the prescription opioid and heroin epidemic that continues to ravage communities in Kentucky and across our country.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The many achievements in this bill resulted from countless hours of committee work and bicameral negotiations. I want to recognize again the appropriators, our Members, and this Republican administration for the tireless effort that made this bill possible.

The President and his team should be commended for their efforts in working with the Republican Congress to address many important needs for our country in this bill. I look forward to the House passing the bill today so that we can take it up and send it to President Trump for his signature soon.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. MCCONNELL. Now on to the legislation we will turn to today.

In recent months, the Republican Congress has voted to provide much needed relief to the American people from Obama administration regulations pushed out the door at the eleventh hour. We have voted to eliminate 13 harmful regulations already, using the tools contained in the Congressional Review Act, and we will vote to eliminate another later today.

Too often, the Obama administration pursued regulations that grew government at the expense of jobs, wages, and economic growth. Too often, under the guise of helping ordinary Americans, the administration was really just helping to expand the reach of government.

That is certainly the case with the regulation we are considering today. President Obama's Department of Labor issued regulations that would impose new burdens on employers and employees when it comes to saving for their retirement. These regulations would give State officials the power to force employers to enroll their employees into government-run savings plans.

Though the State-run plans might not seem too bad on the surface, what they really add up to is more government at the expense of the private sector and American workers.

They would provide government-run retirement plans with a competitive advantage over private sector workplace plans, while providing fewer basic consumer protections to the workers who would be forced to contribute to them.

As I mentioned when we voted on related regulations concerning municipalities, States always had the power to set up these plans, but until this regulation, they had to actually follow Federal laws that protect the workers who would be automatically enrolled. In other words, States preferred that the basic retirement protections that apply to those who manage private sector retirement plans not apply to the government as well.

As a coalition of employers and human resource managers recently pointed out, the Obama administration was ''encouraging State governments to provide private sector employees retirement programs that do not''—I repeat, do not—''have the same high-level protections as other private employer-sponsored plans.'' So, as they put it, ''passage of [the legislation before the Senate] would ensure that all retirement plans''—all of them—''for private sector workers are subject to equal consumer protections under the law.''

That is why we will vote today to overturn this regulation, which undermines a private retirement savings system that millions of Americans have counted on for decades. By blocking this State-run retirement regulation—as we already did with a similar regulation aimed at municipalities—we can empower families in making their own decisions when it comes to saving for the future.

So I want to recognize Senator HATCH, the Finance Committee chairman, who has been leading the charge on this important issue. We look forward to sending this resolution to the President's desk very soon.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Utah.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. HATCH. Mr. President, as we continue this historic effort in Congress to repeal harmful regulations, I rise today in support of H.J. Res. 66.

Due to the aggressive regulatory posture taken by the Obama administration in its final months, Congress has had to spend a significant portion of time repealing regulations under the Congressional Review Act, and our level of success has been unprecedented.

Before 2017, only one CRA resolution had ever been successfully passed by Congress and signed by the President. If passed and signed, H.J. Res. 66 would be the 14th CRA resolution enacted this year. That is remarkable. It is unfortunate that we are in this situation, no doubt, but our success in rolling back harmful regulations is a positive step, in my view and in the view of so many others.

There is a growing consensus here in Washington and throughout our country that the U.S. economy—our workers, businesses, and job creators—are horribly overregulated. Regulations promulgated by the executive branch take hundreds of billions of dollars out of our economy. The resolution before us will repeal a regulation that President Obama apparently personally ordered Labor Secretary Tom Perez to draft as a gift to certain blue States.

The regulation eliminated longstanding Federal protections for the retirement savings of private sector workers, specifically giving States a ''safe harbor'' from the protection that workers have had for decades under ERISA if the State requires employers to either set up a retirement plan or enroll its employees in a State-run plan.

These State plans do not have to be portable, nor do they have to permit workers to withdraw their savings at any time. States like California, Oregon, Connecticut, Maryland, and Illinois are already using this authority to impose new mandates on both large and small employers, including startup businesses. Some of the mandates apply regardless of the size of the business.

The regulation not only encourages States to impose conflicting and burdensome mandates on private sector businesses, but it also encourages States to bar private workers' access to their retirement accounts, and it would let States invest private workers' retirement assets, ignoring provisions in Federal pension law that require prudent pension investment practices and that ban kickbacks and self-dealing.

Some States have already made it clear that once they take control of the private worker assets, they intend to invest them just like they invest their State pension plan assets.

For anyone who is following our Nation's current public pension crisis, that is not a pretty picture—and that is being kind. Put simply, States like California and Illinois shouldn't get a pass on investing potentially billions of dollars in private worker retirement assets without having to follow Federal rules requiring prudent investment practices—rules designed to protect retirement nest eggs of hard-working Americans.

I am all for increasing coverage for employees and workplace retirement programs. I have been working with my colleagues on both sides of the aisle to address this issue.

For example, last Congress, the Senate Finance Committee, which I chair, unanimously approved the Retirement Enhancement and Savings Act of 2016, a bipartisan bill designed to increase voluntary retirement savings.

My bill and others like it provide workable, voluntary solutions to give more workers access to retirement plans. I emphasize the word ''voluntary.'' In America, we have a voluntary defined contribution retirement system for private businesses, and the voluntary approach with appropriate incentives for workers and employers is far better than the one taken by the Obama administration and former Labor Secretary Tom Perez, which

would take us down the path toward government-mandated and government-run retirement plans. That is not really hyperbole. That is essentially the stated purpose of these types of regulations.

The current retirement savings system clearly demonstrates the superiority of the free market over government mandates when it comes to government savings. Private retirement savings vehicles, like 401(k)s and IRAs that have been encouraged but not mandated by Federal laws have produced nearly $14 trillion in wealth and savings for the middle class.

Let me repeat that. Private retirement savings vehicles, with encouragements and investor protections but not mandates, have produced nearly $14 trillion in wealth and savings for middle-class Americans.

I agree that we need to enhance this system to give more workers access and incentives to participate, but there is absolutely no justification for any effort to reinvent the retirement savings system in order to give primacy to government-run plans. I can only wonder why States think they will be able to produce better results than the private retirement savings system, which has been an unqualified success. I have to wonder how some of my colleagues who value consumer financial protection, as I do, would want to see abandonment of rules, under the guise of a safe harbor, that erode protections for the savings of workers and future retirees.

We can do our part to undo this harmful regulation by passing H.J. Res 66. Toward that end, I urge all of my colleagues to vote in favor of this resolution.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

TRUMPCARE

Mr. SCHUMER. Mr. President, a note on healthcare.

As the House Republican caucus continues their effort to revive TrumpCare, I just want to remind my friends in the House of a few things.

First, for all the significant changes House Republicans are proposing to the bill, it would still cause premiums and deductibles to rise, it will still jack up the costs on low-income and older Americans, and, most importantly, it doesn't change a thing about the 24 million fewer Americans who would get healthcare. It may actually increase that number, but it certainly will not decrease it.

Second, it is unwise and irresponsible to rush through a brandnew bill without a new CBO score, without committee hearings, and without any debate on the floor of the House. If this thing were so good, why wouldn't there be open debate? Why wouldn't there be discussion? I hope, if the bill gets to the Senate—I don't know if it will. I hope it doesn't, but if it does, I hope we will not mimic the House, have no committees, no hearings, no CBO score, not much debate. That would be very wrong.

Third, even if the new version of TrumpCare passes the House—we hope it doesn't—its chances for survival in the Senate are small. We don't even know if the new version would survive under the rules of reconciliation.

The amendment to allow States to drop preexisting condition requirements, for instance, very possibly violates the Byrd rule. If the moderate group in the House gets an additional amendment to deal with the very same issue, that may violate the Byrd rule as well because if Republicans try to throw money at their problem, as it has been reported, they may end up violating the budget instructions to reduce the deficit, and they will not even know if it does violate the Byrd rule because, again, they will not have a CBO score.

As my friend, the Republican Senator from South Carolina, Mr. GRAHAM, said, talking about the TrumpCare bill, ''I just don't see how you square the circle here. Some of the things the Freedom Caucus wants probably won't make it through the Senate.''

The same is true for the group of moderates who are angling for more changes to the bill right now.

The reality is, TrumpCare cannot pass the Senate. So to my moderate Republican colleagues in the House, I ask: Why would you risk a ''yes'' vote for a bill that is devastating to your constituents and has virtually a minuscule chance—probably no chance—of becoming law?

Now, we Democrats—as we have said time and time again to both the President and to our Republican colleagues—are willing to work with you on ways to improve the Affordable Care Act and our healthcare system in general. Drop repeal, and then come talk to us about finding a bipartisan way forward. We are always willing to work in a bipartisan way, but, again, to repeat, ''bipartisan'' means talking to both sides and taking things from both sides, not just throwing a bill down and saying you have to support it. That is what bipartisanship is.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. SCHUMER. Mr. President, let me talk about the retirement CRA, the vote that is coming before us quite soon.

So far this Congress, the Republican majority has passed 13 CRAs—Congressional Review Act resolutions—all on party-line votes. Far from being a major accomplishment, these CRAs just overturn rules passed at the very end of the Obama administration. To make them a major accomplishment of the first 100 days misreads what they are and history, when compared to many other Presidents. Most of them, to boot, even worse, rather than benefiting the American people, just benefit large, wealthy, special interests—not just this one but just about all of them. They are not for working people. They are not for middle-class Americans. If there is some narrow special interest that doesn't like it, then this Republican-led Congress goes along. It is not right. Let me give a few examples.

The Republicans passed a CRA that removed protections for our waters and streams from the harmful pollution that comes from the runoff of mining sites. Why? Large mining companies wanted it. The American people weren't crying out for it.

This Republican Congress passed a CRA that would make it easier for the adjudicated mentally ill to purchase firearms—a priority of the gun lobby, certainly not of the American people. They even passed a CRA that allowed large oil, mining, and gas companies to make payments to foreign governments—essentially bribes—without even having to disclose them.

That is not the America we know. That is not the Shining City on the Hill. That is not the lady in the harbor with a torch.

Today, the Republican majority is going to have a vote on another CRA. This one may be the worst of all because it would block initiatives by States to provide alternative retirement savings options for millions of Americans. Is that because Americans are clamoring: Take away my ability for retirement if my company doesn't give me one. No, we haven't heard a peep about that. It is because the private financial institutions—Wall Street—that manage retirement plans don't want to see any competition from city or State retirement plans. This is just another giveaway to the wealthy special interests that will hurt working Americans who should have more low-cost choices when it comes to their retirement.

We all know our Nation faces a serious retirement security problem. Pensions, often a guarantee for large numbers of Americans, are vanishing. New employers often don't provide pensions. Older employers' pension plans are running low. People who used to feel, when they retired, there would at least be something there so they could live their final years in dignity, are worried, as they should be. Fifty-five million working Americans do not have a way for retirement to save through their employer. That is nearly half—half—of all private sector workers aged 18 to 64. It is a huge concern.

So what did the Obama administration do in its last few months? Wisely, they said States could set up initiatives for employees to save through their employers' payroll systems. The Obama administration acted to allow States to pursue these initiatives by exempting them from overreaching

Federal regulations and then provided necessary consumer protections. That is what people want. Now, maybe some of these big financial interests don't want it because the plans the States head up will be a lot cheaper than the private sector plan, but we have to adapt to the 21st century. Any way we can help people with security in their golden years with retirement savings, we should.

Here is another issue. We hear a lot from our colleagues on the other side of the aisle about States' rights. This regulation doesn't force the States to do it. It allows the States to do it. It gives them a choice. This CRA vote would re-regulate the States.

My Republican friends—who spare no opportunity to decry regulation and exhort States' rights—will impose a new regulation on States from Washington. My Republican friends talk about increasing Americans' freedom of choice in all sorts of matters. What about their choice in terms of retirement, one of the most important things to the American people. Middle-class incomes are squeezed in so many different directions. It is harder to scrape and save for retirement when the cost of college, medicine, and other essentials go up while take-home pay is stagnant. It makes sense to give Americans a choice to start saving earlier, at a lower cost, for retirement. That is why 23 State Treasurers from States across the political spectrum—across Utah and Kentucky, our two speakers before me—have written to their Senators opposing this CRA. Red States and blue States alike want to pursue this option. Polling shows that across party lines, 77 percent of voters support State-facilitated retirement savings, but Republicans want to block it. We haven't heard one good reason—one good reason. We know the real reason. Financial institutions don't want competition, particularly if it is a little cheaper for the worker.

Another example of special interests taking hold of the Republican agenda: Almost every one of these CRAs has been at the behest of a narrow special interest over the interests of working Americans. Unfortunately, it is a metaphor for both the new Trump administration and how our Republican colleagues are marching in lockstep to support the wealthy—people doing great—over the middle class and working people who need help.

President Trump promised over and over again in his campaign to stick up for working Americans. He said he would be their voice and their champion. Since he has taken office, President Trump sure hasn't governed that way. He is pursuing policy after policy that would help the wealthy and hurt the middle class, breaking promise after promise after promise to working Americans. I ask him to veto this legislation.

Leader PELOSI and I are putting out a statement that asks just that. Stand up for working people. There is no good argument against what the Obama administration did. There is no good argument against letting workers decide on their own volition that they want a retirement plan and are willing to put some money into it.

This CRA is another test. If our President and our Republican colleagues were truly a champion of working men and women, they wouldn't support this resolution. If President Trump were truly a champion of working men and women, he would veto this resolution. We call on him to do so.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

REMEMBERING ROSE LANDRY LONG

Mr. CASSIDY. Mr. President, I rise to pay honor to Rose Landry Long. This past week, the State of Louisiana lost a caring mother, loving grandmother, supportive spouse, and, to me, my wife, and so many back home, a dear friend. Rose Landry Long left us too soon, but she will always be remembered. My wife Laura and I had the pleasure of knowing Rose and her wonderful family for over 10 years. We taught two of her grandchildren in our Sunday school class.

Rose was born in Natchitoches, LA, to a French-speaking Cajun family. English was her second language. She graduated from Gueydan High School and became the first person from her family to attend college. There she met her husband, Gerald Long, at Northwestern State University.

A sidenote about Gerald: He is a member of the famous Long family, which includes Huey Long, Earl Long, Speedy Long, Jimmy Long, and many others—respectively, Senators, Governors, Congressmen, and State elected officials.

When Gerald was elected to the Louisiana Senate, Rose came to Baton Rouge and befriended everyone, Republicans and Democrats alike. Just out of being so concerned and loving toward others, she quickly became the center of activity and encouragement for so many. Rose had a way of reaching out to people, connecting with them and making them understand how much she cared for them. You could see each person respond to that care and love.

Rose was a tremendous woman of God. She loved the Lord and was always interested in sharing her love for Him with others. She led Bible studies in every town in which she lived. In Baton Rouge, she led a Bible study for Senate staff, legislators' spouses, which my wife Laura attended. Her commitment to Jesus Christ was embedded in her values and made her the great woman we will remember. Her ability to pass these values to friends and family will live on as a part of her legacy.

Rose Landry Long will be remembered as a great mother, grandmother, and wife, but more than anything, as someone who served others by loving others.

Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Connecticut.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. MURPHY. Mr. President, I am on the floor today to talk about the CRA resolution pending before the Senate today.

I really can't keep track of when my colleagues on the Republican side are for State innovation and when they are against State innovation.

When it comes to Medicaid, the Republicans seem to be very willing to hand a bunch of money over to the States, no strings attached, and let them figure out what to do with it. That is the essence of the bill that cuts $800 billion from Medicaid that is pending before the House of Representatives today. When it comes to retirement, right now we are engaged in a debate that would rip away from States the ability to innovate on behalf of their constituents to try to get them access to retirement savings.

I can't figure out when my Republican friends want States to innovate and when they want to take away from States the ability to deliver results to their constituents.

Let's be honest. We have a retirement crisis in this country right now. The majority of Americans barely have enough money saved to last 2 or 3 years after they retire. Everybody knows this. And the people who are affected by this retirement crisis aren't exclusively Democrats. They aren't exclusively Republicans. They aren't just liberals. They aren't just conservatives. No matter where you live, today you are more likely than not to not have enough money in order to retire. So States have figured this out. My State is one of them.

Many States have recognized that one of the biggest barriers to retirement savings today is the fact that if you work for a small employer, you probably don't have an employer-sponsored retirement plan. In fact, there are over 50 million Americans today who do not have, through their employer, a retirement plan available to them.

Why is that a big deal? Well, it is a big deal because that is the most likely way you save today. In fact, for those 50 million Americans who don't have access to retirement through their employer, only 5 percent of them are going outside of their employer to set up a retirement plan. There are a variety of reasons for that. Sometimes,

people who are working for a company that doesn't offer retirement are making such a small amount of money, they simply don't have the means to save, but many more simply look at the private retirement savings industry as so convoluted and confusing, so opaque, that they don't even attempt to intersect with it.

So we know we have a problem on our hands. We know there are all these Americans who cannot get retirement through their employer, largely because they work for small employers. We know that if you don't get your retirement through your employer, you are unlikely to go out and get it on your own.

Employers would love to do more for their employees. This isn't about employers not wanting to provide a retirement plan for their employees. The problem is that for an employer who only has 3 or 4 or 5 or 10 or 15 employees, it is prohibitively expensive to provide a retirement plan.

A recent op-ed from an Oregon business owner showed that for him, it would cost about $1,100 per employee just in fees to establish a retirement plan. That is not even counting any possible contribution the employer would make. So you can see that for a small restaurant owner or a small retail grocer, they are not likely to provide a retirement plan to their six employees when it costs them $1,000 per employee to do it. Their employees are on their own. Again, very few of them are actually going and setting up their own retirement.

Why does this matter to us? Well, it matters to us first because I think we have a policy obligation to try to help people save for retirement, but it also matters to us here in Washington because to the extent people don't have retirement, they are going to be more likely dependent on the programs that are already busting our budget, like Social Security and Medicare and Medicaid. If you don't have any retirement savings, then you are going to go on Medicaid much earlier, meaning the Federal expenditure that we are all on the hook for, and all of our constituent taxpayers are on the hook for, starts getting spent earlier. So, just as a matter of fiscal prudence, we should be helping people pile up private retirement savings because it will result in less liability for public retirement programs. Yet we are not doing that.

We talk a lot about trying to help people save for retirement, but we are not passing any groundbreaking legislation that helps Americans to save for retirement. Senator ISAKSON and I have this small little bill that says on your retirement statement it should just tell you that if you continue to save at a current amount—this is for people who have employer-sponsored plans—this is how much you will get per year when you retire, just so there is some transparency, so that people can look at the amount they are putting away and be able to clearly and easily understand whether that is going to actually be able to pay for their expenses when they retire. We can't even get that piece of legislation passed through the Congress. That is just a transparency provision.

Let's be honest. The industry is not providing answers either. The industry has had decades to try to figure out how to be more relevant for individuals who don't have an employer-sponsored plan. That number is still at 5 percent. So the industry, maybe hamstrung by Federal rules or State rules, has not been able to fill this void.

So we have this massive number of people who don't have anywhere near the money necessary to retire. The Federal Government is not providing any answers and private industry is not providing enough answers, so States have begun to pick up the ball.

Here is what States are doing. I think there are about 12 States that have either adopted this kind of program that I am about to describe or are in the process of adopting it. States like Connecticut have said: OK. Here is what we are going to do. For employees who don't have an employer-sponsored plan, we are going to allow for those employees to enroll in a private retirement plan, with the State as the conduit.

If the employer can't do it because the fees are too much, then we will give those employees the option to enroll in a private retirement plan, have a portion of their earnings withheld with the State as the conduit. OK. States are deciding to do this. It is supported by constituents across the ideological spectrum. I looked at a survey the other day that said that amongst self-identified conservative voters, three-quarters of them wanted States to be able to have the ability to set up these conduit accounts for people who don't have retirement through their employer. Connecticut has done this; a handful of other States have done it.

The Federal Government needed to clarify, through regulation, how ERISA rules would apply to these State innovations. Why? Well, because ERISA is really designed to regulate the relationship between an employer and the plan they sponsor and the employee. But in the case of these State-backed retirement plans, there is no traditional employee-employer relationship between the person who is enrolled in the plan and the State of Connecticut, in this instance, which is providing the access to the private plan. So a regulation was proffered by the Obama administration that clarified that ERISA rules will not apply to these plans in the same way they apply to the traditional employer-sponsored retirement plans.

ERISA is just a mismatch for this State-based innovation. It seems like a pretty routine regulatory function—the Federal Government clarifying how ERISA rules should apply to those State-based innovations. Nobody had a problem with this, except for the big retirement companies—except for the big Wall Street companies that invented, in their minds, that they would be losing business to these State innovations whereby individuals would get enrolled in private accounts through a State-endorsed conduit.

There are two problems with that. First, the States are not running these retirement plans. All the State is doing is providing access for individuals to a privately run fund. Second, it is not taking any business away from these retirement plans because these people were not going to private retirement plans in the first place. Only 5 percent of people who did not have retirement through their employer were finding a way to a privately run plan themselves. So there was no risk that Wall Street or these big retirement funds were going to lose business.

We don't need to do this just because the big retirement companies have imagined in their minds that they are not going to have access to a set of business that they were not offering in a way that was relevant or cost-effective.

You know, Republicans are either for State-based innovation or they are not. You can't be for State-based innovation when it aligns with a special interest, and then be against it when it misaligns with a special interest. States are innovating to solve a problem that we are not solving. Connecticut—we are representative of other States that have done this.

The consequences of what we are about to do are real. You are talking about 600,000 people in my State who had access to retirement savings who will have it ripped away from them if this CRA passes. That is real. When you combine all of the States together that have passed these innovative retirement plan programs, the number is 12 million.

If your State does not want to do it, they don't have to. If Arkansas does not want to do it or Wyoming does not want to do it, if Tennessee does not want to do it, they don't have to. But why take away from the people of Connecticut the ability to set up a way for employees of very small businesses to save for retirement? Why do you care what we do in Connecticut if that is what my constituents want? Is it just because the big retirement companies told you that they were going to lose business? That is not true. But even if it is, it should be up to the people of Connecticut as to whether we innovate in a way to try to provide more retirement savings to the people of our State. It does not hurt Republican Members if Connecticut does it or California does it.

It feels as if we are scraping the bottom of the barrel when it comes to these CRAs. It feels as if we are going out and asking every special interest group whether they have any remaining problems, minor as they may be, with regulations that were passed at the end of the administration and opening the floor to any and all.

I know there are Republicans who are going to vote no. I know there are some Republicans who have a deep problem with the fact that the Congress is taking away from States the ability to innovate on the question of retirement.

I hope there are enough that this CRA goes down because the consequences to many of our States will be big. Frankly, it will chill any State's interest in trying to solve this problem because you are telegraphing that anytime a State tries to step in and deliver more access to retirement, if it slightly rubs the big retirement companies the wrong way, you are going to step in and take that power away from them. So why would a State step in ever again to try to do something for people who need access to retirement?

If my Republican friends are coming to this floor with a really sound plan to replace the plan that we developed in Connecticut—if Republicans said: Do you know what? I don't think that it makes sense to do this in a patchwork way, this State innovating this way, this State innovating that way; we are going to come in and pass a really comprehensive approach to giving people who work for small companies access to retirement. That is a reasonable conversation to have, but you are not.

Republicans are not offering the people of my State any alternative. All they are doing is robbing from 12 million Americans the ability to get access to retirement. This is a crisis. If we are not going to deal with it and the industry is not going to deal with it, let States deal with it.

This is a terrible, terrible thing that we are doing later today. I think it is going to be a really close vote because I think there are Republicans who know it. I hope there are a few more who think about the message being sent to the States. Think about the fact that on one day you are for State-based innovation, and the next day you are against it.

We have time to allow for States to continue these innovations. I hope we will take advantage of it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank the Senator from Connecticut, who frames this exactly correctly on the vote that we are about to take on a motion to proceed to yet another CRA that will be another broken promise on the part of President Trump and Republicans. President Trump said that he would help workers and put them first. But the legislation we are about to move to will get in the way of our States' efforts to expand access to retirement savings programs, which is something that so many workers in this country really need.

President Trump said that he would drain the swamp, but by rolling back this rule in question, as Republicans are proposing today, President Trump and his party are sending yet another very clear message, on top of many others in the last 100 days. They are listening to Wall Street rather than working families.

This rule—all it does is clarify an existing safe harbor that affords flexibility to States that want to give workers more options for their retirement. It is not complicated. It would do a lot of good for families across the country, including in my home State of Washington.

I will have a lot more to say this afternoon, as I know many of our colleagues will, but this is about taking away the options for people's retirement security. I hope the Senate will turn this down.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 66.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 66, disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. Mr. President, 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 legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

The PRESIDING OFFICER (Mr. SULLIVAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 119 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McCain	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Wicker

NAYS—48

Baldwin	Cantwell	Cortez Masto
Bennet	Cardin	Donnelly
Blumenthal	Carper	Duckworth
Booker	Casey	Feinstein
Brown	Coons	Franken
Gillibrand	Markey	Schumer
Harris	McCaskill	Shaheen
Hassan	Menendez	Stabenow
Heinrich	Merkley	Tester
Heitkamp	Murphy	Udall
Hirono	Murray	Van Hollen
Kaine	Nelson	Warner
King	Peters	Warren
Klobuchar	Reed	Whitehouse
Leahy	Sanders	Wyden
Manchin	Schatz	Young

NOT VOTING—1

Durbin

The motion was agreed to.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 66) disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. The Republicans yield back 4 hours of the majority's time.

The PRESIDING OFFICER. The majority has 1 hour remaining.

Mr. PORTMAN. We have 1 hour remaining. We will keep our hour.

The PRESIDING OFFICER (Mrs. ERNST). If no one yields time, the time will be charged equally.

The Senator from Maine.

UPWARD BOUND PROGRAM

Mr. KING. Madam President, around here we often discuss bureaucracy and regulation and overreach and government getting out of the way. I want to point out and bring to the attention of the Senate and the American people one of the most ridiculous actions of any government at any level that I have ever encountered.

There is a wonderful program that provides support for students going on to college, particularly low-income students and particularly in rural areas. Every year our colleges and colleges across the country file applications for this program called Upward Bound. It is one of the most successful programs of the Federal Government that I have encountered. I have met the students in Maine and from other parts of the country. It is a program that helps these students make the transition from their communities to colleges and to gain a college education.

Applications are necessary, and applications have rules about the size of the paper and that kind of thing. What has happened in this case, on the application of the University of Maine at Presque Isle—affectionately called UMPI—the University of Maine at Presque filed its application, which was 65 pages. They met all the requirements, but they made a terrible mistake. The rules of the Department of Education say that the application must be double-spaced. Indeed, the application is double-spaced, except for

an exhibit on page 21, which is single-spaced. It is double-spaced in the body of the application, and there was one other infographic in the application which was a space and a half—1.5 instead of 2—and the application was rejected for that reason alone.

This is preposterous. This isn't a game. This isn't ''gotcha.'' This is about real people. At the University of Maine at Presque Isle, it is 129 real people, and it is about their access to higher education, their access to a better life, their ability to achieve success. The application of their university was rejected because this little piece on one page and a similar piece on another page was 1½ spaces instead of 2. This is nonsense. This is the kind of thing that makes people hate government. This is the kind of thing that makes people say: What are they thinking down there? What is wrong with Washington? Why can't they get something so simple as looking at the substance of the application instead of applying what can only be characterized as a bureaucratic rule?

I am not one of these people who attack bureaucrats and Federal workers. In my experience, they are good people who are trying to do the right thing, and they make enormous contributions to our country. In this case, somebody somewhere in the Department of Education made a dumb decision, and it is one that is going to impact my people in Maine. I can't just keep quiet about it.

Last week, after letters from the Maine congressional delegation, which I will place into the RECORD, the Department of Education announced: Well, it probably wasn't the right thing to do. This wasn't a very good policy. I guess we made a mistake.

The problem is, it doesn't help UMPI; it only helps people in the future. I have worked with my colleague Senator COLLINS on this. She has done research. Her office has discovered precedents where indeed this kind of thing has happened before and they fixed it. They fixed it so that the application could be considered.

By the way, the decision on these applications around the country has not been made yet. We are not prejudicing anybody. We are not making a change after the fact. All they have to do is go to page 1 of the UMPI application and read it and forget about the fact that it is 1½ spaces in this little exhibit in the middle of the double-spaced application. In fact, we can fix it. We will make this double-spaced. I feel silly even coming to the floor of the U.S. Senate talking about this double-space, 1½ spaces. What are we doing here?

Again, the reason I am so passionate about this is that these are real people's lives. These are 129 young people who will not be able to take part in this program, and very likely their entire lives can be compromised by this. This is a big deal for them. It may be a little deal for the Department of Education, but it is a big deal for the University of Maine at Presque Isle and their students.

All I am asking is for the Department of Education and the Secretary of Education to look at this obvious, ridiculous bureaucratic mistake, correct it, and correct it for those who have been prejudiced by it. It is not just the University of Maine at Presque Isle; I understand there are a number of others across the country whose applications were kicked out for similar reasons.

I understand there has to be some uniformity. It has to be written in English. It has to be on reasonable paper that you can read, and it is not to be handwritten. To reject an application involving 129 young lives in my State because a little piece out of a 65-page application has 1½ spaces instead of 2—give me a break.

This is something that can and should be fixed, and I assume and believe the Secretary of Education and the people in charge at the Department of Education will find a way to fix it and prove to the people of Maine that the government in Washington is not crazy, that we can make reasonable decisions, and that when we make a mistake—and they acknowledged last week that it was a mistake, that it was not good policy, and they have rectified it going forward. But let's admit the mistake and relieve those who have been impacted by that mistake of its weight, of the obstacle that it places in the way of young people's opportunities.

I understand that this issue has arisen in Montana, Wisconsin, Arkansas, West Virginia, New Jersey, Ohio, Washington, Delaware, Alabama, Illinois, California, New York, Massachusetts, Florida, and Maine. It is time for it to be addressed. It ought to be very simple, and it ought to be taken care of in a matter of days—not weeks or months, but in a matter of days—so that those young people and our university can plan and implement and move forward in their mission to enrich and enable the lives of our citizens.

Madam President, I ask unanimous consent to have printed in the RECORD the letter submitted to the Department of Education by the Maine congressional delegation on this subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, April 14, 2017.

Re University of Maine at Presque Isle's Upward Bound Grant Applications #P047A170346 and #P047A170352.

Hon. BETSY DEVOS,
Secretary, U.S. Department of Education, Washington, DC.

DEAR SECRETARY DEVOS: We are writing to support the applications submitted by the University of Maine at Presque Isle (UMPI) for two grants under the fiscal year 2017 Upward Bound Program competition and to express our strong concern that the Department of Education has determined that these applications are ineligible for consideration. As strong supporters of the TRIO programs, we were particularly troubled to learn that UMPI's applications were ruled ineligible due to an unintentional, minor formatting oversight, which UMPI has not been given an opportunity to correct. According to UMPI, the Department's decision risks, over the next five years, denying 960 disadvantaged high school students the chance to fulfill their academic potentials.

The Notice Inviting Applications for New Awards (Notice) for the Upward Bound Program competition, published in the Federal Register on October 17, 2016, includes formatting criteria not mandated by Congress. They are arbitrarily drawn, entirely unrelated to the substance of the application, and do not provide any recourse for applicants to correct minor, unintentional, non-substantive mistakes.

UMPI has applied for two Upward Bound Program grants, and both have been deemed ineligible for the same reason. We understand that the Department has relayed to UMPI that a line-spacing error, appearing within two info-graphics on two of the application's 65 pages, is the cause of the ineligibility determination, as these two pages do not comply with the Notice's double-spacing requirement. These info-graphics are intended to help the reader review the application efficiently and more easily and contain text that is 1.5 line spaced instead of double spaced. It is obvious that the figures merely supplement a well-prepared narrative. Were they removed, or were UMPI permitted to adjust the line spacing on these two pages, the application would easily warrant the Department's review. Yet unbelievably, the Department refuses to review UMPI's application and has provided no opportunity for UMPI to correct this trivial mistake. We strongly urge the Department to reconsider its decision and to allow UMPI's application to be read and scored.

We appreciate that the formatting standards issued by the Department are intended to prevent applicants from attempting to gain an unfair advantage by using clever formatting strategies. When the application is reviewed as a whole, it is clear that UMPI is not seeking to mislead the Department or to gain any unfair advantage. In fact, the error was so insignificant that UMPI could not immediately identify it and had to seek additional guidance. Now, the Department's inflexible and bureaucratic decision could result in the elimination of a longstanding, successful, and greatly needed program on the basis of a non-substantive error before the application is even read.

The Department has not identified for UMPI any other errors in its application. To deny UMPI's application a reading because two figures do not meet an arbitrary typographical format ignores the spirit of the Upward Bound Program, is antithetical to congressional intent, and would seriously jeopardize the future success of hundreds of students in Maine.

The Upward Bound Program at UMPI serves 129 high school students across Aroostook County, Maine, and has a strong and long record of success in sending local low-income, first-generation students to college. Since 1980, it has helped students with great needs access the promise of higher education.

We strongly urge the Department to apply some common sense to the Upward Bound Program competition and read and score UMPI's applications.

Sincerely,

SUSAN M. COLLINS,
U.S. Senator.
BRUCE POLIQUIN,
Member of Congress.
ANGUS S. KING, JR.

U.S. Senator.
CHELLIE PINGREE,
Member of Congress.

Mr. KING. Madam President, I believe this is a simple case that could be easily rectified, and I am confident—I am almost confident that it will be. I trust that common sense will prevail and the well-being of our students will be put above minor technical issues in an application that is so important.

Thank you, Madam President.

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. KAINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LAW DAY

Mr. KAINE. Madam President, I rise today in honor of Law Day earlier this week, May 1. Law Day is an annual tradition that is celebrated around the United States, usually at local bar association luncheons. It has been a tradition for over 40 years as a day to recognize the rule of law. The 2017 theme for Law Day was the 14th Amendment—a post-Civil War amendment, which for the first time in the Constitution defined what an American citizen was, the definition of citizenship, but it also provided a protection for all citizens as an entitlement to the privileges and immunities of all the laws in all the States, and all persons were entitled to equal protection of the laws, as well as no deprivation of life, liberty, and property without due process. It is a powerful and important amendment to the Constitution.

I want to talk about Law Day because there is a matter that is soon to be pending before the body: a proposal in President Trump's fiscal year 2018 budget to eliminate funding for the Legal Services Corporation, the effort that was begun more than four decades ago to try to provide free legal services for indigent people on matters in the civil courts that could affect their lives, liberty or property.

I will say, I am standing here as an attorney who practiced for 17 years and practiced with Central Virginia Legal Aid and saw the value of their work. I am familiar with their work across the Commonwealth and country, and I also have a bit of a personal bias that I have to disclose. My wife Anne was a Legal Aid lawyer from 1984 until 1998—14 years' worth of Central Virginia Legal Aid Society, trying cases, big and small, but also doing something I will use as a theme in my comments. She helped start an award-winning program at Central Virginia Legal Aid to get private lawyers to do voluntary work for indigent clients.

Legal Aid operates like small law firms in all these communities, but much of what they do is not just represent people in court. They bring private attorneys in who are willing to volunteer and provide them the training in cases like housing cases and others that might not normally be part of their practice. The Legal Services Corporation is very critical to the vindication of rights. There is an engraving over the Supreme Court Building across the street: ''Equal Justice Under Law.'' That is supposed to mean equal justice regardless of who you are, your gender, your race, your national origin but also whether or not you can pay. The article III branch, just like the article I or article II branches, is supposed to be open to all. So Legal Services Corporation is critical to providing legal services to people who otherwise wouldn't be able to pay it: elderly, veterans, low-income families, disabled Americans, victims of domestic violence. It does so on a fairly miniscule Federal budget.

The entire funding for legal services is less than one ten-thousandths of the Federal budget. Yet President Trump is proposing to eliminate it. Legal Services Corporation maintains 133 independent nonprofit programs in every State. My colleague from Maine was an attorney with one of those programs and is on the floor today. It funds the operation for 903 separate offices in the country. They served 1.8 million people in 2015. Of the nearly 756,000 cases that they successfully worked on and closed that year, 129,000 of the clients were people over age 60. More than 500,000 of the clients were females. Women comprised 70 percent of the Legal Services Corporation client base and 116,000 of the cases were cases about domestic violence. The offices around the country did as my wife's office did—they relied on these private attorneys, bringing in and training more than 91,000 private sector attorneys who volunteered during 2015 to help a Legal Aid client working with a local office, and they continue to do more.

They partnered recently with Microsoft to develop Pro Bono Net, a statewide legal portal for individuals to obtain direct legal assistance specific to their needs. They established the Leaders Council, comprised of leaders, not necessarily leaders in the legal community but others to promote the value of what they do. LSC in 2016 launched the Rural Summer Legal Corps—30 law students working in rural areas to address challenges these communities encounter.

It goes about its mission in an apolitical manner. Legal Services Corporation is not allowed to lobby. It works in blue and red States, works in urban and rural communities. It works everywhere and for everybody. The legal community is strongly in support of the continuance of the Legal Services Corporation—the American Bar Association and most State bars. In Virginia, just in Virginia, seven statewide bar associations have pledged their support for the continuation of Legal Aid. Many of them visited me in my office last week: Virginia State Bar, Virginia Bar Association, Virginia Trial Lawyers Association, Virginia Association of Defense Attorneys, Old Dominion Bar Association, Virginia Women's Attorneys Association, and the Virginia Hispanic Bar Association. And 160 of the Nation's top law firms have urged this body and urged the White House not to defund Legal Aid, and 185 general counsel's offices from preeminent American companies—Disney, HP, American Express, and GE—have weighed in and said we need Legal Aid.

Many of Legal Aid's clients in Virginia are veterans because we are home to such a huge number of Active-Duty servicemembers, their families, and veterans. LSC helps veterans, Active-Duty military and their families access housing, deal with consumer financial challenges, or deceptive trade practices. Central Virginia Legal Aid recently dealt with a client, an elderly disabled veteran, who received a notice of involuntary transfer or discharge because an insurance company determined that his health had stabilized, despite the fact he was not even ambulatory and incontinent as well. Central Virginia Legal Aid worked with his insurance company to demonstrate this veteran had continuing physical needs, and he needed to have in-home care without further burdening his family, and were able to find a resolution. This is the kind of case that Legal Aid works on every day.

In conclusion, I want to say this. The budget proposal that we will grapple with—my colleague from Maine, who is here, is on the Budget Committee, as well—proposes to eliminate funding for Legal Aid. That would be a very bad idea. It would not help the economy. It would hurt vulnerable people who have nowhere else to turn. I was in the Shenandoah Valley at a senior center about 10 days ago. This was the story that a local Legal Aid lawyer put on the table, as I conclude. A 90-year-old woman in Waynesboro, VA, was ripped off by a traveling salesmen who sold her $10,000 of frozen meat she could not afford—virtually all of her savings. She realized very quickly she had been bamboozled by a fast-talking salesman: Why did I do this? I can't afford it, but I have given him my money. What do I do? This is the kind of case no private lawyer will take. You are not going to be able to get a legal fee for this. This is the kind of case that involves knowledge of particular consumer protection statutes that Legal Aid is well trained to do. And the Legal Aid lawyer who was representing this 90-year-old woman who had been ripped off by somebody said: Look, if I wasn't here for this person, nobody would be here. And that is what you get when you get Legal Aid. That is what you would lose if the Legal Aid was defunded.

I just put it on the table to my colleagues. Many in this Chamber are attorneys. Many have worked directly with Legal Aid offices in their States around this country and know the value of the program. We need to make

sure this program continues. In honor of Law Day this week, I just want to say, I hope my colleagues will join me in my effort.

Mr. KING. Will the Senator yield for discussion?

Mr. KAINE. I will be glad to yield.

Mr. KING. I say to the Senator from Virginia, 48 years ago this summer I joined the national legal services program and went to the State of Maine, where I served people in a very rural area with a whole range of problems. What I came to realize during that time was that the promises of our democracy, the promises inherent in the American idea, are not self-executed.

Every morning we pledge allegiance to this flag, and the last phrase is critical: ''with liberty and justice for all.'' That is a promise made to the people of this country. But the U.S. Supreme Court has found repeatedly, as the Senator knows, that you can't achieve justice if you don't have representation, particularly in an age of an overlapping and complex legal system.

So I believe this is not just another government program. This is part of the essence of the American idea. I remember being up in Maine in this small town of Skowhegan, ME. I met a woman who was visiting from England. She said: What do you do?

I said: Well, I work for this group that provides legal services to low-income people in this region.

She said: How is it funded?

I said: By the government.

She said: Do you ever have to sue the government?

I said: Yes, of course. That is one of the things that you occasionally have to do in order to protect the rights of your client.

She was amazed that in this country we would fund the legal support of people who might actually occasionally bring cases against the government itself. She thought that was wonderful and really epitomized the idealism of this country. So I commend the Senator for raising this issue during Law Day to talk about the importance of this in terms of its relationship to the overall idea of America.

We talk a lot about justice. As you point out, across the street it says: ''Equal Justice Under Law.'' But that often means you have to have competent and professional advocacy and representation. The Legal Services Corporation is not a big part of the budget. It has not grown exponentially over the years. In fact, I suspect in real dollars, it is smaller today than when I entered the service 48 years ago.

But I know it is important. It is important in Maine, with the Pine Tree Legal Assistance, the Volunteer Lawyers Project, and the volunteers from law firms around our State who volunteer to give their time for pro bono legal assistance. But the hub of it is the National Legal Services Program. To me, it epitomizes our commitment to effectuate the promises of American life, not just to talk about them but to make them real. So I commend the Senator for his comments.

Mr. KAINE. Madam President, might I respond to my colleague?

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. I honor his service at Pine Tree Legal Assistance in Maine. We take a little bit of pride in it because he probably got a good orientation to be a great public servant by going to the University of Virginia Law School. None of the Virginia Senators were smart enough to get into the University of Virginia, but our Maine Senator was.

The Senator talks about it as related to our constitutional system. We have three branches. There is an article I branch, the legislative branch. People can participate in the article I branch by voting for Members of Congress or Senators. The article II branch is the executive branch. People can participate in the executive branch by voting. There used to be poll taxes. You could not participate if you could not pay something. Those were stricken down so everyone can participate.

The article III branch is supposed to be coequal, the judiciary. If you are on trial for a criminal offense, under many circumstances, you are entitled, constitutionally, to have an appointed attorney. But what about a civil case? What if you are threatened with the termination of your rights as a parent to ever see your child again? That is a civil case.

You are not entitled constitutionally to have an appointed attorney. But it is those kinds of cases where legal services comes in and provides an opportunity for people to participate in the article III branch.

We should not have a branch of government and block people from participating in it, without the ability to receive assistance of counsel on matters dear to your life. You are essentially blocked from participation in one of the three branches of government. That is why this is so important.

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. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Madam President, for the second time in an administration that has just crossed the 100-day threshold, Republicans in the Congress have teed up legislation that is going to make it harder for working Americans to save. This time, there is a proposal in front of us that goes after a brandnew program that my home State of Oregon is just now getting ready to launch.

Let me make my views on this proposal clear, quickly. This legislation puts the special interests before working people, and it is just that simple.

We all understand there is a savings crisis in the country. The typical American who works hard and brings home a paycheck every week or two is struggling to get money set aside for their retirement.

Just think of the economic challenges these families are up against every day. Millions of young people are buried under student debt, so the prospect of saving for retirement feels like a dream and will remain so for years and years.

Parents raising kids are faced with steep home loans and everyday bills. At the same time, it can seem as if the sticker price of a 4-year college education can match the GDP of a small island nation.

The numbers on the savings crisis are just alarming. More than half of workers approaching retirement have nothing. That means zero set aside in retirement accounts like IRAs or 401(k) plans. Tens of millions of Americans do not have access to retirement plans at work. In my view, addressing these kinds of challenges ought to be a bipartisan priority, a priority where both sides of the aisle get together and respond.

In response to this crisis, my home State, along with a few others, has looked to find a fresh approach to deal with retirement savings. We want working people and middle-income families—particularly those who don't have access to a savings plan today—to have more opportunities in the future to set money aside.

My home State found a way to do it. Oregon found a way to do it in a kind of Oregon tradition that eliminates a lot of hassle. We are one of a handful of States that has passed what is called an auto-IRA law. At home, we call it OregonSaves, and we are going to be launching it in just a few months. What it means for Oregon workers is that when you get a job, you are going to get a retirement account, so that is not really complicated. When you get a job in Oregon, you are going to get a retirement account. You can start setting aside a little bit with every paycheck.

By the way—and I want to emphasize this—it is not mandatory. People have the right to opt out. So when people say: Oh, government is going to force people to do this and that and something else, the Oregon plan is just the opposite. It is voluntary in all particulars.

What it means for business owners—particularly small business owners—is that they can offer a savings plan without crippling fees or the hassle of dealing with redtape.

OregonSaves, what we are about to bring out of the starting gate, is simple. It is easy to understand. In my view, it is exactly the kind of innovative program we need to combat the savings crisis that has hit all parts of the country.

Over the years, I have often heard Members come to the floor and glowingly describe the States as the place

where the action is. They call them the laboratories of democracy. The theory, of course, is that States ought to be empowered to come up with new ways to tackle challenges.

I have to tell you, it is a head-scratcher why the majority here in the Senate would want to make it harder for innovative States like Oregon to put in place a savings program that is voluntary in nature.

So after all these speeches I hear about the States and States' rights and that the States are the laboratories of democracy, when it comes to a program that is voluntary in nature, the majority here still seems to think what we ought to do is say no.

I know the Presiding Officer cares deeply about how policies relate to rural areas. This is going to be especially hard on rural parts of the country.

I talked first about this issue during a debate a few weeks ago. Several employers had written my office to say how important OregonSaves would be for them. I shared a handful of those stories on the floor, and it was striking how many of those employers said that this would be a sea change for rural businesses in terms of recruiting workers. Thanks to OregonSaves, they would be able to compete when it comes to job benefits. The bill we are considering now would put in doubt that program that employers said could make a big difference, particularly in rural areas.

OregonSaves and programs like this involve years of discussion, years of effort to work with the Department of Labor. There has been a lot of consultation between the Federal Government and the States to get the legal roadblocks out of the way. Now that work is in danger with this vote.

So, colleagues, what I would like to do in wrapping up is to just step back for a minute and talk about what this body has been working on.

Even though the majority party has unified control of the government, we are not exactly at this point churning out bill after bill—certainly not landmark legislation that responds to the challenges facing American families. Mostly to this point, there have been votes on nominations and bills tossing out a bunch of Federal rules that protect the people who have no power or clout in America.

An awfully large share of the business of this Congress comes down to taking steps like the one we are looking at today, making it harder for the American people to save. I don't think this is just a step in the wrong direction; this is a sprint in the wrong direction. That is what we are dealing with today in the Senate.

Programs like OregonSaves are a commonsense response to a national savings crisis. The Congress should not be passing legislation threatening those programs, making the savings crisis even worse in communities across the land.

I urge my colleagues to oppose this legislation.

Madam President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

OPIOID EPIDEMIC

Mr. PORTMAN. Mr. President, I rise to talk about an issue that affects every single Senator in this body and all of us as Americans, and that is this epidemic of drug use—opioids—which would be heroin, prescription drugs, the new synthetic heroins, like fentanyl, carfentanil, and U–4. It is devastating our communities. This is the worst drug crisis we have ever had in this country. That is my view, but it is also the view of a lot of experts. I have been involved in this issue for over 20 years, and I have never seen anything like it. That is why I have come to the floor to talk again today. This is the 34th time that I have spoken on this issue on the Senate floor in the last year or so.

I come with sadness in my heart because it is not getting better. Based on the statistics I have seen from my home State of Ohio and around the country for the first quarter of this year, it looks like the number of deaths and overdoses from drug abuse are increasing, not decreasing. Part of it is because of these new drugs coming in, particularly synthetic drugs, including fentanyl, carfentanil, and U–4—things that are produced in a laboratory by some evil scientist somewhere and shipped into our country.

So the need to act has grown only more urgent. Every day we are now losing 144 Americans to drug overdoses. Think about that. Every single day, 144 Americans are dying of drug overdoses. It has now far exceeded the number of people who are dying in car accidents in my home State of Ohio and it is exceeding that number around the country.

Millions more are not dying of overdoses but are seeing their lives and their futures ruined, and millions of us—those of us who are not drug addicted but who have friends, family, and neighbors who are—are watching loved ones as they fight this addiction. Maybe they have lost a job. Maybe they have broken relationships with families and friends. Maybe they have committed a crime like theft, shoplifting, or fraud to pay for their habit. Maybe they have just given up hope.

Just last week, I met with some community leaders from Dayton, OH. As it happens, no matter where I am in Ohio, this issue comes up and this is what they want to talk to me about. They wanted to talk about the story of Nathan Wylie.

Nathan Wylie was a happy 13-year-old boy. He was a Cincinnati Bengals fan. His goal in life was to be a professional football player. He wanted to play for the Bengals one day. He had his whole life ahead of him.

Nathan's dad, according to police reports, is a heroin user. One day a few weeks ago, Nathan got into his dad's heroin, and he overdosed. His dad took him to the fire station and first responders did what they could. They took him to Dayton Children's Hospital, but it was too late. Nathan died of an overdose at age 13.

Two weeks ago, a 14-year-old girl in Dayton was mowing the lawn at the apartment complex owned by her grandparents, and she came upon a body on the ground. It turns out that it was a 25-year-old young man who had died of an overdose.

This is what is happening in our communities.

Just a few hours after this young man who died of an overdose was discovered by this girl, Dayton Police responded to a car accident on Route 35 where a man had driven through a barrier and knocked over a street light. Police arrived and found the driver passed out with a used needle on the floor of the car. In this case they saved his life. They used this miracle drug called naloxone, or Narcan, which reduces the loss of life because it reverses the effects of overdoses. It doesn't always work, but it works the vast majority of the time if you get there in time. He was revived, and he said that he not only just used heroin, but that he was on his way to get more when he overdosed and almost died.

So I could go on. We see these headlines every day, not just in Dayton, OH, where I talked about these three cases, but all throughout our State and our country. That is why people are starting to take action to turn the tide, and I commend them for it.

Last week, more than 500 religious leaders across northeast Ohio banded together and said: We are going to do something about this. They took to their pulpits all at once to speak about this issue. A lot of them talked about National Prescription Drug Take-Back Day, which was this past Saturday that it occurred. Father Bob Stec of St. Ambrose Parish in Brunswick, OH, gave his parishioners a three-part action plan. No. 1, get educated. Learn about these opioids. Learn about the connection between prescription drugs and heroin. With many heroin addicts, their use started with prescription drugs.

No. 2, throw out unnecessary medications from your medicine cabinets. It is unbelievable the number of people I have run into who have said they started because they took prescription drugs, and they got their prescription drugs—in one case, a young man told me—from his grandmother's medicine cabinet.

No. 3, he said, was to pray for our first responders. God bless them, because they do save lives every day—in Ohio, 16,000 lives last year. Without them, the death toll would be far higher and the damage to our community would be far greater. They are as frustrated as anybody, by the way, by this epidemic. They want to get to the bottom of it, to be able to focus more on prevention and treatment and recovery. They don't want to keep applying Narcan to the same person again and again.

So I want to thank Father Stec and all of the other religious leaders for being willing to roll up their sleeves and to get involved. If they prevented even one addiction from starting, then they have made a permanent impact on the community. I am convinced that those 500 pastors, ministers, and rabbis have saved lives.

People in Ohio are taking action in other ways too. People are forming groups, particularly parent groups. Those who have lost a child are banding together and talking about how they cannot just console one another and support one another but put in place plans to help others.

I was at a treatment center recently when there were a couple of families there, and they spoke up. They are involved in the center. They come every day. They are there because they lost a son or a daughter to overdose. God bless them for stepping forward.

The Federal Government needs to do more too. We need to take action because we can be a better partner with States, local communities, and families. It is not going to be solved in Washington. Washington is not the solution, but it is part of the solution by being a better partner. We can take best practices from around the country as an example, as we did in the Comprehensive Addiction and Recovery Act, which passed this Chamber last year, and spread those around the country so that every community has the opportunity to make a bigger difference.

Last week I met with Governor Chris Christie of New Jersey. He has a passion for this issue. He is leading the President's Commission on Combating Drug Addiction and the Opioid Crisis. I thought it was a very good meeting. Governor Christie is serious about this. I think he is going to be a constructive partner with the Congress and with our President to help turn this tide. I am glad he was selected, and I am glad he has the Commission going.

I will tell you, though, that my message to him was twofold. One, I am glad you are doing this, but, second, let's take action. We don't need another commission to study this problem to know that this is an area where Congress and the administration can work together to take action.

In fact, this agreement that we will vote on in the Senate this afternoon and again tomorrow to fund the government between now and the year's end actually includes a lot of good legislation to help with this crisis. It fully funds the Comprehensive Addiction and Recovery Act I talked about earlier, or CARA. This legislation is the first comprehensive reform to Federal addiction policy in 20 years. It treats addiction like a disease, which it is. It focuses on prevention, education, treatment, and recovery and helping our first responders with Narcan. It is very comprehensive because that is the only way to get at this issue—to do it in a comprehensive way.

The legislation we will vote on today and tomorrow also fully funds the 21st Century Cures Act, which includes more funding that goes directly to the States to deal with opioid addiction.

In the funding bill, we have funded the CARA programs now at over $200 million for this fiscal year. That is more than the bill authorizes, and that is good news because we need it.

It includes $103 million in grants from the Department of Justice for drug courts, veterans courts, and prescription drug monitoring programs. It also includes $114 million for Health and Human Services grants for Medicaid assistance treatment, treatment for pregnant and postpartum women, and for supplying naloxone—again, this miracle drug can actually reverse an overdose—also known as Narcan, and this will help our first responders. It also provides training for them to be able to use it effectively.

It also includes $50 million authorized by CARA for the Department of Veterans Affairs to treat and prevent opioid addiction at the VA, as well as funding CARA's recovery services—the first time any Federal law has ever focused on recovery, not just for treatment but for longer term recovery.

By the way, when there is a good recovery program, the rate of success is dramatically increased—much improved. So it is important that Congress is being a better partner with regard to recovery.

Last week, the Department of Health and Human Services also announced that $26 million will also go out as part of the Cures Act I spoke about to the State of Ohio. Every State in the Union applied for that money, and States are getting money, and it will be very helpful. I know our Governor and our legislature will put it to good use.

These are important steps. But I will tell my colleagues—and I said this to Governor Christie—that by my count, there are at least six provisions of the Comprehensive Addiction and Recovery Act that have not been implemented yet by either the previous administration or this administration. By the way, this is 9 months after CARA was signed into law. Let's get these programs all up and going.

We haven't set up the Pain Management Best Practices Interagency Task Force yet. What does that mean? We need a strategy for figuring out what the best practices are for pain management, for opioid prescribing and alternatives to potentially addictive opioids.

This is really important. Think about it. Four to five heroin addicts started with prescription drugs. Still, when you go to the doctor and you have an injury or an accident, it is not unlikely they will give you some pills—prescription drugs—and they will be addictive.

We have to be sure we do everything we can to come up with nonaddictive forms of medication, right? If we don't do that, we will continue to have the problem. We need to stop overprescribing. We have made some progress, but not enough. When a young man or a young woman goes to get their wisdom teeth taken out, they should not be given opioids. This has happened too many times. I have met two families from Ohio, one whose loved one died from an overdose because as a teenager he went in to get his wisdom teeth taken out and was given a bunch of these pills—60 Percocets in 1 case—and then, because he got physically addicted, he ended up going to heroin as a cheaper and more accessible alternative and ended up overdosing. That shouldn't happen.

So this is an important part. It can be done right now. Let's get this up and going and let's push back on overprescribing. Let's find ways for the pharmaceutical companies to produce medication that actually is not addictive that can help with regard to pain management.

Second, we haven't started the public awareness campaign about the dangers of opioid abuse and the link between these prescription drugs and heroin and other synthetic drugs like fentanyl. Let's do it.

In the legislation we have authorized an amount of money for the Federal Government to do a national awareness campaign that lets people know about this, because most of my constituents don't know about it. When the doctor prescribes those pills, they think that because the doctor prescribed them, it must be the right thing to do. Instead of taking maybe one or two, they are fine with having their kid or their brother or sister or mother or father take the whole dose when they aren't needed, perhaps, because they don't know about the link. They don't know these pills are addictive. Just getting that information out there is going to save lives, and it is an important part of turning the tide. Let's do it. This public awareness campaign can be implemented now.

The Department of Health and Human Services has not yet released information on alternative treatment options for youth sports injuries and about how parents and kids can seek treatment if they become addicted as a result of a prescription. Why wouldn't that make sense? Let's do that. Let's do it now.

I have had, unfortunately, many instances of talking to parents about a

kid who was injured in high school through a sports injury and who was prescribed opioids and, again, the parents and the kids didn't have the information to know how dangerous this can be.

There is a guy I worked with a lot on prevention who goes to colleges and high schools and talks about this. He talks about his son Tyler. He was a football player. He must have been a great kid; I wish I had met him. He had an injury, and, of course, the coach said to play through it, and the doctor said: If you take these pills, you can play through it. He became physically addicted. Again, he later turned to heroin as a less expensive alternative because the pills were too expensive. He overdosed and died. His dad, by the way, is channeling his grief into something really constructive. God bless him.

The FDA has not yet announced its action plan on approving new opioids. The legislation we wrote, the Comprehensive Addiction and Recovery Act, says the FDA has to seek recommendations from an advisory committee before approving any new opioid, and they have to label any opioid that is going to be used by kids—label it. The FDA is also supposed to issue guidance to educate prescribers on this issue. They have not yet done that. Let's do it. That action plan of approving new opioids is something we can do. We don't need another study or a commission to do it. Let's do it.

The National Institutes of Health hasn't begun CARA's clinical research into alternatives to opioids for treating chronic pain. NIH should do that. Now, they may say after hearing this speech that they are starting to do it. That is great. Let's do it. Let's get that information out there. Let's use the NIH and all the great researchers we have there and the great tools we have there to come up with alternatives that are not addictive.

The Department of Justice has not yet expanded the prescription drug take-back program. As I mentioned, National Prescription Drug Take-Back Day was last Saturday. This is where you can dispose of your prescription drugs in a safe way. You know it is going to go into a safe receptacle where some trafficker is not going to take the drugs and spread them around our community, which, by the way, has happened. This is a really important program to get these painkillers off of the bathroom shelf. I mentioned the young man who got his grandmother's pain pills, and that is how he started his addiction.

So get them off your shelves. If you are listening today and you haven't taken this action, I urge you to do it. Somebody is going to be at your home, maybe fixing your plumbing, or somebody is helping to clean your home or something else; or kids might be in your home, or maybe some friends of your kids, and those pills are just too darn tempting. The cost of one pill is about $80 on the street. So think about that. Get rid of those pills. Take them to a drugstore where they have a receptacle now or take them to the police department where they have a receptacle. Be involved in these drug take-back programs.

Almost every community in America participated on Saturday. There were tons of drugs—and I mean tons—that were disposed of. That is a good thing and that is going to save lives, but, again, the Department of Justice can expand that program. Under our legislation, they are authorized to do it. Let's do it. This is something that can be done right now. These are steps that HHS, DOJ, and others can take right now under the authorities already given them. It will make a difference. Again, this crisis is getting worse, not better. To turn the tide, we have to do all these things and more.

I also wish to mention that in addition to these important parts of CARA and other actions the administration can take is that the Secretary of Housing and Urban Development, Dr. Ben Carson, can increase access to sober housing for people coming out of treatment. I know Dr. Carson well enough to know he has a passion for this issue and he wants to address it. This is one way to address it.

Under the previous Obama administration, sober living facilities lost priority if they had a zero tolerance drug policy. To me, that makes no sense. Dr. Carson has the authority to change that and to make it easier for folks who are in recovery to stay clean over the long term. Again, I hope the administration will take that step and these other important steps. Whether it is FDA, whether it is NIH, whether it is DOJ, whether it is HHS, whether it is Housing and Urban Development, we have opportunities without new legislation. This is either already authorized or actions they can take. Let's go ahead and do it. Let's do everything we can.

None of these individually is a silver bullet. There is no silver bullet. This issue is ultimately going to be decided in our communities, in our families, and in our hearts. We all have to get involved. All these will help. All these will help to ensure that we are responding to a true crisis in our community. If we do all these things, I believe next year can be better. This year is going to be worse. All the data shows that the number of overdoses and deaths—in my State of Ohio, in your State—are increasing this year compared to the last year.

It doesn't have to be this way. All these actions taken together on prevention and education, better treatment, longer term recovery, sober housing, ensuring that we are moving away from overprescribing and providing alternatives to addictive pain medication, ensuring that we do provide our first responders with the training they need on Narcan and naloxone, to get people who are overdosing and save their lives and then get them into treatment—not just save their lives but get them into treatment. All of that together will make a difference.

I believe we can turn the tide. I believe we can save lives. I believe we cannot just save lives of those who otherwise may overdose and die as a result of their overdose, but we can help all those who are addicted—the hundreds of thousands of people in Ohio, the millions of people across our country—to be able to achieve their dreams by getting them into treatment programs.

There is good news here because there are so many examples of people who have gone into treatment and longer term recovery and turned their lives around, many of whom are now helping others to do the same, many of whom are back at work, back with their families, back being the kind of citizens who contribute to our society in so many ways. That is the hope, and that is what can happen if we work together to implement this legislation, to do everything possible to have this broad, comprehensive approach to turn the tide.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I come to the floor with a simple question for my colleagues, especially my Republican colleagues: Why is it that this Senate is working to pass a law which will deny millions of our fellow Americans access to the kind of retirement saving plans which we have access to as U.S. Senators? Why are we doing that?

I know all of us recognize that we have a retirement savings crisis in this country. Too many Americans are saving too little for their retirement years. We should be making it easier for people to put aside some savings for their retirement rather than making it harder. Yet this legislation will indisputably make it harder for millions of Americans to put aside the kind of savings for their retirement that Members of the U.S. Senate enjoy.

All of us know there are really about three legs to the retirement stool. The fundamental basic piece is the Social Security savings. That is the bedrock of the retirement system, but we all know that living off of a Social Security retirement benefit by itself is very difficult. After all, the average monthly Social Security benefit as of January of this year was $1,360 a month. That is the average. That means there are a lot below it and a lot above it. I can tell you, $1,360 a month and below is really difficult for somebody to get by on in terms of housing costs, medical costs, and other costs people are facing today. That is why we need to strengthen Social Security, not weaken it.

The second leg of the retirement stool for most Americans for much of our history in the postwar period was a defined benefit plan through our employers, where employers—especially

large employers—would provide their employees a retirement benefit of a set amount over a fixed period of time during retirement. So that was something people could rely on. As we all know, we have seen that leg of the three-legged stool be dramatically cut down. It is not the practice of most businesses today to offer defined benefit plans.

The third leg of that stool has been personal savings, the ability of people to put aside a little money for their future. Just a few years ago, we had a big wake-up call from the General Accountability Office, where they looked at retirement around the country and concluded that almost 50 percent of households of age 55 and older have no retirement savings in vehicles such as 401(k) plans and IRAs. That same GAO report found that 57 percent of workers' entire household savings and investments was less than $25,000. More striking was that almost one-third of American workers had less than $1,000 in total savings. One-third of American workers had less than $1,000 in total savings.

We also know that 55 million Americans today do not have access to tax-benefited, tax-incentive retirement plans like 401(k)s enjoyed by those who work for major businesses. In fact, as all of us know, Members and employees of the U.S. Senate have access to 401(k) plans. If you work for a large business or a corporation of the United States, chances are you are going to get a 401(k)-type plan which allows you to deduct immediately through your paycheck funds for the purposes of your retirement savings. Of course, many businesses also have some matching and incentive for those savings.

So when we have a situation where 55 million Americans don't have access to those kind of savings plans—which are an increasingly important part of retirement security because of the fact that defined benefit retirement has gone down so dramatically—most people would ask: How do we incentivize? How do we incentivize more savings? One innovative solution is in a growing number of States, as of now, five States, including the State of Maryland. What the State of Maryland and other States determined was that it is not that small employers or medium-sized employers don't want to provide their employees with access to these plans. They do. They want to be able to offer that kind of benefit, but there is a cost, an infrastructure cost. There is a burden to providing those kind of tax-preferred vehicles for retirement savings to their employees. That is why they are not provided.

So what the States have done is, they have developed platforms which allow those small businesses or medium-sized businesses, on a totally voluntary basis, to sign up so their employees can benefit from these tax-preferred savings vehicles—just like Members of the U.S. Senate, just like most people who work for large corporations. In Maryland, we have hundreds of thousands of Marylanders who were signing up for these—a lot of people work for small businesses, a lot of people work for startups, a lot of younger workers who are mobile and going from one place to another—because this allows them, no matter which employer they go to, to make sure they can access that vehicle. All it requires is the employers to sign up for this platform which makes this retirement savings easier.

What is really strange here is that in Maryland, this has been a totally bipartisan exercise—totally bipartisan. We had Republican State senators, Democratic State senators, members of our house of delegates, our Republican Governor signing the bill because everyone recognized that this was kind of a good thing to encourage these savings opportunities to more Marylanders.

So why in the world would we, in the U.S. Senate, be passing a resolution which knocks down the ability of States to provide these kind of savings platforms? I have to say I have not heard an answer on the floor of the Senate. In fact, I have heard very few Senators coming to defend the vote we are apparently going to take at 5 o'clock.

I know for sure that Candidate Donald Trump did not campaign on the idea of making it more difficult for hard-working Americans to save for their retirement. That was not something he talked about on the campaign trail. In fact, I thought a lot of his campaign message was how he was identifying with struggling working families and wanted to make life easier for those working families. That is what States like Maryland are trying to do—make it easier for people who work for small businesses and medium-sized businesses to put aside a little bit of their savings for their retirement because, as I indicated, right now, if you look at the different pillars of retirement, you have Social Security and you have very little or a dwindling amount through a defined benefit. Really, what we are left with are personal savings.

It is pretty alarming to see people in this Senate charging ahead to try to eliminate the ability of States to do this. A few weeks ago, this Senate voted to deny municipalities the ability to do this. That was a very bad decision. Let's not compound a bad decision by taking this right away from the States. After all, I hear from my colleagues all the time that States are the laboratory of democracy. This is where experimentation should take place. This has been a successful experiment. It has been a successful experiment in five States. It also doesn't cost the Federal taxpayer one dime—not one dime. It is a very low-cost option for the States that enact these through their own democratic process in the States. As I said, this has been a bipartisan process in these States.

I really hope people will take a deeper look at what we are going to be voting on at 5 o'clock today because I have heard a lot of our colleagues on both sides of the aisle justifiably talk about the retirement crisis we have in this country. Yet this Senate is poised to vote on a piece of legislation that will make saving for retirement more difficult for tens of millions of Americans.

So exactly what is it we are going to vote on? Well, the Obama administration wanted to make it clear that States had the authority to establish these platforms to help with savings because there was some ambiguity under Federal retirement law whether States could do it. They adopted a rule that made it clear that States would have this option, and States have moved ahead. Now this Senate is talking about undoing the rule that provided clarity so the States could move forward and offer these retirement platforms.

I really hope this Senate will not vote today to take away this ability of States to help millions of our fellow Americans provide more money for their retirement savings.

I will close where I started. How can any Member of this Senate look their constituents in the face and say to their constituents that they voted to take away a retirement savings option from their constituents when they have that savings option here as Senators? In the U.S. Senate, like a lot of other large organizations, we have retirement savings plans and we have 401(k) plans. So it is difficult to understand how in good conscience Senators who enjoy the benefit of that kind of plan can pull the plug on the ability of States to offer that same kind of savings plan—in fact, not even as good, but at least that savings platform to millions of our fellow citizens and say to small- and medium-sized businesses that want to offer this benefit but find it a little too costly—to deny them the option of signing up for these State plans.

So I hope every Senator will examine his or her conscience on this and make the decision that they want to make sure their constituents can have access to at least some kind of the same benefit they have as a U.S. Senator.

I urge my colleagues to vote against the resolution.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, our Nation faces a retirement savings crisis. Too many seniors live in poverty after a lifetime of hard work, and too many people are facing retirement who have not been able to put away the adequate savings they will need. That is a problem not only on a human level and on a moral level but on an economic level.

When seniors are forced to live in poverty, that hurts all of us and is a strike against our Nation's values. As more people have to spend money to take care of their retired parents and relatives, that hurts our economy. Millions of seniors do not have family

members who can spend those resources, so it is taxpayers who will have to make sure seniors have a place to live, food to eat, and medicine to keep them healthy. That is why we must do everything we can to help people save for retirement themselves and not have to rely on the taxpayer, to help them put a little bit of money away while they still can.

At the very least, the Senate should stay out of the way of our States that are taking action to address this looming crisis, but that is not what the Senate is doing here today. Instead, we are debating a resolution that would make it harder for people to save for retirement. We are debating whether to limit the ability of State governments to help people save for their retirement.

While some Americans are fortunate enough to work at companies that offer their employees retirement plans, many more do not. That is significant because research shows that the best way for people to save for retirement is through a retirement plan at work. Without one, workers are less likely to invest in an IRA or a 401(k) savings plan. That is why it is so worrisome that there are 55 million Americans right now in this country who do not have access to a retirement plan through their jobs. As the baby boomer generation approaches retirement, that is a serious problem.

President Obama proposed establishing a national individual retirement account program to help these 55 million Americans, but Republicans said no. In the absence of congressional action, both red States and blue States took the lead. They did so by coming up with a way for Americans to better save for retirement. One solution that has gained momentum over the last few years is to establish retirement programs at the State level to give people the chance to have retirement contributions deducted out of their paychecks into that plan if their company doesn't already offer a retirement program. It would give every worker across this Nation the same access to the tax breaks those lucky enough to have access to an employer-sponsored plan receive.

In my home State of Illinois, we were one of the first to do this. A few years ago, our State created the Secure Choice Program. It is an innovative program that is poised to give 1.3 million Illinoisans the opportunity to save for retirement when it launches next year. It is important to note that not only is Secure Choice innovative, it does not impose any burdensome mandates. It is optional. People can deduct up to 3 percent of their wages, and it applies only to businesses with at least 25 employees that have been in existence for 2 years. Secure Choice is also portable, so people can take their savings with them if they switch jobs. It is estimated that it will save taxpayers almost $243.8 million in the first 10 years because retirees will not need to rely as much on Medicaid spending.

It is a pragmatic solution to address a real-world problem. Other States have since followed our lead in establishing other similar programs. That is why I find it so ironic that my Republican colleagues, who frequently speak about the need to protect States' rights, are using this resolution we are voting on today to try to block States as culturally and politically different as Illinois and Arizona from offering or even having the freedom to offer these plans. Instead of allowing States to be the laboratories of democracy they so often talk about, Republicans are trying to limit States' flexibility and, in the process, increase regulatory burdens on employers. That is quite a role reversal.

Why is there this push to block the States from trying to help their residents better save for retirement? One reason could be that it would pad the financial industry's bottom line. That is because many investment brokers don't want increased competition, and they are worried that programs like Secure Choice that are run by States will offer people who are saving for retirement a better deal.

News reports have indicated that mutual fund companies are worried that they will lose customers to State-based plans, even though the entire purpose of efforts like Secure Choice is to help the millions of Americans who are not currently saving for retirement. Other news outlets have reported that financial analysts on Wall Street are worried that State plans will be transparent about hidden fees, which means that financial analysts may be forced to reveal that they are charging fees that are perhaps a little too high and will have to lower how much they charge.

Instead of encouraging greater competition that will help 55 million Americans save money for retirement, some of my colleagues are listening to Wall Street lobbyists who want less competition and who want to take away a retirement savings option from hard-working Americans. And here I was thinking that the conservatives believe competition produces better outcomes for the American people.

At the end of the day, we as Senators must do everything we can to make it easier for people to save for retirement, not harder. We must look out for the constituents who sent us here to represent them, not for Wall Street or for special interests. That is why I urge my colleagues to stand by the States that have led the Nation in creating retirement plans, States as different as Illinois, Arizona, California, Maryland, Oregon, Connecticut, Washington, and New Jersey. Please do not take the opportunity to save for retirement away from 55 million hard-working Americans.

The PRESIDING OFFICER. The Senator from Virginia.

COAL MINERS HEALTHCARE BENEFITS

Mr. WARNER. Mr. President, I rise today to join with a number of my colleagues, and I thank the Senator from Illinois for her comments on pensions, but there is another battle that a lot of us have been down here for a number of times over the last couple of years; that is, how do we make sure this country honors its promise and provides a permanent fix for our Nation's coal miners, particularly in terms of a promise that was made back in the late 1940s by then-President Truman in terms of healthcare for miners?

The last few months have been filled with an awful lot of uncertainty about whether the promise of healthcare for miners, retirees, widows, and others would be kept. As a matter of fact, earlier this year, 22,000 coal miners or their dependents received notices that their healthcare benefits would be terminated at the end of April.

After months of uncertainty and fighting, we stand ready later this week to pass a bill that would make sure America kept its promise. We have spent a lot of time on this floor arguing for causes, but rarely in the 8 years I have been here have I seen any Member of the Senate be more engaged, more obsessed, more of a pain in the neck—and a pain in other parts of bodies—on this issue than my great friend, the Senior Senator from West Virginia, JOE MANCHIN. The truth is, without JOE's tireless work and leadership, I am not sure the miners in West Virginia or Virginia or Pennsylvania or other States that were affected would be able to look at this piece of legislation and know that their healthcare benefits are going to be maintained.

This didn't come easily. If nothing else, this shows again the power of persistence. JOE first raised this issue in July of 2015, when he introduced the Miners Protection Act. Since then, he has brought it up—I ask my colleagues to contradict me if it is not the case—in every public meeting or private meeting. Whenever there were more than two or three Senators engaged in any topic, JOE would come bursting in and say: We have to take care of the miners.

Well, there are a lot of times here in this Chamber that those kinds of efforts are not recognized or rewarded. I just wanted to be one of the first to say on behalf of all the miners in Virginia—but more importantly to the 22,000 miners who otherwise would have lost their healthcare—that many of us played some small role, but we wouldn't be having a permanent fix to the law without the absolute leadership, dedication, and determination of JOE MANCHIN.

Before I turn it over to my colleague from Pennsylvania to make a comment or two, I know that at times Senator MANCHIN, as a former Governor, has wondered: Can you really get stuff done here? Well, there are a lot of issues we still have to work on; there are a lot of things we haven't gotten done. But for a whole lot of miners, their widows, and dependents, without the Senator's leadership, America wouldn't have

kept its promise. Because of his leadership and work, those miners, at least in terms of their healthcare, can rest easy.

With that, I yield the floor to my friend from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I thank my colleague.

Mr. President, I rise to speak about what the Senior Senator from Virginia just spoke about, and that is the miners' healthcare. We have complete action at long last. This should have been done in December, when we were pleading with the majority leader at the time to get it done then.

But we are happy we are at this point now, where one of two—one promise has been fulfilled, and that is the promise of permanent, guaranteed healthcare for thousands, tens of thousands of miners across the country. In my home State, the last count was 1,955. Let's round it off to 2,000—a lot of families. We are grateful we are at this point.

I do want to reiterate what Senator WARNER said about our colleague from West Virginia, Senator MANCHIN. He is right. JOE MANCHIN brought this up at every meeting over the course of many, many months and several years. We are grateful for the leadership he demonstrated and grateful that he kept us all focused. I thank all of our colleagues who worked on this.

I think, initially, going back years ago, before Senator MANCHIN was in the Senate, Senator Rockefeller was raising this issue. This really has been around a long time—for at least 5 years. We heard this morning from Cecil Roberts, president of the United Mine Workers of America, who talked about this 5-year fight.

I commend and salute Senator MANCHIN. I also thank the committee dynamic here, the Finance Committee—several members on the committee—with Senator WYDEN helping us get this bill, the Miners Protection Act, through the Senate Finance Committee and the leadership of Senator SCHUMER, as well, in focusing our caucus on getting this done.

I just want to make two additional points. One is a negative note, but I think it is important to point this out. There was a story yesterday in the publication, ThinkProgress. Here is what the headline was: ''Trump administration admits it used miners' healthcare as a bargaining chip.'' That was the headline. Then the subheadline was: ''Coal miners were just pawns in a larger game.'' That is what the headline and subheadline said.

I am not sure I have read a more disturbing headline in a long time, where the healthcare of coal miners—retired coal miners, who were promised this decades ago, would be used as pawns in a debate about a spending bill. Unfortunately, that is at least what has been reported. I hope we don't ever see a headline like that again.

Going forward, the problem for us now is, as much as we are happy about this current result on healthcare, we still have a lot of work to do for miners, especially when it comes to their pensions. That is the second half of the promise.

So I remind everyone again, these miners kept their promise. They kept their promise to their company to work in the darkness and danger of a coal mine, sometimes for decades, not just years. They kept their promise to their families to support them in the most difficult job imaginable. And many of them have served in combat or served in the military, in one war or another. They kept their promise to their country. It is time we fulfill the entire promise, and that means getting pensions done as well.

We are grateful to be part of this, and let's keep the momentum going for pensions for all of the retired miners.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, there is a question Americans should be asking all of us every day: Who are you fighting for? We should be asking ourselves that. Who are we fighting for?

Here is who JOE MANCHIN is fighting for—Senator MANCHIN, my colleague from West Virginia, and my other colleagues who are here on the floor: Billy Hull. He is a retired coal miner with 30 years of working at the Peabody Coal Mine near Montrose, MO. He wrote me a letter earlier, about 6 months ago, saying in part:

> My wife and I, married 59 years fall under the Patriot Coal Companies Voluntary Employees Beneficial Association. My wife Earlene is a 2 time cancer survivor and I suffered a stroke in 2012. If we lose our benefits it will be hard for us to afford our medicine cost.

So these folks were made a promise by—I am accused of being a fan girl of this guy, and I am a fan girl of Harry Truman. I think he was plain-spoken. I think he was earnest, honest, and kept people like Billy Hull in the front of his mind 24/7—good, salt-of-the-earth, hard-working people who play by the rules. Mr. Hull played by the rules. Thousands of coal miners in our State played by the rules, and their widows played by the rules.

The promise made by Harry Truman deserved to be kept. The promise deserved to be kept. So my friend, Senator JOE MANCHIN, decided he wasn't going to go with the flow around here. He was going—I think he said at one point on the floor, I think his quote was: If you don't stand up for something, we don't stand for anything. And he decided that he was going to get this done.

Now, I have to tell you the truth. For about 2 years, everywhere you went, you would walk behind JOE, and JOE would be trying to talk to somebody about the miners. After he would walk off, people would whisper: You know, it is never going to happen. We are never going to get this done. It is not going to happen.

I can't tell you how fun it is to celebrate getting something done.

We bail out everybody around here. We bail out Wall Street. We bail out banks. We bail out corporations. We are busy figuring out how we can cut the wealthiest's taxes, as we speak. It is all about making it easier for folks who have plenty. Why is it so hard to help the people who don't have anything—who depended on a promise, just to have the basics in their lives, and put in long days of work for years as their part of that bargain?

I am so proud of JOE MANCHIN. I can't imagine how proud the coal miners in his State must be of him. I am glad we had an opportunity to stand with him as he stood for something. I am proud that we got it done.

Now we have another big task because there is another bunch of people out there; really, we are running roughshod over them, and that is a bunch of truck drivers, truck drivers in my State who have driven trucks for 35, 40, 45 years, understanding that at the end of that long period of time, they would have a pension. It is not their fault that the pension is not there for them.

I have to tell JOE that I have to sign him up. I want Senator MANCHIN as the captain of the team as we now go on to fight for the pensions these people have earned.

If we can bail out everybody we are bailing out, if we can cut taxes by $7 trillion, surely, we can find the money to make good on these promises.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Thank you, Mr. President.

I join my colleague, Senator MCCASKILL from Missouri, in her comments about the Central States Pension Fund. We have over 14,000 workers and retirees in our State affected by this as well.

But I really stand here today to thank Senator MANCHIN for his work and to thank our leaders, Senator MCCONNELL and Senator SCHUMER, as well as Chairman COCHRAN and Vice Chairman LEAHY for their ability to put partisanship aside and get this deal done. It meant everything from funding for the COPS Program to helping to combat the opioid epidemic, Capital Investment Grants, and medical research.

But for one guy here, it was all personal, and that is JOE MANCHIN. He fought long and hard to protect healthcare benefits for his coal miners. Think about this: In October, 12,500 retired coal miners and widows received notices telling them that their healthcare benefits would be cut off at the end of the year. Then, in November, another 3,600 notices went out. That is over 16,000 people.

I don't have coal miners in my State, but do you know why I knew about those notices? Because JOE MANCHIN

made sure that I knew about those notices and because the other Senators who spoke here, who have coal miners in their States—they stood up and made sure we knew about those notices, and they worked tirelessly to get this done.

For me, mining is not about that black coal dust. It is about red dust. It is about iron ore. As Senator MANCHIN knows, my grandpa worked 1,500 feet underground in the mines in Minnesota. He got his first job as a teamster when he was only fifteen. He had to quit school and go to work and help raise his eight, nine brothers and sisters. One of them died. His parents died. He worked underground his whole life. He went down that shaft and that cage every single day, just to support his brothers and sisters. Then he married my grandma and supported my dad and his brother.

Do you know what? I wouldn't even be here in the Senate today if he didn't have the pension benefits that came out of the job he had—and healthcare. JOE MANCHIN understood that about the people he represents. Those miners earned those pensions, and they earned their retiree healthcare benefits. That is why what he did, and what all those Senators who represent the coal miners did, is more than just about those States and about those miners. It is about a promise we made to our workers.

As one former Congresswoman, Barbara Jordan from Texas, once said:

> What Americans want is something simple. They want a country that is as good as its promise.

I thank Senator MANCHIN for fulfilling that promise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I thank my colleague from Minnesota for her wonderful remarks and for her wonderful comments about those people who go down into the mines every day.

I acknowledge the permanent healthcare fix we have for our miners and their families that was included in the fiscal year 2017 appropriations legislation. This was a promise made by Harry Truman. It was a promise that was our obligation to keep, and the keeper of the flame for making sure it got done was my colleague, Senator JOE MANCHIN from West Virginia.

As he knows, my State, the State of Indiana, the Hoosier State, has thousands of miners as well. They go to work in the dark, and they come home in the dark. They work in grueling conditions and have done so for decades. Part of it was the promise that was made to them that they and their family would have healthcare, a promise made by Harry Truman that is our obligation to keep. When the lights were starting to flicker and it was getting dimmer on this promise that it would ever be kept, we fought for years. JOE MANCHIN led the fight, led the crew, and we got this done.

It is a good example of what Congress can do when we work in a bipartisan manner. I thank all of my colleagues on both sides for being part of this. Many people worked hard to secure the passage of this fix. Part of it was an amazing group of folks who came to visit us on a constant basis, our friends from back home, the miners from Virginia and from West Virginia and from Indiana and from Ohio and from all around this country who—if you remember, my colleague JOE MANCHIN was there that hot day this summer when it was 100 degrees outside.

All of these retired miners—many in their seventies, eighties, some in their nineties—were here on one of the hottest days of the year. Under extraordinarily difficult conditions, they stayed and sat in the Sun and in the heat because, they said: We are here for our brothers and sisters. They said: We know you are here for us too.

Our leader was JOE MANCHIN. He lived this every single day, every single conversation that we had. We were in it together. We told our miners: We will never stop until we get this done, and we have the permanent healthcare fix done. It was a wonderful team to work with, but there is no question that the captain of our team was a fellow from West Virginia.

To my colleague JOE MANCHIN, we are so proud of you and so proud of you for keeping us moving forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, I cannot express how humbled I am and how proud I am of all of us, and my colleagues here, my dear friend Senator WARNER. We were Governors together. We split the Virginias—Virginia and West Virginia. We worked together. He has the same constituency base I have in West Virginia, in Southwest Virginia, and all of West Virginia. He knows the mining industry. He knows the hard-working people.

To Senator DONNELLY from Indiana, we have been there together with the coal miners and the people who moved the coal and do the hard lifting. To Senator MCCASKILL from Missouri, Senator CASEY from Pennsylvania—Pennsylvania has a rich tradition in coal mining—Senator KLOBUCHAR and everyone who has spoken, and I want to thank the Presiding Officer too. He was an original cosponsor from Arkansas. So this is truly bipartisan. From Arkansas, the Presiding Officer understands hard-working people. He signed on to the bill without hesitation. I want to thank him. So it was really a team effort.

People have been talking about all of the things and the passion we have for different things. My passion comes from the people I was born and raised and grew up with in the coal mining towns. So all I ever saw in my life was people around me who nurtured me and guided me and taught me who were truly coal miners or coal miner families. That is all I knew. My Little League coach was a coal miner. My Boy Scout leader was a coal miner. A lot of my teachers were coal miners, basically, off and on, trying to supplement their incomes. My teammates whom I played ball with through high school became coal miners. My grandfather was a coal miner. My uncle was a coal miner who lost his life in a 1968 mine explosion. My next-door neighbor in 1954—I remember I was 7 years old, and I wanted to throw a ball all the time.

I would come home from school, and Pinchy would be there. He would throw a ball with me. I can still remember this so vividly. One day I was ready to play ball and Pinchy did not come home. I asked Mercia, his wife: Mercia, where is Pinchy?

She said: JOE, honey, he is going to be a little late today.

Well, we just had a mine explosion. I did not know anything about the mine explosion, but I knew there was no Pinchy to throw a ball with. So the second day, I asked: Mercia, where is Pinchy?

Well, they still didn't know the outcome. The rescue was going on. They did not know if they lost their lives or not or what had happened. So they were still in limbo.

She said: JOE, Pinchy has to work over again tonight.

That was her explanation to me, the little boy. The third day, she—by that time they knew. She had to tell me. So she is probably—I know Mercia had to labor with this. How is she going to tell this 7-year-old neighborhood kid who played ball with Pinchy?

She said—this is a tough one. She said: He is not going to come home.

When you think about the hard-working people who suffered—she never had anything. If it was not for healthcare and if it wasn't for a pension, Mercia would have had nothing. So I know the families and I know the sacrifices. What you all saw was my passion for the people I grew up with. So when I say thank you, I thank the President for supporting miners—President Trump—I thank my Republican colleagues, and I thank all 48 Democratic Senators who never wavered.

A lot of them don't even know a coal miner. What they know today, after 5 years that we have been talking about this and working toward this, is that you would not have the country you have today if it hadn't been for those people who sacrificed, who worked hard, never asked for a thing, gave everything they could back, took care of their families but took care of their country.

Basically, the energy they produced gave us the country. People, whether in California today, wherever they may be, understand that coal miners produced the energy that allowed us to win World War I, World War II, and every war we have been in, that supported the industrial might that we have that built the middle class.

I am so thankful for all of that. I get choked up when I think about it because that is what we were fighting for. They never asked for a thing. My grandfather was run out of the mines in 1927 because he was trying to organize and say: We can't make it.

If you have ever heard the song lyric, ''I owe my soul to the company store,'' my grandfather owed his soul. He never had any money. He had script. He said: We have to do something different. We can't live like this.

They blackballed him. On Christmas Eve, 1927, my grandmother was pregnant with my uncle. She already had four children. My dad was the oldest. They came to the house and threw them out of a company house in the middle of a snowstorm. That happened in 1927.

So we know it. We lived it. In 1946, they talked about the history. In 1946, the Krug-Lewis amendment—Krug was Secretary of the Interior and John L. Lewis was at the United Mine Workers, and they said: You have to give those people something so they have something to live for. They have no health care. They have no pension. They have given you everything they have.

Harry Truman said: We are going to take care of them. You can't go on strike because if you do, our economy collapses. This is in 1946. So that is how this came about. Now, people said: Well, I have heard this. They are going to bail them out. We are not asking for a bailout. You understand, these people basically made an agreement that every ton of coal that was mined from 1946, the United Mine Workers basically, there would be an amount of money set aside that came from every sale of a ton of coal that went into this fund.

Every union contract negotiation, they contracted and they left money in their contract to pay for their benefits of healthcare and pensions and did not take money home to their families that they could have used. They made all of these sacrifices for all of these years. It wasn't their fault that the bankruptcy laws that were passed in Congress allowed companies to walk away and leave them high and dry.

It was not their fault. They did everything. So finally we have all come together to do the right thing that should have been done. It shouldn't be played politics with today. Everyone says we have winners and losers. We are all winners. If you can get something like this accomplished and be part of it, then you have to feel good about it. It gives you a reason to even be here.

That is what I am so appreciative of. I am so proud of everyone who has stood together on both sides, my colleague SHELLEY MOORE CAPITO, a dear friend of mine, a Republican. I am a Democrat. You know what, we are Americans and we are West Virginians. That is what we were fighting for. That is the winner today. The winner is this great country that basically stood up and protected the people who gave them everything they needed to be the superpower of the world. That is what we fought for.

So there is enough praise and enough accolades for everyone to take home and say: We all did it, and we all did a job well done. We do have pensions now. These are not big pensions. These are $300, $400, $500 pensions. It supplements the way of life that is not extravagant by any means. So we are going to start working as soon as this is finished this week, and next week we will start on that.

To the 22,600 miners and their families who say thank you—I have heard from most of them—to all of the people who came up here, they were coming up here, a lot of them every week driving just to be here, to be part of it and put a face, put a family, put basically the challenges they would have being able to even exist or live without this healthcare—they made it possible. I want to thank all of them.

To Cecil Roberts, president of United Mine Workers, who was so diligent on this, Phil Smith, all of the people who worked so hard, I thank them, but really thank all of our Senators and the Congressmen. My congressional delegation, I am appreciative of them, our Republicans and Democrats on the House side who voted. They are voting now as we speak. The Senate is poised tomorrow for us to vote and support this.

I know President Trump will sign it. People are saying they used it, played bargaining games with it. I am not going to get into that because I don't know how you could ever sincerely mean that you were using people's livelihoods and the healthcare for them and their families as a bargaining chip. I don't think anybody meant to do that. Maybe it came out in something that should have not been said, but with that, we have to forget all of that.

Let me just say thank you. To the Presiding Officer, to all of my colleagues, thank you. Thank you for a job not only well done but basically very appreciated that it was done, and people's lives will be different because of what we did. God bless each and every one of you. Thank you.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I came to the floor this afternoon to speak to the CRA legislation before us that would overturn the Department of Labor rule designed to help Americans save for retirement, but before I speak to that, I just want to join all of my colleagues on the floor in applauding what has happened to support the miners and to get them health benefits and to thank my colleague JOE MANCHIN for his leadership.

I know how personally he has fought for this, as so many people who spoke on the floor have. You know, we don't have any coal miners in New Hampshire, Joe, but we have hard workers. We have people who understand that when you make a promise to them, you need to keep that promise. Thank you for leading this fight and to everyone who made this happen because we need to reassure Americans that when we say we are going to do something, we actually follow through and we do that. So thank you for making that happen.

Now, Mr. President, it is disappointing that actually on the issue that is before the Senate right now, this effort to change the labor rule on retirement, that we are actually going to take something away from Americans. States across America have been developing and implementing innovative, low-cost retirement savings options to improve their citizens' retirement security.

That is really important at a time when we have so many people who have not been able to save for retirement, who are worried about what might happen if something happens to them and they can't work into the retirement age. Sadly, the misguided legislation that is before us would shut down these efforts and effectively take away from States the right to establish retirement options for workers.

Now, across the country we have had Republican and Democratic State treasurers join with groups, including the AARP and the Small Business Majority, to oppose this effort. I want to join them in asking two what I think are obvious questions.

First, why do the sponsors of this resolution want to deny Americans new, attractive retirement savings options?

Second, why in the world are they doing this at a time when the United States faces a growing retirement savings crisis—a crisis that threatens to strand millions of seniors without any personal savings and at risk of falling into poverty? And why do this when it doesn't include any mandates and there is no cost to taxpayers either at the Federal level or, in most States, at the State level? This is something that is paid for by people who are looking to get a pension.

Facts matter, and we shouldn't ignore them. Some 55 million Americans lack access to a workplace retirement plan, and 45 percent of households don't have any retirement account assets—zero savings. Polls show that more than three-quarters of private sector workers fear not having enough money to live comfortably in retirement.

To address this nationwide crisis, many States have stepped up to the plate, experimenting with public-private partnerships to help small businesses provide low-cost, turn-key payroll deduction options. The legislation being debated today would abruptly compromise the future of these State initiatives.

In my State of New Hampshire, nearly 99 percent of our employers are considered small businesses. That number is hard to believe. They employ over 50 percent of New Hampshire's workers.

Nearly 43 percent of Granite Staters work for an employer that does not offer a retirement plan.

As the ranking member of the Small Business Committee, I talk to small business owners regularly, and as a former small business owner myself, I understand the challenges they face. For many, it is a challenge just to meet payroll and to keep the doors of their businesses open. I know that many of them would like to offer a company retirement plan because they want to do right by their employees, but they just can't afford it.

A Pew Foundation survey found that three-quarters of owners of small and medium-sized businesses across the country support the idea of these State-run options because they offer a way for employees to save for retirement at little or no cost to the employer.

So these programs are sort of like starter plans for small businesses. A company that is still trying to gain its financial footing can offer this option to its employees. Then, once the company gets on more solid ground and it needs to attract and retain talent, it can transition to a more ambitious retirement plan that allows it to contribute to its employees' retirement savings.

It is especially troubling to me that the Senate is even considering whether to deny Americans this retirement option at the same time that we are seeing leaders on the House side trying to pass a healthcare bill that would make it more expensive for many preretirement seniors and for people with preexisting conditions to purchase health coverage.

Again, I would ask: Why would we want to deny this new, innovative retirement option to millions of employees who work for small businesses without retirement plans? Why would we want to deny small businesses the choice of offering these options? Why should the Federal Government stand in the way of States and small businesses that want to take positive steps to address the retirement crisis and help their citizens?

I think this legislation is misguided. It is legislation in search of a problem, and, worse than that, it would put a massive roadblock in the way of States and small businesses that are striving to solve the real and growing problem of inadequate retirement savings.

So I urge my colleagues to really take a look at what would happen in their home States. I urge them to stand up for America's small businesses, to vote no on this legislation. Let's ensure that Americans have more, not fewer, options to save for retirement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, Congress has spent the first 4 months of this year using an arcane, expedited procedure to roll back policies from the previous administration, while disregarding the impact these changes will have on American workers and families.

When you hold a belief that anything done by a Federal agency is bad, cutting programs seems like progress, but, unfortunately, it is not that simple.

I am all for streamlining government and making the process of doing business easier, but some rules—rules that keep workers safe, for example, or to protect consumers or to keep our air and water clean—are protections that make sense.

In their ideological zeal, the majority has time and again made the decision to roll back important policies regardless of the impact on American people.

So far this year, just to name a few, the majority has rolled back environmental protections for clean water and allowed internet service providers to sell your personal browsing history to the highest bidder. The majority has also reversed rules that make workplaces safer and has even made it easier for corporations to bribe the governments of developing countries.

Now today, as the window closes on the majority's ability to rush through legislation under the Congressional Review Act, we are again facing a vote that could harm American families and make it harder for people to save for retirement.

As I have said on this topic before, for the people of Michigan, the American dream can take on many forms. But no matter who you are, there are a few fundamentals that I truly believe cut across the entire American society. One small piece of the American dream is the ability to retire with dignity and save enough to be able to pass along something to the next generation.

The measure under consideration today, which would repeal the Department of Labor's safe harbor for States developing retirement plans, would be a step backward, and it would make it harder for people to save for a secure retirement.

It is no secret that the American economy has changed in the last generation. One of the most profound changes for working families has been the dramatic shift from defined benefit pension plans to defined contribution plans. Our current system of IRAs and 401(k)s work well for many people, but it is unfortunately leaving millions of Americans behind.

If you work for a large, stable employer—like those of us privileged to work for the U.S. Senate—you will more than likely have access to a retirement plan. Americans, when they have access to these types of plans, make smart, prudent financial decisions.

Over 90 percent of Americans with access to a workplace plan report saving for their retirement. But not everyone works for a large employer, and for those who do not, the system has very large, gaping holes.

Nearly 60 million working Americans do not have access to a workplace retirement plan. These are workers who are trying to put something away for a comfortable retirement and build a stable financial future for their families. They simply demand some solutions, and they certainly deserve them. Families don't care if it is a Democratic solution or a Republican solution, nor do they care if it is a Federal Government idea or their local State's idea. They simply want and need access to a plan that allows them to build a better future.

So this leads to a very important question. If the States are working to do their part to find solutions to this problem, why would we in the U.S. Senate work to block them?

These safe harbors provided by the Department of Labor are the perfect example of allowing the States to do what they do best, which is taking an active role as laboratories of democracy.

As I have said, we need big ideas, we need small ideas, and, frankly, we need all of the ideas that we can get. But I am saying here today that I am willing to work with any of my colleagues on a plan—big or small—to help Americans move toward a secure retirement.

A secure retirement cannot become a relic of the past, but this piece of the American dream will only be true for this generation of workers if we start working on these solutions now. We certainly should not stand in the way of States working on innovative ways to help the citizens of their respective States.

I urge my colleagues to vote no on the resolution.

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.

Ms. HASSAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HASSAN. Mr. President, I rise in opposition to the Congressional Review Act measure to overturn the Department of Labor's rule that gives States the flexibility to help small business workers save for retirement.

Every American who has worked hard throughout their life deserves the ability to retire, knowing that they will be financially secure. But it is clear that we are on the verge of a retirement crisis. More and more Americans are retiring every day without the economic security they need, and we are beginning to see the harmful impacts of what happens to a generation that was not afforded the opportunity to participate in a traditional pension plan.

The AARP has estimated that 55 million Americans, including roughly 230,000 Granite Staters, do not have access to a retirement plan at their workplace, and participation in retirement plans has dropped over the past

several years. Few low- and middle-income families have retirement accounts. For families who fall into the lowest 25 percent of household incomes, fewer than 10 percent have retirement savings accounts. Even among families where the primary wage earners are between the ages of 56 and 61, those who are nearing retirement, the median retirement account balance for all families, regardless of income, was only $17,000—far less than what those families will need to live on in retirement. Therefore, we should be doing everything possible to support these future retirees and to look for opportunities to help them save now.

The Department of Labor rule that we are debating today supports States' efforts to enter into innovative public-private partnerships that would increase personal savings rates for employees of small businesses. The rule makes clear that small businesses will experience no operational burden for these plans, and workers have the opportunity to opt out of these plans if they choose. Already we have seen five States adopt their own plans based on this guidance, and additional States are considering similar programs that best match the retirement needs of their citizens. We are starting to see results. Research has suggested that employees with access to retirement plans from their employers are 15 times more likely to save for retirement.

Unfortunately, too many of my colleagues on the other side of the aisle are pushing this Congressional Review Act measure to roll back the progress States are making and to limit a State's ability to decide to facilitate a critical service to their citizens. If this measure passes today, the 12 million Americans who have already benefited from their States entering these partnerships will see their retirement plans impacted, and the other States considering these measures will have to stop.

As a former Governor, I understand how decisions made here in Congress have the ability to impact a State's ability to innovate and grow, and it is unacceptable that Republicans would vote to limit a State's authority to help their citizens save.

In States across this country, there is broad bipartisan support for State-facilitated retirement plans. Recent surveys have found that 80 percent of private sector workers support State-facilitated plans to help them save for retirement, and 80 percent of small business owners say they support the basic concept behind these plans. The bipartisan National Council of State Legislatures said passage of the CRA will ''result in an unwarranted preemption of state innovation'' and will ''restrict the ability of millions of hard-working Americans to save for retirement.'' The AARP has written that ''a Congressional Review Act resolution to overturn this rulemaking represents significant overreach by the federal government.''

I find great irony in the fact that many of my Republican colleagues are voting to limit the ability of States and localities to innovate and craft policies—something they often say they support in other areas.

Additionally, retirement plans sponsored by States help save taxpayer dollars. Greater retirement security would result in fewer older Americans falling into poverty, reducing the number of citizens who would be forced to access social safety net programs.

This Department of Labor rule is exactly the type of commonsense, bipartisan proposal we should all support, and I am willing to work with my colleagues on both sides of the aisle in order to address the retirement needs of Granite Staters and all Americans. Undoing the States' progress on this front by voting in favor of this measure would limit the ability of more Americans to save for their retirement.

I will vote against this measure, and I urge my colleagues to do the same.

Thank you, Mr. President.

Mrs. FEINSTEIN. Mr. President, today I rise to express my strong opposition to H.J. Res. 66. This resolution would overturn a rule issued by the Department of Labor that is essential to providing increased access to retirement savings programs.

Among all working families in America ages 32 to 61, the median family in America had only $5,000 saved in 2013. This indicates to me that we are clearly facing a retirement savings crisis.

In California, 7.5 million workers don't have access to a retirement savings plan through their jobs, including 3.4 million women. Of those without a workplace retirement savings plan, almost 5 million are individuals of Color and over 3.5 million are Latino.

The good news is that, when a person has access to a retirement savings program through their workplace, they are 15 times more likely to save for retirement.

In California, legislators have been working for more than 4 years to create the Secure Choice program as a way of addressing the retirement crisis we face. This program allows workers to easily save for retirement through a deduction made directly from their paycheck.

Those who need access to a workplace retirement program the most, individuals with lower incomes, are far less likely to have that access. These are the people who stand to gain the most from the Secure Choice program and lose the most by Congress halting its progress.

Let me share some examples of the people who would be impacted. Most eligible employees work for small businesses that might not be able to offer retirement savings plans on their own. Nearly half of eligible workers work in the retail, hospitality, healthcare, and manufacturing industries.

This program supports lower and middle-class workers by providing access to the tools they need to control their financial future. The average wage of workers eligible for this program is $35,000, and 80 percent of eligible workers earn less than $50,000.

We are in a time of deep income inequality and must stand up for programs that support the middle class, like Secure Choice. Nationwide, the bottom 90 percent of households have seen their income drop compared to what it was in 1970. Meanwhile, the top 1 percent has seen their household income triple.

As workers struggle to make ends meet, it is appalling to me that Congress would actively take away a key resource for financial planning.

Californians want to ensure that all employees have access to a retirement savings program. The Department of Labor's rule clears the way for California to set up programs like Secure Choice by clarifying employers' obligations to the accounts.

This rule would also help small businesses compete for qualified workers who expect and deserve access to a workplace retirement savings program. Small Business California supports the Department of Labor's rule paving the way for these programs, and opposes this resolution.

Finally, in California, our State chapter of the Chamber of Commerce specifically asked for an opinion from the Department of Labor on employer obligations. Once the Department of Labor's rule was issued, CalChamber no longer opposed the California bill.

In fact, the legislation that passed in California requires the State board to report a finalized rule from the Department of Labor. Overturning the Department of Labor's rule ignores the effort and care taken in California to craft a program that works for both employees and employers.

Nationally, almost half of working-age households do not have retirement savings accounts, and 55 million people don't have access to a workplace retirement plan. This is shocking.

According to the Economic Policy Institute, the median retirement account savings for families ages 56 to 61 was only $17,000 in 2013. This is only slightly higher than the 2016 poverty threshold for a household of two people aged 65 and older. It is inconceivable that a family could afford to finance their retirement with only $17,000 in savings.

Supporting retirement savings is not a partisan issue. In fact a bipartisan group of State treasurers oppose this resolution, as does the National Conference of State Legislatures.

We are facing a retirement savings crisis in our country, and the Department of Labor's rule is a commonsense guideline that makes it easier for individuals to save for retirement.

I strongly urge my colleagues to stand up for American workers and support their access to retirement savings programs by opposing this resolution.

Thank you.

Mr. ENZI. Mr. President, while the Senate is on the topic of retirement savings, I would like to call attention

to a policy that I have worked to advance for many years. I believe policies permitting the existence of pooled provider plans, which passed the Senate Finance Committee to this past September by a vote of 26 to 0, should be enacted as soon as possible to ensure the ability of Americans working for small businesses to have quality access to retirement savings.

A critical challenge in enhancing the retirement security for all Americans is expanding plan coverage among small businesses. To address this, I believe we need to make retirement plans less complicated, less intimidating, and less expensive for those entities. That is exactly what pooled provider plans accomplish.

This proposal is nonpartisan. In the past Congress alone, I held bipartisan HELP Committee roundtables with the junior Senator from Vermont and the senior Senator from Massachusetts, and in a prior Congress, I worked with Senator Harkin—all to discuss the best way to craft and implement this proposal. I am very proud of the bipartisan work that has been done to this point, and I thank my colleagues on both the HELP and Finance Committees for their support, but now it is time for the full Senate to pass the measures allowing the existence of such plans.

I look forward to the day in which the retirement gap in America is closed. I believe we will take a very large step towards closing that gap with the passage of policies that permit pooled provider plans.

Thank you.

Ms. HASSAN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TOOMEY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S FIRST ONE HUNDRED DAYS

Mr. BENNET. Mr. President, reflecting on his accomplishments to date in his administration, President Trump recently said: ''I think we've done more than, perhaps, any President in the first 100 days.'' Throughout the campaign and since coming to office, President Trump has repeatedly attacked politicians who are ''all talk, no action.'' It seems to be appropriate that, now that the first 100 days have passed, we should apply the President's standard.

Over the course of the campaign, Candidate Trump promised to replace the ''very stupid people'' in our government who ''don't know how to win'' with the ''greatest minds'' and the ''best people.''

He said that the Presidency was ''going to be easy'' and that the ''jobs are coming back, folks; that's going to be easy.''

He promised a ''beautiful,'' ''terrific'' plan to provide ''such great health care at a tiny fraction of the cost, and it's going to be so easy.''

He promised to build a wall so fast that ''your head will spin'' and that Mexico would pay for it. ''Just rely on me,'' he said.

He promised to be the ''greatest jobs President that God ever created,'' to ''bring us all together,'' and to create a ''unified Nation—a Nation of love,'' he said.

He predicted: ''We're gonna win so much that you may even get tired of winning, and you'll say, please, please, it's too much winning, we can't take it anymore. Mr. President, it's too much.''

He outlined that winning plan in no other place than Gettysburg last October. There, on that hallowed ground, where Lincoln reflected on his own ''poor power'' and wondered whether the world would little note nor long remember what he said there, President Trump—the man who said: ''I alone can fix it''—outlined his 100-day action plan to make America great again and restore honesty, accountability, and change to Washington. On that day, he promised that, on his first day, 18 different accomplishments would be achieved. He delivered just two of those.

Over his first 100 days, he promised to introduce and fight to pass 10 major pieces of legislation. That included a bill to ''grow the economy 4 percent per year and create at least 25 million new jobs.'' It included a bill to ''spur $1 trillion in infrastructure investment over 10 years.'' It included a bill to ''make 2- and 4-year college more affordable'' as well as bills to ''clean up corruption in Washington'' and ''discourage companies from laying off their workers.''

Today, more than 100 days into the Trump Presidency, where are we?

So far, the President's ''great'' team has not yet been assembled. There are 465 vacancies for which there are not even nominees yet. You cannot blame that on anything going on around here. There are 465 slots that still do not have nominees. Of the 10 pieces of legislation that he proposed on that day in Gettysburg, he has passed zero—none.

In his first 100 days, amidst the Great Depression, FDR stabilized the banks and put 250,000 Americans to work through a new Civilian Conservation Corps. Ronald Reagan rallied the country behind his agenda for taxes and spending. Facing an economic collapse—the likes of which we had not seen since the Great Depression—Barack Obama cut taxes and made historic investments in infrastructure, clean energy, and education in 100 days.

Notwithstanding this history—these facts—President Trump has repeatedly claimed in interviews and broadcasts how well the administration has done during the first 100 days. In fact, on day 90—he did not even need to get to 100—he said: ''No administration has accomplished more.'' As evidence for this claim, the President referred to the 28 bills that he has signed into law—laws to rename a VA clinic in American Samoa, laws to make it easier to hunt bears out of helicopters, to improve weather forecasts, to appoint members of the Smithsonian Board of Regents. Those were in the 28 laws. Missing from that list, however, is any legislation that fulfills a single campaign promise that he made, including his promise to repeal ObamaCare.

In the absence of fulfilling the promises that he made at Gettysburg and on the campaign trail, he has also taken credit for a series of Executive orders even though, during the campaign, he railed against President Obama for using them. Candidate Trump said: ''We have a President that can't get anything done, so he just keeps signing executive orders all over the place.'' In fact, history shows that President Obama turned to Executive orders only after years of unprecedented obstruction and after he passed legislation through this Chamber and through the House.

President Trump turned to executive orders in the first 100 days despite controlling both Houses of Congress. With a Republican President, a Republican majority in the Senate, and a Republican majority in the House, he has to revert to the very same instrument that he was so appalled by in the hands of President Obama, and he still has no major legislative accomplishments to show for it. That is not fake news. That is the truth.

While we are on the subject, it bears noting, I think, that President Obama used his Executive orders to advance rights and opportunity for the American people. President Trump has used them to discriminate against refugees and immigrants in an unconstitutional travel ban, to weaken American competitiveness by reversing fuel efficiency standards for our cars, to weaken protections for our national monuments and endanger our economy and our environment by undoing the Clean Power Plan.

Not only has President Trump failed to keep his promises—it is actually worse than that—but he has actually proposed or supported legislation that would do just the opposite of what he has promised.

Look at healthcare. I hope I am not in need of any right now. Over the course of the campaign—I do not need to tell anybody in America this; we all saw it—Candidate Trump attacked ObamaCare over and over. He described it as a ''disaster'' that is ''imploding.'' So he promised: ''On day one, we will ask Congress to immediately deliver a full repeal of ObamaCare'' and replace it with ''something terrific.'' He pledged to ''take care of everybody,'' to champion what he called the ''forgotten man,'' and he assured America that ''everybody's going to be taken care of much better than they're taken care of now.''

More than 100 days after taking office, President Trump has not only failed to fulfill that promise, failed to repeal ObamaCare—the House has not yet even had a vote on it, as far as I know—but the White House has actually helped to write—and he endorsed—a proposal that would throw 24 million people, many of them poor and middle class folks, off of their health insurance, while slashing $300 billion in taxes for the top 2 percent.

That is what is in the bill that they are considering in the House right now. That is not a healthcare bill. That is a tax cut for the wealthiest Americans that is masquerading as a healthcare bill. That is not the promise that he made to the people who voted for him. That is not the promise that he made to the forgotten man. It seems that in the first 100 days the forgotten man remains forgotten, unless by ''forgotten'' President Trump meant millionaires who can avoid dealing with America's health insurance system by paying cash for their medical expenses with their having the benefit of the tax cut that President Trump has proposed to give them.

My point—and I want to be clear about it—is not to ask the President to fulfill these promises, most of which I opposed when he was running. I am simply pointing out that what he has said is not what he has done, including his promise to build a ''great, great wall on our southern border'' and force Mexico to pay for that wall. Instead, he asked Congress for $1.4 billion in taxpayer money to start construction.

I was part of the Gang of Eight in the Senate that negotiated the immigration bill—four Democrats and four Republicans—over 8 months. We had $11 billion of border security. By the time we passed the bill in the Senate, there was $40 billion of border security in that bill. It was paid for, unlike a lot of stuff we do, and it was not the taxpayers who were paying for it. It was the immigrants who were paying for it in their fees to this country.

Why is that not a better way of doing it?

Mexico is not going to pay for it. It has said it is not going to pay for it. He continues to say that it is going to happen, but it is just another broken promise. Instead, he went to the taxpayers and hoped nobody would notice that he was asking for $1.4 billion for the wall. Fortunately, both Republicans and Democrats alike in the House of Representatives and in the Senate rejected it—in particular, Members of the House of Representatives who represent border States or represent the border, who actually know what is going on down there.

I am sad to say that this inconsistent and erratic approach has spilled over to our foreign relations. On North Korea, President Trump bragged that the United States would easily ''solve the problem''—his language—without China, which he called a currency manipulator and on which, he said, everybody in Washington was soft, and he was going to fix it. Then he sat down with Chinese President Xi for 10 minutes and ''realized it's not so easy.''

When he was running, the President said: ''Maybe NATO will dissolve, and that's OK.'' He called it ''obsolete.'' Then he sat down with the NATO Secretary General and realized that it was, in fact, ''not obsolete''—his words.

At a time when NATO faces new pressure from Russian aggression and American troops are deployed to Eastern Europe to support our partners and our allies in the region, including the soldiers whom I met 2 weeks ago from Colorado's Fourth Infantry Division, they need a steady voice and a clear vision from Washington.

We need an administration that can face reality instead of one that spins its own. This is not a campaign anymore. This is governing.

During the campaign, Donald Trump promised: ''There will be no lies. We will honor the American people with the truth and nothing else.'' Over its first 100 days, the administration has honored the American people—it has been recorded—with 488 false or misleading claims, nearly 5 a day. Some people have actually lost count. It has honored them with 100 days of dog-and-pony shows of CEOs, campaign rallies, and photo-ops in semi-trucks on the South Lawn. It has honored the American people with empty theatrics where Donald Trump, the President, donates a portion of his salary to the National Park Service, hoping no one would notice his proposal to slash $1.4 billion in funding for the Department of the Interior.

This administration needs a reset for the next 100 days and the next 100 after that. The President needs to focus on what the American people need and what he said he would provide them instead of attacking the independent judiciary and the free press and blaming ''fake news''—his so-called fake news—in an effort to obscure a reality that he doesn't want to deal with. He needs to focus on the next generation instead of his daily approval ratings. He needs to focus on the future instead of complaining about how unexpectedly hard the job is or how great his previous life was.

And one more thing—a small thing. Candidate Trump loved to criticize President Obama for playing golf. He tweeted about it at least 26 times with lines like ''Can you believe that, with all the problems and difficulties facing the U.S., President Obama spent the day playing golf.'' Well, President Trump has spent 19 days playing golf so far—even with all of these vacancies in this administration—more than Presidents Obama, Bush, or Clinton. But that is not the only record he has broken for the first 100 days, which includes an average of more than five tweets a day, over a month he spent in this 100 days at Trump properties, and over $20 million in taxpayer dollars to finance his personal travel, which is on pace to exceed in his first year what the previous administration cost the American taxpayer in eight.

A better idea than repeating this next 100 days for the 100 days that are coming would be to actually drain the swamp, as he said during the campaign. He could start by releasing his tax returns, which during the campaign he falsely claimed he could not release because of a ''routine audit.'' There was no prohibition on his doing the same thing that every candidate in the history of America for the Presidency has done.

Now that he has put out a healthcare bill that slashes taxes by hundreds of billions of dollars for the wealthiest Americans and proposed tax reforms that would further deepen income inequality in this country, the least he could do is show the ''laid-off factory workers, and the communities crushed by our horrible and unfair trade deals'' what the President stands to gain and what they stand to lose from his proposals.

While he is doing that, he should focus on dealing with Americans' rising healthcare costs instead of trying to take health insurance away from millions of Americans, making it harder for them to see a doctor and take care of their families. He should focus on expanding opportunities in our communities with investments in infrastructure and on helping people compete in the global economy and reducing the national debt crushing the next generation of Americans. That is why he was elected President. To some degree, that is why all of us are here.

At the start of his first 100 days, President Trump promised in his inaugural address that ''America will start winning again, winning like never before.'' More than 100 days later, it is really not clear what we have won, but it is clear what we have lost—civility in our politics, facts in our policy, confidence in ourselves, and 100 days that should have been used to bring this country together to confront our great challenges.

The next 100 days must be better than the last because, as our President once said, the American people are ''tired of being ripped off by politicians that don't know what they're doing.'' On this, at least, I completely agree.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from Idaho.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SMALL BUSINESS WEEK

Mrs. SHAHEEN. Mr. President, I am pleased to come to the floor today to join my colleague, who is the chair of the Small Business Committee—and I am the ranking member—to celebrate National Small Business Week.

This is an opportunity for all Americans, regardless of party affiliation or geography, to come together and support the small businesses that drive

the American economy and make such an enormous contribution to our local communities and culture.

I am pleased to be able to work with Senator RISCH. We have enjoyed a terrific working relationship. We are there, at this moment in the committee, to try to make a difference for the small businesses of not only our States of New Hampshire and Idaho but throughout the entire country.

I ask my chairman if he would like to start out and then turn it back to me, and we can talk a little bit about what we see happening on the Small Business Committee.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, first of all, I want to return the sentiments of Senator SHAHEEN. There was so much written and talked about today in the meeting about the poisoned atmosphere and the lack of bipartisanship, but I can tell my colleagues that working with Senator SHAHEEN on the Small Business Committee has been an honor and a privilege, and it certainly has been anything but troublesome. We work together closely. Both of us having been Governors, we understand how important small businesses are to our States—in fact, to all the States.

With that, I would like to take a few minutes, with the concurrence of the ranking member, to honor America's small businesses and their owners and the impact they have on our economy and our communities and the vital role small businesses play in America today.

America's small businesses are truly the engine that keeps our economy running. They create two out of every three jobs in America. Let me say that again. Small businesses create two out of every three new jobs that are created in America today. Our Committee on Small Business and Entrepreneurship knows that Congress has a responsibility to help this engine roar by getting the government out of the way of our Nation's small businesses and thus providing small businesses with the opportunity to do what they have done to make this the greatest country in the world for the last 240 years.

We know that small businesses are vital to our economy, employing nearly half the American workforce and making up 99.7 percent of all employers in this country. It is because small businesses are so important to our economy that Washington needs to do all we can for businesses to start and, more importantly, to survive and grow.

We have seen a steady and well-documented decline in startups and a persistently low GDP over the past decade. Despite this, small businesses' optimism has hit record-high levels in recent months. Small business owners are more confident than ever. National Small Business Week—this week—is a fitting time to not only celebrate our Nation's small businesses but also to assure them that greater relief is coming.

Congress and the new administration are working hand in hand to undo the regulatory burden that has been hampering small business growth. It is no secret that the excessive regulatory burdens our Nation's entrepreneurs face places them at a disadvantage. We hear this every day from our position on the Small Business Committee. When asked what the biggest challenge they face is, it is almost always the regulatory burdens they are operating under.

America's small business owners want to comply with a reasonable and appropriate regulatory structure; however, the time and money they spend complying with layers of regulations from a myriad of agencies hampers their ability to focus on what truly matters, and that, of course, is running their business.

My Senate colleagues and I will continue to work with the administration on rolling back regulations that don't make sense. We will take a closer look at other issues facing the diverse small business community. Just last week, Senator SHAHEEN and I held a hearing on the many challenges that exist for rural entrepreneurs. As it turns out, these challenges are not much different from those that exist for entrepreneurs in more populous areas, except the challenges are amplified for business owners who operate without broadband internet or a traditional storefront on Main Street.

The shared challenges amongst most entrepreneurs, such as access to capital, trade opportunities, and cyber security threats, among others, are at the forefront of the minds of those of us in Congress who are committed to delivering the relief small business owners have been waiting for.

Despite these challenges, America's 28 million small business owners and their employees set out every day to pursue their dreams and contribute to their communities. Their entrepreneurial spirit is nothing short of inspiring.

I want to give an example from Idaho—in fact, more than one example from Idaho—but I yield to Senator SHAHEEN at this moment for her comments and perhaps to tell us a little bit about what she took away from the meeting we recently had on rural small businesses.

Mrs. SHAHEEN. Mr. President, I thank Senator RISCH.

As you point out, we were both Governors, so we had a chance to see small businesses from the perspective of the States and how States can be involved in supporting small businesses. But we also have been small business owners and operators ourselves. My husband and I had a family-owned seasonal retail business, and you operated a family-run ranch in Idaho. So I am sure you share with me the challenges of small business owners, the things that kept me awake at night and that I know keep other small business owners awake: meeting payroll, balancing budgets, attracting workers, finding customers, and complying with local, State, and Federal regulations.

As you pointed out, and I certainly agree, our committee works in a bipartisan way not only on supporting public policy to help small businesses but also supporting the Small Business Administration, which has programs that help nurture our small businesses and address their unique concerns.

On Monday, I visited one of those small businesses. I was kicking off Small Business Week in New Hampshire, and I visited a company in Dover, which is a neighboring community to where I live. The company is called Popzup, spelled just like it sounds. It is a family-owned business that created an innovative microwave popcorn box without harsh chemicals, plastic, or silicon. The company's popcorn that goes in that box is environmentally friendly. It comes from American farms that don't use GMO products. It is great. They also have all of these seasonings that go on the popcorn, everything from a seasoning called Everything Bagel to one that is maple syrup. So it is a unique company.

Its founders, Julie and Marty Lapham, launched the company in 2015. They have received a lot of support from the Small Business Development Center in New Hampshire. In fact, Julie told me about preparing for a ''Shark Tank''-style competition she was participating in and how she got tremendous help from the SBDC in her presentation. She said: Without that help, I wouldn't have been able to do it. She actually won first prize in the competition—$10,000—because the SBDC had helped her sort through financing options, and she and her husband continue to work with them as they grow the company.

As we look at Small Business Week this week, it is important to also recognize the great work SBA does with outstanding entrepreneurs from all 50 States and territories.

I know you have some similar examples of small businesses in Idaho.

Mr. RISCH. Mr. President, I thank Senator SHAHEEN.

We do, and I want to tell a story of an example of the inspiring spirit small businesses bring to us. This is the story of a small family business in Idaho Falls, ID, called Fin Fun. It began when its founder, Karen Browning, was asked to make a mermaid costume for her granddaughter. That doesn't sound like a very ostentatious beginning, but it was the beginning. This simple request was the catalyst of a much larger operation that experienced over a 3,000-percent growth over a 3-year period, now employing 75 full- and part-time employees in Eastern Idaho. The Browning family contributes greatly to the community and makes all of us in Idaho proud with their continued success, having been named by the SBA as Idaho's Small Business of the Year.

Stories like Fin Fun underscore the optimism that can be found in all corners of our country as small business owners everywhere take the large leap into the American dream.

I ask all Senators to join me this week in supporting and thanking the small businesses in our home States all across America. Senator SHAHEEN and I, of course, as part of the jurisdiction of our committee, have oversight responsibilities with the SBA. I have been very impressed over the years as to the focus of the SBA on small businesses.

One of the things I think Senator SHAHEEN shares with me is supporting an increase in the Office of Advocacy. We all know the Federal Government passes regulations at a stunning rate, which most people really don't completely understand. But the job of the Office of Advocacy is to act as an independent voice for small businesses when the Federal Government actually proposes a regulation. The Office of Advocacy is supposed to stand up and say: Wait a minute. Let me tell you how this is going to affect small businesses.

We all know that if the Federal Government, in any one of the agencies, enacts a regulation, it does affect businesses of different sizes differently. Indeed, if it is a large business, they generally have an army of lawyers, compliance officers, and accountants who can deal with the regulations relatively easily and absorb the cost. On the other hand, if it is a one-, two-, or three-person business, just filling out the forms the agencies require is sometimes a real burden. It is important that this Office of Advocacy in the SBA be encouraged, be expanded where possible, and be a real, true independent voice for small business in America. And I know Senator SHAHEEN shares my enthusiasm for continuing to support that enterprise within the SBA. I am always happy to work with any of my colleagues to make it easier for Americans to start and grow a business.

Happy National Small Business Week, and thank you to our Nation's entrepreneurs and small business owners who are the real backbone of our Nation and our economy.

I yield to Senator SHAHEEN.

Mrs. SHAHEEN. Mr. President, I very much thank Senator RISCH. I share his enthusiasm for the Office of Advocacy and all of the programs SBA administers and appreciate the good work of the new Administrator there, Linda McMahon.

You bragged a little bit on your Small Business of the Year in Idaho, and I would like to do the same. Our New Hampshire Small Business Person of the Year is Dr. Jake Reder, who is the cofounder and CEO of Celdara Medical in Lebanon, NH.

I think it is important to point out that small businesses create 16 times per employee the number of patents that large businesses do, and Celdara Medical is a great example of that. They were founded in 2008. They are a biotech startup that identifies early-stage medical technologies and provides financing and business guidance to move lifesaving products from university laboratories to high-potential medical companies. They really show that entrepreneurship can be a positive force to cure disease and save lives.

During their startup, Celdara secured funding through the SBA's SBIR Program, the Small Business Innovation Research Program, which was extended last year—thanks in large part to the work of the committee—for 5 years because of its great track record, enabling entrepreneurs across the country to participate in R&D to keep us at the vanguard of innovation. They were also assisted by the SCORE counseling network, which provides mentors to small businesses.

There are so many things we can do to support our small businesses, and that is the goal of the Small Business Committee. We also want to continue to support a modern and flexible SBA that can respond quickly to economic conditions that confront small businesses in this global economy.

Like you, I thank all of our colleagues who are going to help us recognize small businesses throughout the country. I also thank the Appropriations Committee for its bipartisan work on the omnibus bill to fund the SBA and our critical rural development programs. We have heard about many of them at the rural hearing you talked about. Hopefully the spirit of cooperation we share on the committee will spread throughout the Congress.

So happy Small Business Week to all of our small businesses, and I thank all of the entrepreneurs in New Hampshire and Idaho and across the country for their hard work, for their innovation, and for their grit. They have our gratitude and our respect.

Thank you, Mr. Chairman. I look forward to the good work we will continue to do for small businesses in this country.

Mr. RISCH. Likewise.

Mrs. SHAHEEN. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, we have a retirement crisis in this country. Today, among working families on the verge of retirement, about a third have no retirement savings of any kind and another third have total savings that are less than one year's annual income.

Let's be blunt. Social Security alone is not enough for a secure retirement. Hitting retirement with little or no savings means spending those last years hovering around the poverty line, with little or no money for important purchases, like dental care or hearing aids, or extras, like buying a birthday gift for a grandchild.

There are a lot of different reasons people hit retirement with no savings, but one big reason is that 55 million Americans don't have the ability to save for retirement through a workplace retirement account. For years, the Republican-controlled Congress has done nothing to help the 55 million Americans who don't have an employer-provided retirement plan to save for their retirement—nothing—so seven States have actually stepped up. They passed legislation to provide retirement accounts to their constituents, and 23 more States are currently considering proposals like this. Massachusetts has stepped up, too, passing legislation to allow workers in small, nonprofit organizations to save for retirement in a State-administered plan.

These State efforts are a big deal. The actions of just those first seven States could expand coverage to 15 million Americans who don't currently have an employer-sponsored retirement account. These efforts would go a long way toward starting to chip away at the retirement crisis in our country, and both Republicans and Democrats should be applauding the efforts of the Governors, State treasurers, and State legislatures who are doing this important work. But instead of passing legislation to incentivize States to continue their innovative work or instead of bringing up a bill on their own encouraging companies to offer retirement accounts to their workers, Republicans are voting on a bill that would pull the rug out from underneath these State plans, jeopardizing all of the States' recent progress.

Republicans are constantly saying they are the party of federalism, deregulation, and State flexibility. Over and over again for the past several months, my colleagues across the aisle have come down to the floor to overturn regulation after regulation because they claim those regulations ''limit the role of State and local governments.'' So why on Earth are they now passing a bill to run roughshod over the States?

The States certainly aren't asking them to take it up. The National Conference of State Legislatures—the bipartisan organization representing the legislatures of all 50 States—sent a letter urging Congress not to pass this bill because ''it will result in an unwarranted preemption of state innovation, will restrict the ability of millions of hardworking Americans to save for retirement, and will prove costly to federal and state budgets.'' And 23 State treasurers and top budget officials, both Democrats and Republicans, from Idaho to Mississippi, wrote urging Republican leadership to ''protect the rights of states and large municipalities to implement their own, unique approaches . . . to address this growing retirement savings crisis.''

No, the State legislatures didn't ask the Republican Congress for this bill, and the American people are certainly not calling their Senators asking that they overturn the rules to help them save for their retirement either. Seventy-two percent of Republicans and 83 percent of Democrats support the work the States are doing.

If it is not the State legislatures and it is not the State regulators and it is not the American people who want this bill passed, why are Republicans pushing it forward? Why are we voting for this legislation?

Four words—national chamber of commerce. The national chamber of commerce has been fighting tooth and nail to kill these retirement initiatives. Their armies of lobbyists are swarming over Capitol Hill. They are peddling misinformation about what these plans do, all because the giant financial firms that pump money into the national chamber of commerce are worried that the State plans will offer better investment products with lower fees for customers.

Yes, the giant financial firms are right to be worried. States probably will not award investment contracts to the companies with the highest fees or to the companies offering kickbacks and prizes to make the sale. They are going to award contracts to companies that can provide the best product at the lowest cost. That is how a competitive bidding process works.

The financial firms hiding behind the chamber of commerce don't want competitive bidding, they don't want transparency, they don't want to fight on a level playing field, and they are willing to spend a whole lot of money to make sure they don't have to. In fact, the Chamber is so serious about keeping the system rigged that they have sent letter after letter to every Member of Congress and their staff, letting them know they are watching this vote.

Just in case you can't read between the lines, for extra emphasis, in bold and underlined typeface, their letters warned that they will be ''consider[ing] . . . votes on, or in relation to, [this] resolution[] in our annual How They Voted scorecard.'' Whoa. The chamber of commerce is going to score who votes to help the big financial corporations and who doesn't, and they are going to make sure that all those potential campaign contributors know about the vote.

This is what gives Washington such a terrible reputation. The American people didn't send us here to work for giant financial institutions and their armies of lobbyists and lawyers. I don't care what kind of threats the chamber of commerce puts out; it is wrong to pass a law to kick people in the teeth when they are trying to save for their retirements. The lobbyists may be watching this vote, but the American people are watching, too, and they are ready to fight back.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The bill 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.

Mrs. MURRAY. Mr. President, like so many, I spent the weekend reflecting on what the past 100 days have meant. And from President Trump—aided by congressional Republicans—it has been 100 days of broken promises, 100 days of far too much division, and 100 days of attacks on women and workers and seniors. It has been 100 painful days for many, no doubt about it.

It is not surprising then that to kick off their next 100 days, President Trump and Republicans have prioritized today, sending a clear message to Wall Street that the Trump administration remains open for business and is committed to standing with them and not with working families. That can be the only possible message, since today, Senate Republicans have advanced another one of their favorite tools this Congress—yet another CRA—to thwart efforts by States to simply provide their workers access to retirement savings program.

In March, Senate Republicans voted to overturn a rule that would allow major cities the flexibility to start their own retirement savings programs. No doubt, the negative impact of this reversal has already been felt across the country. Today's effort by Republicans to target State programs would have even more far-reaching consequences now and in the long term.

If Senate Republicans jam through this CRA that is on the floor today, they will be pulling the rug out from numerous States nationwide, leaving over 15 million workers, which includes nearly 2 million workers in my home State of Washington, without any easy option to save for their retirement.

This is going to have a significant, chilling effect across our retirement system for our workers, for our Governors, for State legislators, and State treasurers.

As AARP said this week, it would send the political message that Congress is opposed to State flexibility to increase retirement savings. We would likely see a number of States delay action or legislation to offer workers more savings options because of the perceived congressional prohibition. This cannot and it should not happen.

Fifty-five million workers today in our country lack access to a workplace retirement plan through their employer. That is about one-third of all of our workers in this country. Our retirement savings gap has continued to worsen, and it is true for most States across this country. It is true for my home State of Washington, despite progress and steps in the right direction over the past few years.

Today, fewer than half of all Washington State workers participate in a retirement plan at work, and nearly 90,000 Washington small businesses offer no retirement arrangement. This is too common all across our country. Because Congress has been unable to come together to address this retirement savings crisis, States have now begun to step up to help workers save for retirement through savings programs.

As I previously talked about on the floor, these savings programs simply allow employers to automatically enroll workers while giving workers the opportunity to opt out. These programs only apply to businesses that do not currently offer retirement plans. They in no way limit an employers' ability to seek out and offer their own employer-sponsored plan.

These plans are worker and business friendly. There is little paperwork required for workers to participate in the program, and there are no added burdens to small businesses. In fact, in these programs, employers are strictly required only to serve in administrative capacity.

Last year, Democrats working with the Obama administration pushed for guidance to provide certainty to States that have launched their own retirement programs. This guidance simply clarifies an existing safe harbor allowing employers to establish payroll deduction IRAs, which gives States clarity they need that these programs will not be preempted by Federal retirement law.

This guidance merely provides flexibility to cities and States to move forward with these programs, and in fact it was requested by the States and local officials. This is pretty common sense. In fact, it is the kind of proposal that Democrats and Republicans have agreed on for several years.

As much as my colleagues on the other side of the aisle may not like to recall now, many of them have been on the record previously supporting just these kinds of efforts. Really, it is not hard to understand why. As I have said, it is very clear who President Trump and Republicans are standing with on this. Working families across our country are seeing clearly that on any chance to move the ball forward for them and their retirements, Republicans are now standing in the way and choosing instead to put the interests of Wall Street first.

This is a critical vote. Families are watching. If you say you stand with working families, you vote against this resolution. If you want to meaningfully address our retirement crisis, vote against this resolution.

I urge our colleagues to reject this harmful repeal. I urge them to stand with our States and our working families who just want to provide economic retirement security for the families in their States.

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. 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.

Mr. CORNYN. Mr. President, seeing none of my Democratic colleagues on the floor seeking to speak, I ask unanimous consent to speak on the Democratic time.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOVERNMENT FUNDING LEGISLATION

Mr. CORNYN. Mr. President, this week the Senate continues to consider the government funding bill, which I hope we will decide to vote on tomorrow afternoon. I want to highlight a few ways that this legislation is good for America. It addresses important priorities, and it is particularly good for those 28 million people I have the privilege of representing in Texas.

I know people say we don't want to do an omnibus appropriations bill, and frankly this is not the best way to do business, but when our Democratic colleagues objected to us processing individual appropriations bills, this is the only alternative, other than perhaps a continuing resolution.

A continuing resolution would continue Obama-era policies and frankly wouldn't end up saving any money because both of them are subject to the same spending caps under the Budget Control Act.

Here we are. The House will undoubtedly pass this agreed-upon bill, the first negotiated bill with the Trump White House, with a Republican majority in the House and the Senate, and with Democratic participation and input as well.

First, as I mentioned yesterday, this bill provides significant funding to shore up security at our international border with Mexico. This is a particularly important Texas issue because obviously we share a 1,200-mile common border with Mexico, but it is also a national issue. It is an important issue President Trump ran on and one of the reasons I believe he was elected.

Attention to securing the border is long overdue. I have always contended that border security is first and foremost a matter of political will because we know how to do it. The question is, Do we have the political will to accomplish it? Rio Grande Valley Border Patrol chief Manny Padilla likes to say—he served in numerous capacities all across the border, from Arizona, California, and now in the Rio Grande Valley in Texas. He likes to say that there are really three legs to the stool of border security. There is technology, there is personnel, and then there is infrastructure, what some people like to call fencing or walls. Each area along the border depends—the mixture will depend on what makes sense, what is actually effective. It is obviously important to get the advice and input of professionals of Border Patrol who work day in and day out to secure the border. With this omnibus bill, we will see the strongest increase in border security funding in nearly a decade. That means more resources to help Customs and Border Patrol, among other agencies, to enforce our laws, keep trade flowing, and stem the tide of contraband and illegal immigration.

When we talk about border security, it is also important to recognize the important economic and trading relationship we have with Mexico. Roughly 5 million American jobs depend on binational trade with Mexico, which is another reason I have been paying such close attention to the administration's discussion about updating NAFTA and other important trading agreements. More than half of the entire border between the United States and Mexico is in Texas so this is critical to Texas and to Texans and necessary to keep our people safe.

Fortunately, this funding deal will also strengthen our Nation's defense at a time when, under the Obama administration, we saw a 20-percent cut in defense spending. As former Director of National Intelligence James Clapper liked to say—well, maybe he didn't like to say it, but he did say it: In 50 years in the intelligence community, he had never seen a more diverse array of threats in his entire career. So our country does face multiple threats all over the world.

This legislation includes more than $20 billion for defense—a real important plus-up in defense spending for the first time in a long time. This bill also includes new funding to support our military men and women deployed abroad in the fight against ISIS, for example, and it includes a pay raise for our troops as well. We have an All-Volunteer military that has been stressed—really, unlike any other time in our Nation's history—with the longest continuous time at war, particularly in Afghanistan and Iraq and now in other places around the world. So in an All-Volunteer military, it is really important for us to make sure that we treat our troops right when it comes to pay and living conditions in an All-Volunteer military.

Fortunately, this bill will also begin to tackle a major problem that I spoke about just last week; that is, our readiness—readiness of our military to face the new and evolving threats around the globe.

I would just pause here to note that some people have said we can solve the disparity in our needs or the threats and the amount we have been able to fund for national security by just tweaking the Budget Control Act of 2011. Well, the fact is, Congress only appropriates about 30 percent of the money that the Federal Government spends. Well, 70 percent is on autopilot because of the Budget Control Act. We have been able to keep discretionary spending, which includes defense spending, relatively flat since 2011, when the Budget Control Act was passed, but the fact is, mandatory spending is growing at a rate of about 5.5 percent. In my own view, we are never going to be able to fund our priorities—including national security—adequately, unless we revisit all of that 100 percent of Federal spending, which is going to take an act of political courage on the part of the President and those of us in the Congress but something we really cannot continue to put off day after day, week after week, year after year.

This Omnibus appropriation bill funds the procurement of new warships and aircraft and increases funding to help modernize our ancient nuclear deterrent programs and includes resources to counter radicalism and instability in the developing world.

I am also glad this legislation includes funds to help our veterans and their families transition into the civilian workforce, and it will better equip Texans working in military installations across the State, keep our military ready, and funds resources for the battlefield.

So while there is a finger-pointing and blame game or credit-seeking game going on here in Washington—and I guess if the blame game were an Olympic sport, Washington would win that—but this is too important to be talking about in terms of political winners and losers. The truth is, the American people will be the winner if we keep the government running, if we do our job, and particularly if those of us who are fortunate enough to be in the majority after this last election will simply govern. That is what they elected us to do, along with the President of the United States.

On a different note—I want to close on this. Yesterday, I spoke about the terrible storms and tornadoes that whipped through East Texas over the weekend. Fortunately, we were able to secure additional disaster relief funding in this omnibus package that will play a big part in helping communities rebuild, not only from floods and bad weather we have had in the past but also this current tragedy with loss of life and loss of property. It will help our communities rebuild, recover, and prepare for the next storm.

This legislation will also bring us closer to a solution to mitigate damage from hurricanes and storm surges along the gulf coast in the Gulf of Mexico. This is particularly an important issue in Houston and along that gulf coast region, which is a huge, vital economic center for our country. By funding an Army Corps of Engineer study, we can best find a way forward that keeps more Texans safe from the next big hurricane, which we know is coming, and the question is just a matter of when.

This bill also dedicates resources to improve and strengthen waterways that will help maintain Texas ship channels so they can handle more commerce and provide better flood control for susceptible areas.

I will close by pointing out that this legislation also appropriates funds for bipartisan bills we passed last year. I know frequently—if you read the newspaper or if you watch cable news—you may think that nothing ever happens here, but actually even under the Obama administration, Republicans

worked in a bipartisan way to accomplish important things like the Every Student Succeeds Act, the follow-on from No Child Left Behind, and one that actually does things that conservatives think is important and pushes more authority back down to the States and out of Washington when it comes to our schools. It makes sure that the States, local school districts, parents, and teachers have a say when it comes to the best quality and the best way to teach our children in K–12 schools. So we will fund much of that effort in this legislation.

I know many of our colleagues represent areas of the country that have been devastated by the opioid crisis, as well as heroin crisis, which unfortunately seem to go hand in hand. We worked closely together, in a bipartisan way, to fund the Comprehensive Addiction and Recovery Act signed into law last year under President Obama to help tackle the opioid epidemic running rampant throughout many parts of the country. It also includes resources that help eliminate the rape kit backlog, one that I have been working on for some time, to make sure—the Debbie Smith Act, which is in excess of $100 million that is available in funding to forensic labs all across the country to eliminate the rape kit backlog. The power of DNA testing through these rape kits to identify the perpetrator of sexual assault, as well as to exonerate the innocent, is really something to behold. So in this funding, the rape kit backlog will be reduced and we will bring to justice victims of crimes and vindicate those who were accused but who are in fact innocent.

This legislation will also help provide funds for victims of human trafficking to recover, and it will help train law enforcement to handle an active shooter situation via something we passed last year, on a bipartisan basis, called the POLICE Act. As the Presiding Officer knows, police changed their tactics when it comes to active shooters. I believe it was Columbine where the tactic was still used to surround an area near a school and to make sure nobody comes in or goes out, but our police and first responders learned to be very resourceful and innovative and indeed are training now. According to the POLICE Act, Federal funds go to State and local law enforcement and first responders to help the police train to engage an active shooter to stop the killing but also to train the first responders, typically the EMS officials, to stop the dying. So you can stop the killer, but unless you have EMS or emergency medical service personnel trained along with the police department, you may stop the killing, but you will not stop the dying, and that is the goal of this important bill. This legislation helps fund that.

So here is the bottom line. Legislation is always a compromise, so it never ever meets anybody's individual expectations in terms of what they would want as the perfect bill, but I know people are frustrated by that because they say: Why couldn't we do more? Why couldn't we get more of what we wanted, and why did we have to give up something that other people wanted in order to agree to pass this legislation? Well, that is the way our system was designed. That is the way our Founding Fathers created the legislative branch and made it a requirement that in a country as big and diverse as ours, that we needed to build consensus in order to pass legislation, and that means Democrats and Republicans, Congress and the White House, working together to come up with an acceptable consensus product. That is what this is. It is a product of bipartisan give-and-take. It includes many conservative priorities that I like—that we have been talking about for a year—that benefit communities across my State. It provides for our national defense, and it will make our country healthier and safer, and it does that at the same time as we consolidate or eliminate more than 150 outdated and unnecessary programs and initiatives.

That is why it is important we pass this omnibus, as opposed to another continuing resolution, which, by the way, makes it nearly impossible for our national security agencies and our intelligence community to actually plan. When we fund government for a 6-month period of time, they don't know what is going to happen after that. So it is really important that we put our shoulders to the wheel and we work together, on a bipartisan basis, to give them some more certainty, to give them a longer flow of revenue, so they can do planning and spend the tax dollars that are appropriated efficiently.

An important point that has been lost as we discussed and debated this bill is, it finally sets the country in a new direction—one that leads away from the Obama administration's priorities, which existed under the continuing resolution and was reflected by endless cycles of continuing resolutions. That is the past. We entered a new era of a stronger defense, less regulations for job creators, and a more streamlined and efficient government.

This is the first major piece of bipartisan legislation negotiated with the new White House, and it proves that we can come together when we must, that we can govern, and that we can deliver results. It will also serve as a good blueprint moving forward with a carefully thought-out strategic budget as we look ahead to the fall.

This legislation isn't perfect, but it does represent progress. It does represent an important watershed with this new administration, where we have all come together and reached agreement on a piece of legislation that we feel is beneficial to the entire country. If we are not going to engage in that sort of activity, but we are just going to vote no on everything because it is not perfect, we are not going to be able to make that kind of progress that we are all, I believe, committed to making on behalf of the people we represent.

Mr. President, 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. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I am here to talk about 55 million Americans who presently lack the authority to save for retirement directly from their paychecks. I am here to talk about preserving, protecting, strengthening retirement savings for all Americans, and I am here to talk about providing State and local governments with the tools they need to expand access to retirement savings accounts in order to reach that goal.

I am here to oppose H.J. Res. 66. This misguided proposal would tear down ongoing efforts at the State and local levels to help families achieve financial stability in retirement after years of hard work and sacrifice. These ongoing efforts at the State level should be encouraged, not deterred.

The numbers here tell a dramatic story. Many private sector employees have the option to set up and contribute to their own individual retirement accounts, often called IRAs. We know them well. But fewer than 10 percent of workers without access to a workplace plan contribute to a retirement savings account. This lack of retirement savings often leads to ruins—life-transforming disasters at ages when nobody deserves them, jeopardizing access to adequate meals, housing, healthcare, and other necessities for older Americans across the country.

In response to this catastrophic possibility for so many Americans, in August of 2016, the Department of Labor promulgated what has become known as the State-sponsored auto-IRA rule. This rule provides basic, critical guidance for States on how to administer programs designed to improve access to retirement accounts among private sector employees. These State-facilitated programs allow State governments to provide automatic enrollment in State-sponsored IRAs, with the opportunity, importantly, to opt out at any time.

The rule that has been promulgated by the Department of Labor, which was also expanded to include a limited number of larger cities and counties, made it clear that any auto-IRA program established by a State or municipal authority must limit the employer's role in the program. In addition, the rule clarifies any ambiguity regarding the application of the Employment Retirement Income Security Act. It makes clear the conditions under which ERISA does not apply.

The misguided proposal before us today seeks to overturn all of this critical rulemaking, carefully devised and developed. If it is passed, the resolution will cripple efforts at the State level to ensure that retirement savings opportunities are more readily available for all workers.

I have always assumed that my colleagues across the aisle were in favor of State initiatives and State authority and State experiments and States addressing the issues of their citizens directly. These are basic States' rights—but not so much in this case.

H.J. Res. 66, in fact, will be particularly harmful in States like Connecticut, which has already begun to bridge the retirement savings gap for nearly 600,000 people who lack access to employer-based savings for retirement in our State. The Connecticut Retirement Security Authority has pioneered this effort. I am very proud to say, Connecticut is among several States that have made real progress toward expanding secure pathways to retirement savings for their private sector employees.

By leveraging State facilitation with private providers, these plans allow workers access to secure, low-cost retirement savings which, in turn, allow more workers to adequately prepare for retirement, improving life for those workers and also reducing the burden on taxpayer-funded services. In fact, encouraging increased retirement savings yields important savings for Federal and State budgets in the future, not just now.

Studies have shown that expanded retirement savings programs could potentially reduce Medicaid expenditures in Connecticut by over $65 million in the first 10 years after implementation. That $65 million in savings on Medicaid is for Connecticut alone. Think of the whole country. Think of the savings in Medicaid and other critical service programs that go to aid our seniors. They would much rather save for themselves.

I ask my Senate colleagues who believe we ought to be spending our time expanding, not limiting, access to secure retirement solutions to join me in opposing this legislation. There are many of our Republican colleagues who have long called for reduced government spending and in increased autonomy for State governments. They should be joining in opposing H.J. Res. 66.

There are many of our Republican colleagues who have long advocated giving people the freedom and the opportunity to plan for their own future. They ought to be joining in opposing H.J. Res. 66.

I ask all of us now to join me in voting no on H.J. Res. 66 because States ought to have the flexibility and the opportunity to implement proven strategies to support hard-working Americans who wish to prepare themselves for retirement. Give them that opportunity. Do not destroy it in H.J. Res. 66.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, it looks as though we are at it again. Instead of fighting to make things even a little bit better for hard-working, middle-class Americans, Members of this body just want to make life harder for those hard-working, middle-class Americans.

We have had the debate on Capitol Hill about how to strip healthcare from 24 million Americans. We have had a conversation on Capitol Hill on how to reduce the taxes phenomenally on the very richest Americans. We have seen the President's one-page description of a tax plan that consisted of a goody bag for the richest Americans, the multimillionaires and the billionaires. But here we have another provision just trying to sucker punch hard-working Americans because those hard-working Americans work for companies that often don't have a retirement plan, so they do not have a convenient way to put funds away to prepare for retirement.

Along came the States. The States said: You know, for those workers who don't have a retirement plan at their work, why don't we design one, present one, so that they could automatically sign up and have their wages—a small amount of them—put away for retirement automatically?

Then they would go to a different job, and that job would not have a retirement plan. Well, then, in that new job, they could have a little bit of their wages put away automatically for retirement—not in a manner that requires people to save. They could ''unsign'' themselves up. This is called automatic opt in. They could say: I don't want that 3 percent put into a retirement plan. Make it 2 percent, make it 1 percent, make it 5 percent, or make it 0 percent. They would have the control, but when they first start the job, it automatically puts away a little bit for retirement.

I think about my son and daughter—my son who is 21 and my daughter who is 19—and they have worked a whole series of modest little jobs, from pouring coffee to coaching sports teams to working as a lifesaver and so on and so forth.

What if for every single job in those companies that were not providing those retirement plans, workers automatically had 3 percent of their funds put away toward retirement in a low-cost option—the same kinds of low-cost options that U.S. Senators have when they come here to the Senate, the same types of low-cost options that every Federal employee has? Why not give that same opportunity to ordinary working Americans? That is what we are here talking about.

We already made it harder to set up such stand-in plans—plans that stand in when there is no retirement plan provided by the employer. In March, we passed another CRA making it difficult to impossible for municipalities to create such a plan for their citizens, but the plans probably made more sense at the State level.

Now come my friends across the aisle to say: It is not enough. It is not enough that we hit them once by stopping the municipalities from providing a plan. We are going to hit them again—kick them while they are down. That is the attitude of this provision that is before the Senate.

What we are really talking about is denying the American dream to millions of citizens across the land who work for employers that don't have retirement plans or who run small businesses and don't have the administrative overhead to be able to set up a plan. This rips away the certainty that comes with knowing that if you work hard and play by the rules, you automatically save through one of these plans and you get a certain level of security and a certain level of dignity in your golden years.

Isn't it our job here in the Senate, as representatives of our citizens and our States, to do everything we can to provide a ladder of opportunity, to lift up the men and women of this country?

It isn't our job to say: Well, the States provided a ladder of opportunity; so let's go tear it down. Let's take a buzz saw and saw up that ladder of opportunity, because, wow, why would we want the States to help out our citizens? Isn't that not our job—to try to destroy opportunity?

But here we are with my colleagues saying: Well, as to these folks who don't have a retirement plan set up by their employer, we are going to make it as hard as possible for them to save money for retirement.

I hear the same folks come down here and say: Well, you know what; wouldn't it be wonderful if everyone saved more for retirement?

Well, yes, it would be. So why don't we make it easier for them to do so, not harder. A plan that puts no imposition on the small business—doesn't that make a lot of sense? Isn't that a win-win? Isn't that a blow in favor of helping out working people, rather than a blow that knocks them down?

Today, apparently, we have a slim majority that says: No, knock them down.

Furthermore, there is apparently a slim majority that likes to preach on States' rights. But when it comes to States trying to address a problem, you have a powerful special interest come to Capitol Hill and say: Don't let it happen because, after all, maybe one of them someday will be a customer of ours, and we wouldn't want them to be able to get help from their State while they are waiting for us to help them.

A powerful special interest comes here, and suddenly States' right are out the door, States' rights are out the window.

The conversation during the Presidential campaign was that we heard about electing a President who will

fight for workers. Well, that was yesterday, because today we are passing a bill that Members of the Senate expect the President himself to sign to take a buzz saw to the ladder of opportunity for working people—the President of the United States, I am talking about, to take an ax to the program that makes it easier for Americans to save money for their retirement.

Now, don't we know that public pensions are disappearing and private pensions are disappearing? What we are left with is Social Security. If workers don't have pensions through their jobs, and all they have is Social Security, it is going to be pretty rough in retirement.

There is another option: to make it easier for workers to save. According to one study from 2013, 40 percent of small business owners had no retirement savings, 75 percent had no plans for funding their retirement, and 55 million Americans—nearly half of the private sector workers in America—are employed in jobs that do not offer any form of retirement savings or pension plan.

Well, that is a lot of Americans who are only going to have Social Security unless they save.

We know that it is much easier for them to save if they have a workplace plan and funds go into that plan automatically, and the individual worker can change the amount, the set-asides. They can increase it. They can decrease it. They can stop it. They can reactivate it. But because it is set up automatically, most workers choose to stay in it once they are there.

Workers don't want to have a different retirement plan for when they worked at this company and then another one at this company and another one at that company, or companies that didn't have a plan so they had to set up something on their own.

The idea is that this plan is portable, that you can take it from employer to employer. These are the things that are appealing to our State governments, which are saying: That is what will work well for the citizens of our State.

Shouldn't we enable the States to be a laboratory of invention, a laboratory of innovation? Shouldn't we enable them to test run whether this works or doesn't work, instead of our taking and destroying that pilot project, destroying that laboratory of innovation, destroying that experiment at the State level to see if this would help make American citizens better off?

This would all be done at the State level at no cost to businesses. In fact, that is what businesses have liked about it. That is why they have lobbied their State legislatures to say: Hey, maybe you would like to do this. We are too small. It is too difficult for us to set up a retirement plan. Maybe you all would like to design one that would be available.

At this moment, 25 States are considering legislation to create retirement savings accounts for small business employees that currently aren't able to participate in a workplace retirement plan because the workplace doesn't have one. Twenty-five States are looking at this. Even if only one State were looking at it, shouldn't we give that State the opportunity? Five States are looking at it—and power to them because maybe one of the five will figure out a way to make it work and the other States will learn from that.

Twenty-five States are looking at this because there is such an urgent need for their citizens. Seven of those 25 States are already at work implementing plans.

I am very proud that Oregon, my State, is one of those seven. It plans to launch a voluntary pilot group later this summer. If that goes well, it was planning to expand that plan over the next 2 years, and if that goes well, it was planning to make it available to individuals working in any job in Oregon where there wasn't a retirement plan.

That is very thoughtful. Start with a little group, expand it to a few more, and see if it is still working. If it is a good model and the feedback is good and you need to make some changes, you can make it on a small scale. When it is ready to roll, if it is doing a good thing for America's workers, for Oregon's workers, give every Oregon worker that opportunity to easily save for retirement.

There is so much interest from the States, so much interest from the businesses in those States for the possibility of experimenting with these plans. Last year, the Department of Labor set up the safe harbor rule that helps to clarify a piece of ERISA, our Federal retirement law, to make it possible for States to pursue this. That is what is before us today. Are we going to undo the protection to let States experiment?

The AARP likes to point out that these State-sponsored plans would likely increase the number of workers saving for retirement. That is because, as they enter the workforce, they would be automatically enrolled. They would be able to continue using that plan even if they change jobs within the State. That would be helping them from their very first day of employment in the workforce.

Imagine your son or daughter, age 15 or 16, getting that first summer job or evening job or early morning job, and already they are starting to save for retirement. It makes a big difference over their working years, which might cover four decades or more. It makes a big difference, whether they have anything to back them up other than Social Security.

It is good for small businesses because not only does it free them from feeling badly that they hadn't set up a plan, but it makes their workers happier, more productive employees, and the businesses get to have all that by bearing no additional costs.

It is good for taxpayers. It is good for States. It is good for business. It is good for the workers. The only thing it is not good for is for some powerful special interest that has failed to offer plans to these workers but says someday it might and it doesn't want the competition—a powerful special interest coming here to Capitol Hill to rip down a ladder of opportunity for workers.

Is the President going to sign that after he campaigned on helping workers? Well, yes, apparently he is because that was yesterday in a campaign, and today is the reality of governing. Apparently, a powerful special interest is talking to the President of the United States, and he is helping that interest, rather than the workers of America.

He is fighting for a Federal blockade rather than for States to be the laboratory of innovation and experimentation. He is fighting for the billionaires, rather than for the working people of our Nation, and that is just a terrible development to see.

Colleagues, you can change that right here. We are going to have a close vote. So come down to this floor and place your vote with States' rights. Come down to this floor and place your vote in ladders of opportunity. Come down to this floor and place your vote on the side of an average working American.

You might live in a bubble. You might live in a gated community. You might live in a fancy world as a Senator, but these are the workers of America who have employers who provide no retirement plan. That is who we are talking about here.

So get out of your bubble. Get out of your elite frame of mind. Come down to this floor and fight for the workers of America. Vote no on this blockade to the States' addressing a fundamental need, providing a fundamental opportunity for the workers of America to save for their retirement.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEE). Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from West Virginia, my friend and colleague, Senator CAPITO.

The PRESIDING OFFICER. Without objection, it is so ordered.

COAL MINER HEALTHCARE BENEFITS

Mr. MANCHIN. Mr. President, I wish to thank my friend from West Virginia, my colleague, Senator CAPITO, for her support and leadership in our fight to keep the promise made in President Truman's White House more than 70 years ago.

For the past two Congresses, Senator CAPITO has been an original cosponsor

of the Miners Protection Act with me, and I am proud to say that the healthcare portion of that bill is included in the Omnibus appropriations bill that we are set to vote on later this week. Before sending this permanent fix to the President's desk for his signature, I want to confirm our specific understanding of how the language would apply to the eligibility for benefits of the former employees of Patriot Coal, Alpha Natural Resources, and Walter Energy.

Mrs. CAPITO. Mr. President, I certainly appreciate the kind comments from my friend and fellow Senator from West Virginia, Mr. MANCHIN, who has been a champion of this issue. It has been a pleasure to work together and to have it all work out. We have worked closely together for the past several years to advance a permanent solution for the retirement benefits of thousands of miners in our State and across the Nation. I appreciate Senator MANCHIN's hard work and leadership on this; I really do.

I would be happy to discuss what I believe is our shared understanding of the intent behind miners' healthcare language in the omnibus bill that originated in the Miners Protection Act.

Mr. MANCHIN. The language states that anyone who would have received retiree healthcare coverage from one of these three companies, but for the orders entered in their bankruptcy proceedings terminating the employer's obligations to provide these benefits, becomes a participant in the UMWA 1993 Benefit Plan.

I understand that the language encompasses anyone who would have received such coverage from the bankrupt employers and not just those who meet the 1993 plan's general eligibility requirements. This includes miners or widows who might have been specifically bargained into the plan, such as the miners who worked at the ill-fated Upper Big Branch Mine. We all know the drastic situation of those great miners.

Also included are miners who do not meet the 1993 plan's general eligibility requirements because their employers rejected their collectively bargained obligations and withdrew from the UMWA 1974 Pension Plan but who would have become eligible if their service for the bankrupt employer or its successor were included in determining their eligibility.

Mrs. CAPITO. I wholly share Senator MANCHIN's understanding of this key provision of the legislation.

By adopting the language from the Miners Protection Act that is included in the Omnibus appropriations bill, we intended to cover any miners, survivors, and dependents who would have received or continued to receive Federal retiree healthcare benefits from one of these bankrupt employers had it not gone through the bankruptcy process, without regard to the 1993 plan's usual eligibility rules.

I understand that these individuals are eligible under the rules as applied by the Patriot VEBA, and I expect that these rules will continue to be applied in the same manner by the 1993 plan.

Mr. MANCHIN. Let me say that both of us representing the great State of West Virginia from both sides of the aisle—a main purpose has been protecting the people who did all the heavy lifting in this great country and gave us the energy we needed to be the superpower of the world.

I know that Senator CAPITO is as proud as I am. I am proud to be working with her to make this happen. This is truly a bipartisan effort. It is the way legislation used to be done, and it is the way it should be done, and hopefully we can start something anew here. I thank my colleague.

Mrs. CAPITO. There is nothing like seeing the faces of our miners as we did in our offices the other day and I have seen in my office throughout this time—or when it was at the 100-degree rally out on the lawn last fall—to realize the human faces behind what we are talking about.

Senator MANCHIN is right. It is a bipartisan issue, and it is the right and fair thing to do.

It has been a pleasure to work with Senator MANCHIN and with the UMWA and our other colleagues to see this legislation through.

Mr. MANCHIN. I think we have both been able to educate not only our fellow colleagues, our Senators, but basically the entire country on the hard work the miners have done and what they have provided for this country for us to be the superpower of the world—to respect the work they have done and continue to do.

With that, I am so proud of everybody who worked so diligently on this issue and this effort, for the Republicans, our President, and our leaders on both sides, Democratic and Republican, making sure this was first and foremost the main obligation for us to accomplish. I thank my colleagues.

Mrs. CAPITO. I thank my colleagues.

Mr. MANCHIN. With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time has expired.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. ALEXANDER. Mr. President, 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 assistant bill clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

The PRESIDING OFFICER (Mr. TILLIS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 120 Leg.]

YEAS—50

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McCain	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Wicker
Fischer	Murkowski	

NAYS—49

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Sanders
Booker	Heitkamp	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Stabenow
Carper	Klobuchar	Tester
Casey	Leahy	Udall
Coons	Manchin	Van Hollen
Corker	Markey	Warner
Cortez Masto	McCaskill	Warren
Donnelly	Menendez	Whitehouse
Duckworth	Merkley	Wyden
Feinstein	Murphy	Young
Franken	Murray	
Gillibrand	Nelson	

NOT VOTING—1

Durbin

The joint resolution (H.J. Res. 66) was passed.

The PRESIDING OFFICER. The majority leader.

HIRE VETS ACT

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the body the message to accompany H.R. 244.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendments numbered 2 and 3 of the Senate to the bill (H.R. 244) entitled ''An Act to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.'' and be it further

Resolved, That the House agree to the amendment numbered 1 of the Senate to the aforementioned bill, with an amendment.

MOTION TO CONCUR

Mr. MCCONNELL. I move to concur in the House amendment to the Senate amendment to H.R. 244.

CLOTURE MOTION

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. 244, an act to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

Mitch McConnell, Thad Cochran, Orrin G. Hatch, Bill Cassidy, Tom Cotton, Lamar Alexander, John Barrasso, John Thune, Mike Rounds, Susan M. Collins, Lisa Murkowski, John Cornyn, Richard C. Shelby, Thom Tillis, Jerry Moran, Roger F. Wicker, Shelley Moore Capito.

MOTION TO CONCUR WITH AMENDMENT NO. 210

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 244, with a further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amendment to the Senate amendment to H.R. 244, with an amendment numbered 210.

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:

At the end add the following:

''This Act shall take effect 1 day after the date of enactment.''

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 211 TO AMENDMENT NO. 210

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 211 to amendment No. 210.

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 ''1 day'' and insert ''2 days''.

MOTION TO REFER WITH AMENDMENT NO. 212

Mr. MCCONNELL. Mr. President, I move to refer the House message on H.R. 244 to the Committee on Health, Education, Labor, and Pensions with instructions to report back forthwith with an amendment numbered 212.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the message to accompany H.R. 244 to the Committee on Health, Education, Labor, and Pensions with instructions to report back forthwith with an amendment numbered 212.

The amendment is as follows:

At the end add the following:

''This act shall be effective 3 days after 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. 213

Mr. MCCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 213 to the instructions of the motion to refer the message to accompany H.R. 244.

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 ''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. 214 TO AMENDMENT NO. 213

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 214 to amendment No. 213.

The amendment is as follows:

Strike ''4'' and insert ''5''.

Mr. MCCONNELL. Mr. President, for the information of all Senators, the Omnibus appropriations bill is now pending. I filed cloture to ensure that the Senate can pass it and send it to the President for his signature before the end of the week. It is my hope that we can enter into an agreement to vote on the omnibus tomorrow rather than running out the clock into the weekend.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. President, I ask unanimous consent that following leader remarks on Monday, May 8, the Senate proceed to executive session for the consideration of Calendar No. 38, the nomination of Heather Wilson to be Secretary of the Air Force. I further ask that there be 4 hours of debate on the nomination, equally divided in the usual form; and that following the use or yielding back of time, the Senate vote on confirmation of the nomination; and that, if confirmed, the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. 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.

TRIBUTE TO GARY RANSDELL

Mr. MCCONNELL. Mr. President, today I wish to celebrate the retirement of my friend, Dr. Gary A. Ransdell, who, since September 12, 1997, has served as the ninth president of Western Kentucky University.

During his nearly two decades leading WKU, Gary has overseen a complete transformation of the school. An alumnus of the school himself, graduating in 1973 with a bachelor of arts degree in mass communications and again in 1974 with a master of public service degree in public administration, Gary said that ''[s]erving my alma mater has been a dream come true.''

Under Gary's leadership, the school has grown into a prominent university with an international presence. Since 1997, enrollment has increased from 14,500 to 21,000, with strong improvements in graduation numbers, the number of applicants, and student retention. WKU has attracted hundreds of millions of dollars in private donations, completing two major capital campaigns under Gary's guidance. Those funds have revitalized the campus and created state of the art buildings and classrooms.

Students at WKU have a world of education within their reach. New undergraduate degree programs focusing on mechanical, electrical, and civil engineering and doctoral degree programs in education, nursing, physical therapy, and psychology promote research and prepare students for their careers. The university is also committed to transferring its technology into the Kentucky workplace to help develop the State's economy. WKU's regional campuses throughout Western Kentucky make education accessible to many Kentuckians for the first time. The creation of the Gatton Academy of Math and Science, which reached a milestone in 2014 when the school was ranked as the No. 1 high school in America for its 3rd year in a row by Newsweek, has helped Kentucky students blossom into scholars and future leaders.

During Gary's time at WKU, the school successfully transitioned into Conference USA and, in the 2014–2015 school year, set a record with eight conference championships. The WKU

football program is nationally recognized and won two consecutive bowl games. The Hilltoppers—named because of the school's scenic location atop ''the Hill''—are strong student-athletes both on the field and in the classroom, leading Conference USA in academic performance.

Gary is especially engaged in WKU's international outreach. He and his wife, Julie, herself a WKU alumna, have led students into new learning experience around the world in England, France, Italy, China, Ecuador, Iceland, Scandinavia, and Africa. The school is also home to Kentucky's first Confucius Institute and only Chinese language flagship program and has been recognized as a top producer of Fulbright scholars.

Gary has been at the center of each of these significant accomplishments. The growth in campus infrastructure, academic prestige, and community and alumni engagement at WKU have benefited Kentucky students and are in large part due to Gary's work. With his nearly 20 years of service, he is currently the longest serving university president in Kentucky.

I have enjoyed every opportunity to work with Gary over the years and support his vision for higher education in Kentucky. We have partnered together to secure Federal funding for worthwhile projects like WKU's mobile health unit and the agricultural research service Federal research lab. He is a dedicated public servant committed to student success. In addition to all of the work that Gary and I have collaborated on, I am proud to call him a friend. Along with the WKU community, I am sad to see Gary leave his alma mater at the end of this school year, but I am deeply grateful for his passion and leadership.

After a brief sabbatical, Gary will continue working to connect students with an international education. Starting next year, Gary and Julie begin their next adventure, as he becomes the president and CEO of Semester at Sea, a global study abroad program that uses a ship as a traveling campus around the world. I wish him the best of luck as he continues his passion for higher education in this next chapter, and I wish him and his family congratulations on a remarkably successful career at Western Kentucky University.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. DURBIN. Mr. President, I was necessarily absent for the votes on the motion to proceed and passage of a joint resolution disapproving the rule submitted by the Department of Labor known as the State Automatic IRAs Rule, H.J. Res. 66.

On vote No. 119, had I been present, I would have voted nay on the motion to proceed to H.J. Res. 66.

On vote No. 120, had I been present, I would have voted nay on passage of H.J. Res. 66.

A few weeks ago, after their failed attempt to dismantle our Nation's healthcare system, Republicans launched a full-scaled attack on retirement savings by rolling back an important rule that would have allowed local governments, as well as small businesses, to expand access to a retirement savings plan. Rolling back that rule will make it nearly impossible for working-class families to save for retirement.

Today Republicans voted to roll back a similar rule that allows States, including Illinois, to provide access to a retirement savings account to millions of working American families. Their actions here today are misguided and will hurt, not help, many working class families.

We are facing a crisis. Tens of millions of Americans have very little savings for retirement. Half of households age 55 and older have little to no retirement savings, and some 55 million working Americans, including 1.5 million in Illinois, work for an employer that does not offer a retirement plan.

There was a time when Americans were able to depend on the proverbial ''three-legged stool'' to support them in their retirement: their pension, Social Security, and their personal savings. However, with the decline of pension plans and the inability of working-class Americans to personally save for retirement, that three-legged stool is now a pogo stick. Pensions once provided a promise of security in retirement, but they are becoming a thing of the past. Of those that remain, many are struggling to pay the benefits they promised, creating uncertainty and fear for those who have worked hard their entire lives.

Decades of stagnant wages, increasing income inequality, and job losses from the recession have made it difficult for workers to keep up with everyday costs such as housing and food, let alone save for retirement. Social Security is the only guaranteed source of retirement income most Americans have, and, sadly, this is nowhere near enough. Since there is no simple solution to addressing this crisis, we have to consider every option that will make saving for retirement easier.

In Illinois, 1.5 million workers do not have access to a retirement plan through their employer. These employees are more likely to earn less money and work for a smaller employer. To make it easier for employers to offer access to retirement savings plans and help workers save more easily, States began developing State-based individual retirement accounts or IRAs. My home State of Illinois, under the leadership of Illinois State Treasurer Michael Frerichs, led the way by being the first State in the Nation to create a State-based IRA called the Secure Choice Savings Program, making retirement a financially viable option for Illinois families.

The Secure Choice program allows Illinois businesses that do not offer a retirement plan and have been in business for 2 or more years to either offer their own retirement plan or automatically enroll their employees in the Secure Choice program. Contrary to the false narrative offered by Republicans that this imposes a burden on businesses, businesses in Illinois are largely supportive and the administrative burden is small. This program gives businesses the opportunity to help their employees save for retirement without being subject to additional Federal regulations under ERISA and without being subject to the costs that are preventing them from offering a retirement plan in the first place. Under the program, all employers have to do is share information about the program that is provided by the State with their employees. Employers do not have to find plans or investment vehicles, and employers make no investment decisions. These State programs provides businesses with a no-worries, low-cost way to enable retirement savings.

There are also claims that imply that States will manage these funds like their State pension assets or other State funds. This is simply not true. Funds under the Secure Choice program will not be comingled with other State funds. These funds, which are owned by the employee, will be managed by a private investment company, they will be separate from the State's budget and pension funds, and they cannot be used for any other purpose.

Once an employee is enrolled, 3 percent of their paycheck is automatically deducted and placed into an IRA. The employee has complete control over how the money is invested. The employee can take the plan with them should they change jobs and they may choose to opt out at any time.

The Department of Labor's rule under attack gives State and local governments' certainty to develop these programs that make it easier for employers to provide access to retirement savings plans. This rule has allowed the States to step in where the private market has failed. By voting to strike this rule, Republicans have created uncertainty for retirement savings programs that could help the 55 million Americans otherwise without access the means to secure their financial future.

In Illinois, the consequences are great as this will make it unnecessarily difficult for 1.5 million working-class Illinoisans to access one of the only viable means they may have to save for retirement. With the country facing a retirement savings crisis, the last thing we need to do is stymie States' efforts to explore innovative policy solutions.

These resolutions are just the latest chapter in Republicans' assault on working families. I am afraid this story will continue before there is a happy ending in sight. What we should be doing is working together to remove

the fear of retirement and give workers the tools they need to retire with dignity. I am willing to do that, and I hope my colleagues will join me.●

NATIONAL DRUG COURT MONTH

Mr. ISAKSON. Mr. President, as part of National Drug Court Month, I want to honor a program that has directly and indirectly benefited so many Americans and American families.

In my hometown of Marietta, GA, we had the good fortune of having a driving under the influence, or DUI, court program, established nearly 10 years ago in 2008. Since that time, the Cobb County DUI court program has saved our Cobb County Sheriff's office more than an estimated $3 million in incarceration costs alone.

However, these accountability courts have saved much more than just money. For example, there is the little girl who was living with parents in active addiction who now has a sober father who was able to gain custody of her and raise her in a stable home environment. We have seen parents, children, and entire families saved through recovery and restored through the healing work of counseling.

More than 300 individuals have been saved from addiction, crime, recidivism, unemployment, and incarceration by the structure, accountability, and tough love approach of the DUI court program. These individuals have been able to move forward with their lives as productive, tax-paying citizens. Through drug and DUI court programs, the cycle of probation and addiction is broken and history rewritten. The number we can't count is the number of lives potentially saved from fatal accidents and other tragic events that were prevented through participants' recovery.

It is such a special opportunity for me to write to many of the graduates of the drug and DUI court programs in our State and think of the strength of these individuals who are turning their lives around to live free of drug and alcohol addiction. I applaud their efforts, and I always remind them that, while getting off drugs or alcohol may be the hardest thing they will ever do, it is also the most important thing they will ever do for themselves and their families.

On May 2, 2017, the Cobb DUI court program hosted its 30th graduation ceremony. Graduation day is such a special one not only for these graduates, but for the staff who work tirelessly in trying to save lives. That is the day where they see the long hours, the countless emails, the midnight phone calls, and the reams of paperwork pay off. They can look at where a defendant used to be and see how that man or woman's life has changed. On graduation day, lives are reformed and new ones begin.

I applaud all those fighting to change lives for the betterment of all.

REMEMBERING AMEDEO ''ARMIE'' C. MEROLLA

Mr. REED. Mr. President, today I pay tribute to a great Rhode Islander and patriot, BG Amedeo ''Armie'' C. Merolla, Rhode Island Army National Guard, RIARNG, retired, who passed away last week at the age of 88.

Mr. Merolla was born in Providence and graduated from Mount Pleasant High School before attending Brown University and Harvard Law School. At Brown, he enlisted in the U.S. Marine Corps Reserve, beginning what would become a 36-year career in service to our country marked by distinction and numerous decorations.

In 1955, Mr. Merolla enlisted in the RIARNG and was later commissioned as a first lieutenant in the Judge Advocate General Corps. The U.S. Senate approved Mr. Merolla's appointment to the rank of brigadier general in 1984, making him the first Italian American to become a general officer in the RIARNG. Indeed, he was part of a generation of Italian Americans who served with distinction, bringing great pride to this community while becoming an integral part of the fabric of our State. He was subsequently appointed assistant adjutant general and deputy commanding general—Army of the RIARNG. Even after his retirement in 1987, Mr. Merolla continued to serve. He was appointed commander of the Rhode Island State Defense Force, where he served until 1997, and to the honorary rank of major general in the Rhode Island Militia in 2005.

Mr. Merolla's military service was considerable and noteworthy, as was his legal career and contributions to his community and our State. He held numerous positions, including as legal counsel to several Rhode Island officials and agencies. He was also a former president of the Rhode Island Trial Lawyers Association, chairman of the Warwick School Committee, president of the Boys & Girls Clubs of Warwick, and trustee of St. Gregory the Great Church, among many other leadership roles.

I offer my heartfelt condolences to Mr. Merolla's wife, Norma, and their four children: Katherine Merolla, Julie Merolla, Major Sandra Merolla, USARNG, retired, and Warwick City councilman Steve Merolla, as well as to the rest of his family and friends.

TRIBUTE TO EDWARD GNEHM, JR.

Mr. ENZI. Mr. President, I greatly appreciate having this opportunity to share with my colleagues the presentation of an award that means a great deal to me for a number of reasons. It is the president's medal that will be presented by Steven Knapp, the president of The George Washington University, GW. Its recipient, Edward Gnehm, has been a friend of mine ever since we were college freshmen at GW.

When Edward Gnehm, Jr., or ''Skip'' as everyone came to know him, came to Washington, DC, from rural Georgia and I left rural Wyoming to tackle the challenge of my own college education at GW, I don't think either one of us knew what a great impact those 4 years would have on us and how our college experience would change our lives forever. It was a purely random thing, but when the administration of George Washington University decided which rooms we would use as freshman, they assigned Skip and me to the same dorm. We became friends pretty quickly. Then, when we pledged the same fraternity, we became brothers as well. Skip is the only real brother I have ever had, and I have relied on him and enjoyed that same kind of friendship and relationship ever since.

Our room was a pretty interesting place to be. I was a night person, studying accounting and business issues that would become my first major career. Skip, on the other hand, was a morning person, interested in reading whatever he could to sharpen his knowledge and understanding of foreign relations. He had a dream even back then that he would someday be an ambassador for the United States.

As I watched him pursue his dream, I learned that Skip was an interesting guy, very smart, dedicated, and determined to be the best he could possibly be at his chosen field. He helped me learn to expect the same of myself.

Soon, our college years were over, and we each went our separate ways, keeping in contact, pursuing our life's dreams and taking advantage of every opportunity that presented itself. Soon Skip was making his way through our Nation's diplomatic and foreign service system. For my part, what began as a small business soon had me working my way through Wyoming's political system on the local, State, and national levels.

As the years went quickly past, Skip and I continued to follow a similar path in life as we both met and married our special wives. Our kids were even born about the same times. Skip found in his wife, Peggy, and I found in my wife, Diana/, the kind of support and assistance it was going to take if we were to achieve the kind of success we were both hoping for. For Skip, Peggy's encouragement and guidance has helped him to be a force for the United States and to serve our country all over the world. For my part, Diana has been exactly what I needed to serve the people of Wyoming at every opportunity.

For Skip, one of the greatest moments of his career had to be his service as our Ambassador to Kuwait. He was nominated to that post when Saddam Hussein came calling with his army and attempted to set up shop there. Fortunately, Skip had what it takes to face up to a challenge like that with great courage, bravery, and determination. Those who knew him weren't surprised. We knew he had it in him, and when our Nation emerged from that challenge, our President,

George Bush, knew he had chosen wisely when he selected Skip Gnehm for that difficult post. I got to watch on television as Skip raised the American flag at the recaptured U.S. Embassy in Kuwait.

I could go on at length about some of his other posts and the places he has served to promote and protect U.S. interests. He has been our Deputy Permanent Representative to the United Nations. He has also served as our Ambassador to Australia and to the Hashemite Kingdom of Jordan, presenting his credentials on 9/11 and then flying to peace meetings with the King of Jordan. He still has special contacts throughout the Middle East.

Over the years, Skip received a number of awards for his work overseas, including the Secretary of State's Distinguished Service Award for his service in Jordan and Superior Honor Awards for his service in Kuwait and Riyadh.

Skip has also been an active force for the betterment of The George Washington University in a number of different capacities. He has been a member of the board of trustees, the vice president of the general alumni association, and the faculty representative to the board of directors.

Skip is currently on the faculty of the Elliott School of International Affairs where he is inspiring our next generation of foreign policy advisers and experts by sharing his own experience borne from a lengthy career in our foreign service. Thanks to Skip, we can rest assured that our future diplomatic efforts will be in good hands

Looking back to those days years ago when Skip and I were spending another night hitting the books for the next day's class or exam, I don't think either one of us could have dreamed how well things would turn out for the two of us. I have been given an opportunity to represent the people of Wyoming as mayor, member of the State legislature, and now as a U.S. Senator. I was always proud to work on Skip's confirmation to these different postings. Skip has had an impact all over the world and touched more lives than we will ever be able to count.

Simply put, I couldn't be more proud of Skip and all he has accomplished over the years. I don't think anyone is more deserving of the president's medal that he will receive from The George Washington University's president Steven Knapp. Steven is doing great work to promote GW and ensure its future will be even better than its past.

This is a great honor for Skip, and I am sure he couldn't be more appreciative of this recognition. It represents a lifetime of achievements for him and an amazing list of accomplishments. As the title of the classic film reminds us, Skip has had a ''wonderful life'' of which both Skip and GW can be truly proud. He represents what a tremendous advantage an education at George Washington University can be when placed in the right hands.

Thank you.

ADDITIONAL STATEMENTS

REMEMBERING JAMES AND JOE PRATT

• Mr. ISAKSON. Mr. President, today I would like to remember two brothers from my hometown of Marietta, GA, James and Joe Pratt, whose lives were cut short in a tragic accident on April 24, 2017.

James and Joe were upstanding students in their community and at Lassiter High School, where they were both members of the Junior Reserve Officers Training Corps. They were loved by their family, and they were beloved by their friends, advisers, and coworkers.

James, called ''Jim'' by those who knew him, was 18 years old and just a few weeks shy of high school graduation. He was the JROTC unit's morale and wellness officer, and Jim had already enlisted in the U.S. Marine Corps. He was looking forward to beginning boot camp in a short time and later to attending Kennesaw State University.

Joe was a 14-year-old freshman and, in addition to attending school, served in the JROTC unit and was known for helping keep his friends' spirits lighthearted with his knowledge of trivia and sense of humor.

Their unit of the JROTC, the Lassiter-Pope-Kell Navy JROTC, armed exhibition drill team has performed annually at our Georgia congressional delegation's Military Academy Day. Out of respect for these young men, their unit did not perform at this year's event, held last Saturday, April 29, and instead, we held a moment of silence in their honor.

Lassiter High School and our community is in mourning over the loss of these fine brothers. My deepest condolences go out to the entire Pratt and Lago families and to our community, and my wife, Dianne, and I hold them in our prayers.•

TRIBUTE TO BERNADETTE GRAY-LITTLE

• Mr. MORAN. Mr. President, today I wish to honor University of Kansas Chancellor Bernadette Gray-Little, a chancellor who has made a significant impact on both the university and our State.

This summer, Chancellor Gray-Little will step down from her 8-year term serving as the 17th chancellor of KU. Serving since 2009, she has expanded important research opportunities, elevated the university's national stature, and transformed the way KU serves the State, and the world.

Under Chancellor Gray-Little's direction, research has increased and provided greater opportunities for our Kansas students. KU's Alzheimer's Disease Center became nationally recognized, while the KU Cancer Center achieved National Cancer Institute designation and is now taking an important step in pursuing a ''Comprehensive'' status designation.

In her 8 years at KU, Chancellor Gray-Little has advanced the university's mission to educate leaders by implementing new admissions standards, launching a new undergraduate curriculum, strengthening scholarship offerings, prioritizing retention and graduation rates, growing the freshman class for 5 consecutive years, reinvigorating the academic environment, and making the university a true ''community of scholars.''

The university's growth under Chancellor Gray-Little's administration is plainly visible in the number of renovations that have taken place and the new buildings on campus. Support for Capitol Federal Hall, the Health Education Building, Self and Oswald Halls, the Central District Redevelopment Project, the DeBruce Center and the Earth, Energy & Environment Center, as well as major renovations to Swarthout Recital Hall, the Spencer Museum of Art, and Jayhawk Boulevard, all stand as testaments to her vision for the future of KU.

While her term as chancellor will be remembered for her numerous successes and achievements, Chancellor Gray-Little will also be remembered as the first female and first African-American chancellor in the university's history.

Chancellor Gray-Little has led the university with remarkable dignity, grace, and humility. She serves as a role model and an inspiration to students, staff, faculty, and colleagues throughout the State and Nation. I am grateful to have worked with her to improve the University of Kansas and our State, and I wish her well as she moves on to new endeavors.•

AMERICA AT THE CROSSROADS

• Mr. NELSON. Mr. President, I want to share a poem and song titled ''America at the Crossroads,'' written by my dear friend and fellow Floridian, JoAnna O'Keefe. She conveys a message of unity and patriotism that I believe is important for Congress and our Nation as we tackle many challenges at home and abroad. Mrs. O'Keefe's work won her the George Washington Honor Medal by the Freedoms Foundation at Valley Forge this year, and I am honored to share it with my Senate colleagues.

The material follows:

AMERICA AT THE CROSSROADS

(By JoAnna O'Keefe)

We the people
Are on opposite sides;
We've lost sight of the middle
Where Resolutions reside.

If Jefferson were here right now
He would pick up his pen.
On parchment he'd write:
Be Patriots again!

Look into the eyes

Of your sisters and brothers.
Be Americans!
Respecting one another.

No outside force
Will ever take this land.
But a ''house divided,''
Cannot stand.

Blood has been shed
For this land of the Free
Be Americans!
Embrace your destiny.

Be that ''City on a Hill.''
Be that Light!
Lay down your anger.
Americans! Unite!●

RECOGNIZING TACTICAL MEDICAL SOLUTIONS

● Mr. SCOTT. Mr. President, in South Carolina, there are approximately 400,000 small businesses operating throughout the State. They represent 97 percent of all employers and have had an amazing impact on the economy. Tactical Medical Solution, TacMed, in Anderson County is certainly a testament to that and epitomizes the very best our State has to offer.

Ross Johnson, a former Army Specials Forces medic, founded TacMed in 2003. Mr. Johnson started the company because he wanted to make sure as many servicemembers made it home as possible. He made it his company's mission to create the best tactical medical equipment available, so our brave men and women in uniform and first responders are better equipped to handle their day-to-day missions. Johnson says that today his company's products help ''the soldier on the battlefield, the officer on patrol, and the civilian caught in an unfortunate situation.''

Over a decade later, TacMed has added 40 jobs to our State's economy and has become one of the largest suppliers of high-quality medical trauma kits and components for the military, law enforcement, and first responders.

In honor of National Small Business Week, as well as Military Appreciation Month, I am excited to recognize Tactical Medical Solutions for helping to keep our bravest citizens safe as they take on dangerous jobs. Whether it is our neighborhoods' first responders or those fighting for our freedoms overseas, TacMed's dedication to saving lives everyday makes me incredibly proud they have decided to call South Carolina home to their growing business.●

MESSAGES FROM THE HOUSE

At 10:28 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1180. An act to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

H.R. 1679. An act to ensure that the Federal Emergency Management Agency's current efforts to modernize its grant management system includes applicant accessibility and transparency, and for other purposes.

At 5:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agree to the amendments numbered 2 and 3 of the Senate to the bill (H.R. 244) to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; and, further, that the House agree to the amendment numbered 1 of the Senate to the aforementioned bill, with an amendment.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 53. Concurrent resolution providing for a correction in the enrollment of H.R. 244.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1366. An act to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1679. An act to ensure that the Federal Emergency Management Agency's current efforts to modernize its grant management system includes applicant accessibility and transparency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 35. A bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes (Rept. No. 115–35).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 99. A bill to require the Secretary of the Interior to study the suitability and feasibility of designating the President James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes (Rept. No. 115–36).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 189. A bill to modify the boundary of the Fort Scott National Historic Site in the State of Kansas, and for other purposes (Rept. No. 115–37).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 287. A bill to update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument (Rept. No. 115–38).

S. 331. A bill to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes (Rept. No. 115–39).

S. 432. A bill to designate the Cerro del Yuta and Rio San Antonio Wilderness Areas in the State of New Mexico, and for other purposes (Rept. No. 115–40).

S. 466. A bill to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest (Rept. No. 115–41).

S. 501. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System (Rept. No. 115–42).

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

H.R. 534. An act to require the Secretary of State to take such actions as may be necessary for the United States to rejoin the Bureau of International Expositions, and for other purposes.

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 Mrs. CAPITO:

S. 1013. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits for investments in gigabit opportunity zones; to the Committee on Finance.

By Mrs. FISCHER (for herself and Mr. BOOKER):

S. 1014. 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; to the Committee on Veterans' Affairs.

By Mr. HATCH (for himself and Mr. DONNELLY):

S. 1015. A bill to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHATZ (for himself, Mr. WICKER, Mr. COCHRAN, Mr. CARDIN, Mr. THUNE, and Mr. WARNER):

S. 1016. A bill to amend title XVIII of the Social Security Act to expand access to telehealth services, and for other purposes; to the Committee on Finance.

By Mr. HOEVEN (for himself and Ms. HEITKAMP):

S. 1017. A bill to designate the Red River Valley Agricultural Research Center in Fargo, North Dakota, as the ''Edward T. Schafer Agricultural Research Center''; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARDIN (for himself, Mr. RUBIO, Mr. DURBIN, Mr. CORNYN, Mr. MENENDEZ, Mr. MCCAIN, Mr. NELSON, Mr. KAINE, and Mr. VAN HOLLEN):

S. 1018. A bill to provide humanitarian assistance for the Venezuelan people, to defend democratic governance and combat widespread public corruption in Venezuela, and for other purposes; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL:

S. 1019. A bill for the relief of Luis Barrios; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself, Mr. REED, Mr. KAINE, Mr. WHITEHOUSE,

Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. MANCHIN, Mrs. GILLIBRAND, Ms. WARREN, Mr. FRANKEN, Mr. MERKLEY, and Ms. HIRONO):

S. 1020. A bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities; to the Committee on Finance.

By Mr. MURPHY (for himself, Mr. BLUMENTHAL, and Mr. BOOZMAN):

S. 1021. A bill to require the Secretary of the Treasury to mint coins in commemoration of the United States Coast Guard; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ISAKSON (for himself, Ms. DUCKWORTH, and Mr. CORNYN):

S. 1022. A bill to amend the Public Health Service Act to facilitate assignment of military trauma care providers to civilian trauma centers in order to maintain military trauma readiness and to support such centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN (for himself, Mr. BURR, Mr. WHITEHOUSE, Mr. UDALL, and Mr. SCHATZ):

S. 1023. A bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes; to the Committee on Foreign Relations.

By Mr. ISAKSON (for himself, Mr. BLUMENTHAL, Mr. TESTER, Mr. DAINES, Ms. HASSAN, Mr. UDALL, Mr. KING, Ms. BALDWIN, and Mr. KAINE):

S. 1024. A bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FLAKE (for himself and Mrs. SHAHEEN):

S. 1025. A bill to reform the Federal Crop Insurance Act and reduce Federal spending on crop insurance; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself, Mr. WYDEN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. UDALL, Mr. HEINRICH, Mr. CARPER, and Mr. BLUMENTHAL):

S. 1026. A bill to amend the Federal Funding Accountability and Transparency Act of 2006 to require full disclosure for entities receiving Federal funding; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself, Mr. WYDEN, Mr. CRAPO, Ms. CANTWELL, Mr. RISCH, Mr. HEINRICH, Mr. DAINES, Mr. MANCHIN, Mr. GARDNER, Mrs. FEINSTEIN, Ms. MURKOWSKI, Mr. TESTER, Mr. SULLIVAN, Mr. BENNET, and Mr. MERKLEY):

S. 1027. A bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself, Ms. BALDWIN, Ms. MURKOWSKI, and Mr. BENNET):

S. 1028. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself and Mr. FLAKE):

S. 1029. A bill to amend the Public Utility Regulatory Policies Act of 1978 to exempt certain small hydroelectric power projects that are applying for relicensing under the Federal Power Act from the licensing requirements of that Act; to the Committee on Energy and Natural Resources.

By Mr. KING (for himself and Mr. FLAKE):

S. 1030. A bill to require the Federal Energy Regulatory Commission to submit to Congress a report on certain hydropower projects; to the Committee on Energy and Natural Resources.

By Mr. DAINES:

S. 1031. A bill to amend provisions in the securities laws relating to regulation crowdfunding to raise the dollar amount limit and to clarify certain requirements and exclusions for funding portals established by such an Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROBERTS:

S. 1032. A bill to amend the Cooperative Forestry Assistance Act of 1978 to provide for good neighbor agreements to conduct authorized restoration services on National Forest System land; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROBERTS:

S. 1033. A bill to amend the Healthy Forests Restoration Act of 2003 to provide for stewardship contracting projects, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. BENNET, Ms. HIRONO, and Ms. HARRIS):

S. 1034. A bill to improve agricultural job opportunities, benefits, and security for aliens in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HEINRICH (for himself, Mr. MURPHY, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr. VAN HOLLEN, Ms. HASSAN, Mr. CARPER, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mrs. SHAHEEN, Ms. HARRIS, Mr. BENNET, Mr. WHITEHOUSE, Mr. MERKLEY, Ms. DUCKWORTH, Mr. BOOKER, and Mr. CARDIN):

S. 1035. A bill to amend the Employee Retirement Income Security Act of 1974 with respect to the scope of employee pension benefit plans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Mr. KING, Mr. MERKLEY, Mr. SCHATZ, and Ms. HIRONO):

S. 1036. A bill to promote research, development, and demonstration of marine and hydrokinetic renewable energy technologies, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself, Mr. RUBIO, and Mr. WYDEN):

S. Res. 150. A resolution recognizing threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in efforts of the United States Government to promote democracy and good governance; to the Committee on Foreign Relations.

By Mr. BLUNT (for himself and Mrs. MCCASKILL):

S. Res. 151. A resolution commending the Northwest Missouri State University Bearcats on their National Collegiate Athletic Association Division II national championship victories; considered and agreed to.

By Ms. HEITKAMP (for herself and Mr. CASEY):

S. Res. 152. A resolution expressing support for the designation of April 2017 as ''National Donate Life Month''; considered and agreed to.

By Ms. HEITKAMP (for herself, Mr. LANKFORD, Mrs. MCCASKILL, Mr. JOHNSON, Mr. CARPER, Mr. TESTER, Mr. PETERS, Ms. HASSAN, Mr. BLUMENTHAL, Mr. LEAHY, Mrs. FEINSTEIN, Mr. BROWN, Mr. CARDIN, Mrs. SHAHEEN, Mr. KING, Mr. SANDERS, Mrs. MURRAY, Mr. KAINE, Mr. WARNER, Mr. COONS, and Mr. VAN HOLLEN):

S. Res. 153. A resolution expressing the sense of the Senate that, during Public Service Recognition Week, public servants should be commended for their dedication and continued service to the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 128

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 128, a bill to provide provisional protected presence to qualified individuals who came to the United States as children.

S. 168

At the request of Mr. WICKER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 168, a bill to amend and enhance certain maritime programs of the Department of Transportation.

S. 223

At the request of Ms. COLLINS, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 236

At the request of Mr. WYDEN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 241

At the request of Mrs. ERNST, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 241, a bill to prohibit Federal funding of Planned Parenthood Federation of America.

S. 260

At the request of Mr. CORNYN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 260, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 275

At the request of Ms. HEITKAMP, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 275, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 292

At the request of Mr. REED, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from Maine (Ms. COLLINS), the Senator from Maine (Mr. KING), the Senator from Delaware (Mr. COONS) and the Senator from

Georgia (Mr. PERDUE) were added as cosponsors of S. 292, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 326

At the request of Mr. HELLER, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 326, a bill to amend the Internal Revenue Code of 1986 to provide for the tax-exempt financing of certain government-owned buildings.

At the request of Mr. NELSON, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 326, supra.

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 534

At the request of Mrs. FEINSTEIN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 534, a bill to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

S. 693

At the request of Ms. BALDWIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 693, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 708

At the request of Mr. MARKEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 708, a bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

S. 766

At the request of Mr. MANCHIN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 766, a bill to amend titles 10 and 32, United States Code, to improve and enhance authorities relating to the employment, use, status, and benefits of military technicians (dual status), and for other purposes.

S. 770

At the request of Mr. SCHATZ, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 770, a bill to require the Director of the National Institute of Standards and Technology to disseminate resources to help reduce small business cybersecurity risks, and for other purposes.

S. 829

At the request of Mr. MCCAIN, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 829, a bill to reauthorize the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes.

S. 832

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 832, a bill to enhance the transparency and accelerate the impact of programs under the African Growth and Opportunity Act and the Millennium Challenge Corporation, and for other purposes.

S. 881

At the request of Ms. WARREN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 881, a bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes.

S. 905

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 905, a bill to require a report on, and to authorize technical assistance for, accountability for war crimes, crimes against humanity, and genocide in Syria, and for other purposes.

S. 910

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 957

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 957, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 976

At the request of Mr. ENZI, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 976, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 1001

At the request of Mr. CRAPO, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1001, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes.

S. 1002

At the request of Mr. MORAN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1004

At the request of Mr. KAINE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1004, a bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to support innovative approaches to career and technical education and redesign the high school experience for students by providing students with equitable access to rigorous, engaging, and relevant real world education through partnerships with business and industry and higher education that prepare students to graduate from high school and enroll into postsecondary education without the need for remediation and with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets.

S.J. RES. 17

At the request of Mr. CORNYN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S. RES. 60

At the request of Mr. DAINES, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. Res. 60, a resolution designating May 5, 2017, as the ''National Day of Awareness for Missing and Murdered Native Women and Girls''.

S. RES. 136

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 136, a resolution expressing the sense of the Senate regarding the 102nd anniversary of the Armenian Genocide.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself and Mr. DONNELLY):

S. 1015. A bill to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system; to the Committee on Commerce, Science, and Transportation.

Mr. HATCH. Mr. President, I rise today to discuss the epidemic of suicide—a growing crisis that has devastated millions of families across our Nation. Over the past 8 years, the rate of deaths by suicide in our country has tripled. Let me repeat that. It has tripled, and the problem is particularly severe among young adults.

According to the Centers for Disease Control, for youth between the ages of 10 and 24, suicide is now the third leading cause of death. In other words, more of America's youth die each year from suicide than cancer, heart disease, AIDS, birth defects, stroke, pneumonia, influenza, and chronic lung disease combined.

This crisis shows no signs of abating. Consider that each day in our Nation, there are an average of over 5,400 suicide attempts by young people in grades 7 to 12. In my home State of Utah, the statistics are particularly alarming. Every 14 hours, a Utahn commits suicide, resulting in an average of 630 deaths each year. The problem is so acute that Utah now has the fifth highest suicide rate in the Nation. This troubling trend is particularly pronounced among Utah's youth. Even though Utahns from ages 10 to 17 comprise only 13 percent of the State population, they represent nearly 23 percent of all suicide attempts. Suicide is now the leading cause of death among Utah's teenagers.

To stem the tide of teenage suicide in Utah, I convened a roundtable discussion in Salt Lake City last December that included community leaders, healthcare professionals, high school principals, and parents from across the State. There we discussed proven methods that destigmatize mental illness, a critical first step in addressing the suicide crisis. We also discussed the links between bullying and depression.

In an effort to prevent teen suicide, the effect of bullying cannot be overlooked. A recent study in the Journal of the American Medical Association finds that kids who are bullied are more than twice as likely to consider suicide. In my home State of Utah, dozens of community leaders have drawn attention to the pernicious effects of bullying. The foremost among them is Dr. Greg Hudnall, a nationally recognized expert in suicide prevention. Dr. Hudnall found that between 8 and 12 percent of all suicides are committed by young people who have been bullied. To discourage bullying and to help our teenagers who are suffering most, Dr. Hudnall led in the development of HOPE4UTAH. HOPE4UTAH is a dynamic peer-to-peer program designed to empower students in groups called Hope Squads. Hope Squads identify warning signs of depression in teenagers and offer help to those in need.

Wendy Nelson, principal of Utah's Syracuse High School, recently told me how Hope Squads have helped students at risk of suicide to connect with therapists that the school has made available on a regular basis. The high school has since partnered with a local community health center for help in addressing the need for help in this particular area and, of course, the need for mental health professionals in schools. This shortage of mental health counselors is a serious problem, not only in Utah but in schools across the Nation. It is a very, very serious problem.

In our December roundtable discussion, we learned that teen suicide is something schools, parents, and mental health professionals cannot address individually. Instead, a continuum of care must exist for each child from the first day of school to graduation. We must all work together to ensure that our children feel safe.

Educators play a vital role in maintaining an infrastructure of support for teenagers struggling with mental illness. Because educators are often the first to identify warning signs in vulnerable students, hundreds of teachers in Utah receive training in how to identify and respond to these signs. Once we know a teen is suffering, parents and mental health professionals can step in to provide ongoing care. Building community partnerships that involve everyone and that focus on evidence-based practices can save hundreds, if not thousands, of lives.

My main purpose in organizing the roundtable discussion was to find ways I could help prevent suicide on a national level. Increasing access to mental healthcare has been a fixture of my Senate service. Nearly 20 years ago, I convened the Senate Finance Committee's first hearing dedicated to mental health. More recently, I focused my legislative efforts on fighting prescription drug abuse, an epidemic that has only accelerated our Nation's mental health crisis. I played a leading role in passing the Comprehensive Addiction and Recovery Act and helped to draft the 21st Century Cures Act, which President Obama signed into law in December. Both bills take aim at the opioid epidemic that is ravaging entire communities across the Nation.

As a legislative body, we have set aside partisan differences in recent months to combat the opioid crisis as part of a broader effort to address growing rates of mental illness and death by suicide.

But there is more we can do to help. To begin, we need to provide better and more immediate access to counseling and mental health services. This is one of the main takeaways from last year's roundtable discussion. So often we hear that those seeking help are just one positive interaction away from giving life another chance. As Utah State Senator Daniel Thatcher said:

> If you talk to someone, they live. If you connect them to support, they live.

Laura Warburton, a Utah mother who lost her daughter to suicide, said that the day her daughter died, she had attempted to make one last call to her therapist and could not get through.

While this is a complex problem with no simple, immediate answer, there are steps we can take to help. Today, we are taking those critical first steps to prevent future tragedies from taking place.

In response to what I learned during the suicide roundtable in Utah, I have joined Senator JOE DONNELLY in introducing the National Suicide Hotline Improvement Act, a bipartisan proposal that will make it easier for Americans of all ages to get the help and treatment they need when they are experiencing suicidal thoughts. The current suicide prevention lifeline system and veterans crisis line are in desperate need of reform. Our bill will require the Federal Communications Commission, in consultation with the Department of Health and Human Services and the Department of Veterans Affairs, to study the current national suicide hotline system and make recommendations to Congress on how we can improve it.

Across our great Nation, there are millions of people, especially young people, who are alone and suffering in the shadows of depression. Many of them are bombarded by suicidal thoughts and have no idea where to turn for help. To make matters worse, the national suicide hotline number, 1–800–273–TALK, is not an intuitive or easy number to remember, particularly for those experiencing a mental health emergency.

Fortunately, the success of the 911 emergency system provides a model for addressing this problem. My bill will require the Federal Communications Commission to recommend an easy-to-remember, three-digit number for the national suicide prevention hotline. I believe that by making the national suicide prevention lifeline system more user-friendly and accessible, we can save thousands of lives by helping people find the help they need when they need it most.

In introducing this legislation, I wish to thank my fellow Utahn, Congressman CHRIS STEWART. Congressman STEWART has been an invaluable partner in offering some of the most important measures of this bill. Additionally, I would like to thank the American Foundation for Suicide Prevention. I also wish to express my appreciation for the support we have received from the Utah State Legislature, Utah's attorney general, and the Utah Department of Health Services, as well as several groups from the law enforcement community.

This proposal transcends party lines and stands to save thousands of lives.

We cannot delay this effort to prevent suicide. So I call on my colleagues in both the House and the Senate to act quickly to pass this bill. Your support for this legislation represents your commitment to preventing future tragedies. I ask all of you today, regardless of your party affiliation, to cosponsor this legislation. In doing so, you can help us help those who need our help the most. There is absolutely no time to lose.

By Ms. COLLINS (for herself, Ms. BALDWIN, Ms. MURKOWSKI, and Mr. BENNET):

S. 1028. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today to introduce legislation with my colleague from Wisconsin, Senator BALDWIN, that would require the Secretary of Health and Human Services to convene a panel to develop a national strategy to recognize and support the more than forty million family caregivers in the United States. I am pleased that Senators MURKOWSKI and BENNET have joined us as cosponsors.

The United States' population is aging. Every day, 10,000 baby boomers turn 65 years old. Americans 85 and older—our oldest old—are the fastest growing segment of our population. This is the population that is most at risk of multiple and interacting health problems that can lead to disability and the need for round-the-clock care.

At the very time that our population is aging, birth rates are declining. While the need for care and support is increasing, the numbers of professional and informal caregivers is shrinking. In the future, more people will have to rely on fewer caregivers.

Families will likely continue to be the most important source of support for people with long-term care needs. We must do more to support the more than 43 million family caregivers in the United States who make remarkable sacrifices to care for their loved ones. While it is impossible to put a dollar amount to the value of the devotion, time, and services that these caregivers provide, it is estimated that in 2013 family caregivers provided $470 billion in uncompensated long-term care. This figure nearly equals the annual sales of the four largest United States tech companies combined.

Family caregivers provide tremendous value, and they also face many challenges. Caregivers experience high levels of stress and have a greater incidence of chronic conditions like heart disease, diabetes, and depression. Caregiving can be an isolating experience. Last week, the Aging Committee held a hearing highlighting that social isolation is a serious risk factor for depression, anxiety, dementia, functional decline, and even death.

The average caregiver is a 49-year-old woman. She is caring for a 69-year-old relative living with a long-term physical condition. That relative is often a parent. She has been providing care for four years on average, spending 24.4 hours a week. She may be raising her own children and working full time.

Other caregivers are seniors. One third of family caregivers are age 65 or older, and even more susceptible to putting their own health at risk.

I am, therefore, introducing legislation with my colleague from Wisconsin that would lead to the development of a national strategy to recognize and support family caregivers. Titled the Recognize, Assist, Include, Support, and Engage, or RAISE Family Caregivers Act, the legislation is based on a recommendation of the bipartisan Commission on Long Term Care. It is modeled after a law that I co-authored in 2010 with then-Senator Evan Bayh that created a coordinated strategic national plan to combat Alzheimer's disease.

The RAISE Family Caregivers Act directs the Secretary of Health and Human Services to establish a National Family Caregiving Project to develop and sustain a national strategy to support family caregivers. The bill would create a Family Caregiving Advisory Council comprised of relevant Federal agencies and non-federal members. It would include representatives of family caregivers, older adults with long-term care needs, individuals with disabilities, employers, health and social service providers, advocates for family caregivers, state and local officials, and others with expertise in family caregiving.

The Advisory Council would be charged with making recommendations to the Secretary. The strategy and plan would be updated to reflect new developments. The plan would include an initial inventory and assessment of federally funded caregiver efforts. It would then identify specific actions that government and communities could take to support family caregivers.

The Project would be funded from existing funding appropriated for the Department of Health and Human Services. No new funding is authorized and it would sunset in five years.

Family caregivers are an invaluable resource to our aging society. Chances are that, sooner or later, we will all either be family caregivers or someone who needs one. The RAISE Family Caregivers Act will launch a coordinated, national strategic plan that will help us to leverage our resources, promote innovation and promising practices, and provide our nation's family caregivers with much-needed recognition and support. Our bipartisan legislation is widely endorsed by aging and disability organizations. I urge all of our colleagues to join as cosponsors.

By Mr. DAINES:

S. 1031. A bill to amend provisions in the securities laws relating to regulation crowdfunding to raise the dollar amount limit and to clarify certain requirements and exclusions for funding portals established by such an Act; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1031

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 ''Crowdfunding Enhancement Act''.

SEC. 2. CROWDFUNDING VEHICLES.

(a) AMENDMENTS TO THE SECURITIES ACT OF 1933.—The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended—

(1) in section 4A(f)(3) (15 U.S.C. 77d–1(f)(3)), by inserting ''by any of paragraphs (1) through (14) of'' before ''section 3(c)''; and

(2) in section 4(a)(6)(B) (15 U.S.C. 77d(a)(6)(B)), by inserting '', other than a crowdfunding vehicle (as defined in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a))),'' after ''any investor''.

(b) AMENDMENTS TO THE INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(1) in section 2(a) (15 U.S.C. 80a–2(a)), by adding at the end the following:

''(55) The term 'crowdfunding vehicle' means a company—

''(A) whose purpose (as set forth in its organizational documents) is limited to acquiring, holding, and disposing securities issued by a single company in 1 or more transactions and made pursuant to section 4(a)(6) of the Securities Act of 1933 (15 U.S.C. 77d(a)(6));

''(B) that issues only 1 class of securities;

''(C) that receives no compensation in connection with such acquisition, holding, or disposition of securities;

''(D) no associated person of which receives any compensation in connection with such acquisition, holding or disposition of securities unless such person is acting as or on behalf of an investment adviser registered under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.) or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business;

''(E) the securities of which have been issued in a transaction made pursuant to section 4(a)(6) of the Securities Act of 1933 (15 U.S.C. 77d(a)(6)), if both the crowdfunding vehicle and the company whose securities it holds are co-issuers;

''(F) that is current in its ongoing disclosure obligations under section 227.202 of title 17, Code of Federal Regulations;

''(G) the company whose securities it holds is current in its ongoing disclosure obligations under section 227.202 of title 17, Code of Federal Regulations; and

''(H) is advised by an investment adviser registered under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.) or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business.''; and

(2) in section 3(c) (15 U.S.C. 80a–3(c)), by adding at the end the following:

''(15) Any crowdfunding vehicle.''.

SEC. 3. CROWDFUNDING EXEMPTION FROM REGISTRATION.

Section 12(g)(6) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(g)(6)) is amended—

(1) by striking ''The Commission'' and inserting the following:

''(A) IN GENERAL.—The Commission'';

(2) by striking ''section 4(6)'' and inserting ''section 4(a)(6)''; and

(3) by adding at the end the following:

''(B) TREATMENT OF SECURITIES ISSUED BY CERTAIN ISSUERS.—An exemption under subparagraph (A) shall be unconditional for securities offered by an issuer that had a public float of less than $75,000,000 as of the last business day of the issuer's most recently completed semiannual period, computed by multiplying the aggregate worldwide number of shares of the issuer's common equity securities held by non-affiliates by the price at which such securities were last sold (or the average bid and asked prices of such securities) in the principal market for such securities or, in the event the result of such public float calculation is zero, had annual revenues of less than $50,000,000 as of the issuer's most recently completed fiscal year.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 150—RECOGNIZING THREATS TO FREEDOM OF THE PRESS AND EXPRESSION AROUND THE WORLD AND REAFFIRMING FREEDOM OF THE PRESS AS A PRIORITY IN EFFORTS OF THE UNITED STATES GOVERNMENT TO PROMOTE DEMOCRACY AND GOOD GOVERNANCE

Mr. CASEY (for himself, Mr. RUBIO, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 150

Whereas Article 19 of the United Nations Universal Declaration of Human Rights, adopted in Paris, France, on December 10, 1948, states, ''Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.'';

Whereas, in 1993, the United Nations General Assembly proclaimed May 3 of each year as ''World Press Freedom Day'' to celebrate the fundamental principles of freedom of the press, evaluate freedom of the press around the world, defend against attacks on the independence of the media, and pay tribute to journalists who have lost their lives in the exercise of their profession;

Whereas, on December 18, 2013, the United Nations General Assembly adopted a resolution (United Nations General Assembly Resolution 163 (2013)) on the safety of journalists and the issue of impunity, that unequivocally condemns, in both conflict and nonconflict situations, all attacks on and violence against journalists and media workers, including torture, extrajudicial killing, enforced disappearance, arbitrary detention, and intimidation and harassment;

Whereas the theme for the 2017 World Press Freedom Day, is ''Critical Minds for Critical Times: Media's role in advancing peaceful, just and inclusive societies'';

Whereas the Daniel Pearl Freedom of the Press Act of 2009 (22 U.S.C. 2151 note; Public Law 111–166), which was passed by unanimous consent in the Senate and signed into law by President Barack Obama in 2010, expanded the annual Human Rights Reports of the Department of State to include the examination of freedom of the press;

Whereas, the 2016 World Press Freedom Index, published by Reporters Without Borders in April 2016, indicated ''a climate of fear and tension combined with increasing control over newsrooms by governments and private sector interests'';

Whereas, the 2016 World Press Freedom Index identified a decline in media freedom across all indicators, especially the destruction of media infrastructure, like the facilities and equipment of media, and the adoption of legislative frameworks that unjustly penalize journalists for doing their work;

Whereas, according to the Committee to Protect Journalists, in 2016, the three deadliest countries for journalists were Syria, Yemen, and Iraq, with more than half of the journalists killed in combat or crossfire, for the first time since the Committee to Protect Journalists began keeping records;

Whereas, according to the Committee to Protect Journalists, in 2016, 48 journalists were killed in cases where the motive was confirmed to be related to their reporting, 28 journalists were killed in cases where the motive was unconfirmed, and 2 media workers were killed;

Whereas, according to the Committee to Protect Journalists, impunity for the murder of journalists remains systemic, with the killers going free in 9 out of 10 cases;

Whereas, according to the Committee to Protect Journalists, as of December 1, 2016, 259 journalists worldwide were in prison, the highest number recorded since the group began systematically tracking imprisonment in 1990;

Whereas, according to the Freedom House report ''Freedom of the Press 2017'', only 13 percent of the world's population enjoys a Free press, meaning ''coverage of political news is robust, the safety of journalists is guaranteed, state intrusion in media affairs is minimal, and the press is not subject to onerous legal or economic pressures.'';

Whereas freedom of the press is a key component of democratic governance, activism in civil society, and socioeconomic development; and

Whereas freedom of the press enhances public accountability, transparency, and participation: Now, therefore, be it

Resolved, That the Senate—

(1) expresses concern about the threats to freedom of the press and expression around the world;

(2) welcomes the celebration of World Press Freedom Day 2017 on May 3, 2017;

(3) commends journalists and media workers around the world for their essential role in promoting government accountability, defending democratic activity, and strengthening civil society, despite threats to their safety;

(4) pays tribute to journalists who have lost their lives or liberty carrying out their work;

(5) calls on governments abroad to implement United Nations General Assembly Resolution (A/RES/68/163) by thoroughly investigating and seeking to resolve outstanding cases of violence against journalists, including murders and kidnappings, while ensuring the protection of witnesses, and by reporting on the status of investigations;

(6) condemns all actions around the world that suppress freedom of the press;

(7) reaffirms the centrality of freedom of the press to efforts of the United States Government to support democracy, mitigate conflict, and promote good governance domestically and around the world; and

(8) calls on the President and the Secretary of State—

(A) to preserve and build upon United States leadership in freedom of the press, on the basis of First Amendment protections;

(B) to improve the means by which the United States Government rapidly identifies, publicizes, and responds to threats against freedom of the press around the world;

(C) to urge foreign governments to conduct transparent investigations and adjudications of the perpetrators of attacks against journalists; and

(D) to highlight the issue of threats against freedom of the press in the annual Human Rights Reports and year round.

SENATE RESOLUTION 151—COMMENDING THE NORTHWEST MISSOURI STATE UNIVERSITY BEARCATS ON THEIR NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II NATIONAL CHAMPIONSHIP VICTORIES

Mr. BLUNT (for himself and Mrs. MCCASKILL) submitted the following resolution; which was considered and agreed to:

S. RES. 151

Whereas, on December 17, 2016, the Northwest Missouri State University football team defeated the University of North Alabama by a score of 29 to 3 in the National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division II national championship game in Kansas City, Kansas;

Whereas the victory was the sixth Division II national championship for Northwest Missouri State University since 1996 and the fourth since 2006;

Whereas the Bearcats have won 55 games and lost 2 games over the past 4 seasons, with 30 straight victories over the last 2 years;

Whereas former head coach Adam Dorrel is 1 of just 3 head coaches in Division II football to win 3 national titles, and athletic director Mel Tjeerdsma has the distinction of being 1 of the other coaches to accomplish that feat;

Whereas, on March 25, 2017, the Northwest Missouri State men's basketball team defeated Fairmont State University in the NCAA Division II national championship, a first in the history of the Bearcats basketball program;

Whereas the Bearcats men's basketball team finished the 2016–2017 season with a 29-1 record, earning coach Ben McCollum his third Mid-America Intercollegiate Athletics Association Coach of the Year award;

Whereas Bearcat guard, Justin Pitts, was named—

(1) Division II Player of the Year by the National Association of Basketball Coaches; and

(2) Division II Bulletin Player of the Year; and

Whereas Northwest Missouri State University became the first Division II school to win championships for football and men's basketball in the same academic year: Now, therefore, be it

Resolved, That the Senate—

(1) commends Northwest Missouri State University for their Division II national championship victories in football and men's basketball;

(2) recognizes the athletic prowess, hard work, and dedication exhibited by the players, coaches, support staff, and student body of Northwest Missouri State University; and

(3) congratulates the city of Maryville, Missouri, and Bearcat fans and alumni around the world.

Mr. BLUNT. Mr. President: This year, Northwest Missouri State University set a record when it became the first Division II school to win the men's basketball and football championships in the same season.

It also became the first Division I or II school in the past decade to win titles in both those sports in the same year.

Located in Maryville, about one hundred miles north of Kansas City, Northwest Missouri State University was established in 1905.

With five NCAA championships already under their belt, Bearcats football began their 2016 season with the goal of adding another title to their great program. Under head Coach Adam Dorrel, they finished their record-setting year with a victory over the University of North Alabama in the brutally cold Division II championship game last December. The Bearcats have now gone 55–2 over four seasons, and their 30 straight victories over the last two years is the longest current win streak in all of NCAA football.

But the men's basketball team gave Bearcats fans plenty more to cheer about. After a very successful regular season, the Bearcats entered the Division II tournament with a 29–1 record. And on March 25, they defeated Fairmont State in the NCAA Division II championship game, a first in the program's history.

Finishing the year with a near perfect record, Coach Ben McCollum earned his third MIAA Coach of the Year honor. And the Bearcats' guard, Justin Pitts, earned several honors and was named the DII Bulletin Player of the Year.

Congratulations to Northwest Missouri State University on a phenomenal year. Fans across the state are excited for another great year as the Bearcats spend the off-season preparing to defend their hard fought championship titles.

SENATE RESOLUTION 152—EXPRESSING SUPPORT FOR THE DESIGNATION OF APRIL 2017 AS ''NATIONAL DONATE LIFE MONTH''

Ms. HEITKAMP (for herself and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 152

Whereas, in April 2017, over 118,116 individuals were on the official waiting list for organ donation managed by the Organ Procurement and Transplantation Network (referred to in this preamble as the ''national transplant waiting list'');

Whereas, in 2016, 33,606 transplant procedures were performed with organs from 27,628 deceased donors and 5,978 living donors, yet 6,303 candidates for transplantation died while waiting for an organ transplant;

Whereas, on average, 22 people die each day while waiting for an organ donation;

Whereas over 130,000,000 people in the United States are registered to be organ and tissue donors, yet the demand for donated organs outweighs the supply of organs made available each day;

Whereas, in 2016, a record was set for the number of organ transplants performed in a single year, yet every 10 minutes, 1 person is added to the national transplant waiting list;

Whereas an organ donation from a single deceased donor can benefit up to 8 individuals;

Whereas a living donor can donate a kidney or a portion of a lung or the liver to save the life of another individual; and

Whereas April is traditionally recognized as ''National Donate Life Month'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Donate Life Month;

(2) supports promoting awareness of organ donation by increasing public awareness;

(3) encourages States, localities, and territories of the United States to support the goals and ideals of National Donate Life Month by issuing a proclamation to designate April 2017 as ''National Donate Life Month'';

(4) commends each individual who—

(A) is a registered organ donor who may have a positive impact on the life of another individual; or

(B) indicates a wish to become an organ donor;

(5) acknowledges the grief of families who face the loss of loved ones and commends the families who, in their grief, choose to donate the organs of deceased family members;

(6) recognizes the generous contribution made by each living individual who has donated an organ to save the life of another individual;

(7) acknowledges the advances in medical technology that have enabled organ transplantation with organs donated by living individuals to become a viable treatment option for an increasing number of patients;

(8) commends the medical professionals and organ transplantation experts who have worked to improve the process of living organ donation and increase the number of living donors; and

(9) salutes each individual who has helped to give the gift of life by supporting, promoting, and encouraging organ donation.

SENATE RESOLUTION 153—EXPRESSING THE SENSE OF THE SENATE THAT, DURING PUBLIC SERVICE RECOGNITION WEEK, PUBLIC SERVANTS SHOULD BE COMMENDED FOR THEIR DEDICATION AND CONTINUED SERVICE TO THE UNITED STATES

Ms. HEITKAMP (for herself, Mr. LANKFORD, Mrs. MCCASKILL, Mr. JOHNSON, Mr. CARPER, Mr. TESTER, Mr. PETERS, Ms. HASSAN, Mr. BLUMENTHAL, Mr. LEAHY, Mrs. FEINSTEIN, Mr. BROWN, Mr. CARDIN, Mrs. SHAHEEN, Mr. KING, Mr. SANDERS, Mrs. MURRAY, Mr. KAINE, Mr. WARNER, Mr. COONS, and Mr. VAN HOLLEN) submitted the following resolution; which was considered and agreed to:

Whereas the week of May 7 through 13, 2017, has been designated as ''Public Service Recognition Week'' to honor employees of the Federal Government and State and local governments and members of the uniformed services;

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and to honor the diverse men and women who meet the needs of the United States through work at all levels of government and as members of the uniformed services;

Whereas millions of individuals work in government service, and as members of the uniformed services, in every State, county, and city across the United States and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas the ability of the Federal Government and State and local governments to be responsive, innovative, and effective depends on the outstanding performance of dedicated public servants;

Whereas the United States is a great and prosperous country, and public service employees contribute significantly to that greatness and prosperity;

Whereas the United States benefits daily from the knowledge and skills of the highly trained individuals who work in public service;

Whereas public servants—

(1) defend the freedom of the people of the United States and advance the interests of the United States around the world;

(2) provide vital strategic support functions to the Armed Forces and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver benefits under the Social Security Act (42 U.S.C. 301 et seq.), including benefits under the Medicare program under title XVIII of that Act (42 U.S.C. 1395 et seq.);

(6) fight disease and promote better health;

(7) protect the environment and parks in the United States;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the people of the United States recover from natural disasters and terrorist attacks;

(11) teach and work in schools and libraries;

(12) develop new technologies and explore the Earth, the Moon, and space to help improve knowledge on how the world changes;

(13) improve and secure transportation systems;

(14) promote economic growth; and

(15) assist veterans of the Armed Forces;

Whereas members of the uniformed services and civilian employees at all levels of government—

(1) make significant contributions to the general welfare of the United States; and

(2) are on the front lines in the fight to defeat terrorism and maintain homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent the interests and promote the ideals of the United States;

Whereas public servants alert Congress and the public to government waste, fraud, and abuse, and of dangers to public health;

Whereas the individuals serving in the uniformed services, as well as the skilled trade and craft employees of the Federal Government who provide support to their efforts—

(1) are committed to doing their jobs regardless of the circumstances; and

(2) contribute greatly to the security of the United States and the world;

Whereas public servants have bravely fought in armed conflicts in the defense of the United States and its ideals, and deserve the care and benefits they have earned through their honorable service;

Whereas public servants—

(1) have much to offer, as demonstrated by their expertise and innovative ideas; and

(2) serve as examples by passing on institutional knowledge to train the next generation of public servants; and

Whereas the week of May 7 through 13, 2017, marks the 33rd anniversary of Public Service Recognition Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of May 7 through 13, 2017, as ''Public Service Recognition Week'';

(2) commends public servants for their outstanding contributions to the United States during Public Service Recognition Week and throughout the year;

(3) salutes government employees, and members of the uniformed services, for their unyielding dedication to, and enthusiasm for, public service;

(4) honors government employees and members of the uniformed services who have given their lives in service to their country;

(5) calls upon a new generation to consider a career in public service as an honorable profession;

(6) encourages efforts to promote public service careers at every level of government; and

(7) supports efforts to promote an efficient and effective public service that serves the people of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 210. Mr. MCCONNELL proposed an amendment to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

SA 211. Mr. MCCONNELL proposed an amendment to amendment SA 210 proposed by Mr. MCCONNELL to the bill H.R. 244, supra.

SA 212. Mr. MCCONNELL proposed an amendment to the bill H.R. 244, supra.

SA 213. Mr. MCCONNELL proposed an amendment to amendment SA 212 proposed by Mr. MCCONNELL to the bill H.R. 244, supra.

SA 214. Mr. MCCONNELL proposed an amendment to amendment SA 213 proposed by Mr. MCCONNELL to the amendment SA 212 proposed by Mr. MCCONNELL to the bill H.R. 244, supra.

SA 215. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 244, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 210. Mr. MCCONNELL proposed an amendment to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; as follows:

At the end add the following:

''This Act shall take effect 1 day after the date of enactment.''

SA 211. Mr. MCCONNELL proposed an amendment to amendment SA 210 proposed by Mr. MCCONNELL to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; as follows:

Strike ''1 day'' and insert ''2 days''.

SA 212. Mr. MCCONNELL proposed an amendment to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; as follows:

At the end add the following:

''This act shall be effective 3 days after enactment.''

SA 213. Mr. MCCONNELL proposed an amendment to amendment SA 212 proposed by Mr. MCCONNELL to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; as follows:

Strike ''3 days'' and insert ''4 days''.

SA 214. Mr. MCCONNELL proposed an amendment to amendment SA 213 proposed by Mr. MCCONNELL to the amendment SA 212 proposed by Mr. MCCONNELL to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; as follows:

Strike ''4'' and insert ''5''.

SA 215. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—NO BUDGET, NO PAY

SEC. __01. SHORT TITLE.

This title may be cited as the ''No Budget, No Pay Act''.

SEC. __02. DEFINITION.

In this title, the term ''Member of Congress''—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

SEC. __03. TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

SEC. __04. NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section ____05.

(b) NO RETROACTIVE PAY.—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section ____05, at any time after the end of that period.

SEC. __05. DETERMINATIONS.

(a) SENATE.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section ____03 and whether Senators may not be paid under that section;

(B) determine the period of days following each October 1 that Senators may not be paid under section ____03; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Secretary of the Senate.

(b) HOUSE OF REPRESENTATIVES.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section ____03 and whether Members of the House of Representatives may not be paid under that section;

(B) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under section ____03; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Chief Administrative Officer of the House of Representatives.

SEC. __06. EFFECTIVE DATE.

This title shall take effect on February 1, 2019.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 7 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, May 3, 2017, at 10 a.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, May 3, 2017, at 10 a.m. in room 406 of the Dirksen Senate office building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, May 3, 2017 at 5:10 p.m., to hold a business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on May 3, 2017, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, May 3, 2017, at 10 a.m., in open session.

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services is authorized to meeting during the session of the Senate on Wednesday, May 3, 2017, at 2:30 p.m., in open session.

SUBCOMMITTEE ON MULTILATERAL INTERNATIONAL DEVELOPMENT, MULTILATERAL INSTITUTIONS, AND INTERNATIONAL ECONOMIC, ENERGY, AND ENVIRONMENTAL POLICY

The Committee on Foreign Relations Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy is authorized to meet during the session of the Senate on Wednesday, May 3, 2017 at 10 a.m., to hold a hearing entitled ''Global Philanthropy and Remittances and International Development.''

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 151, S. Res. 152, and S. Res. 153.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL DAY OF AWARENESS FOR MISSING AND MURDERED NATIVE WOMEN AND GIRLS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 60.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 60) designating May 5, 2017, as the ''National Day of Awareness for Missing and Murdered Native Women and Girls.''

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 the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 60) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 13, 2017, under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, MAY 4, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, May 4; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of the House message to accompany H.R. 244; finally, that at 10:30 a.m., Senator YOUNG be recognized for up to 20 minutes.

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 Senators HATCH, WHITEHOUSE, and MORAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah.

(The remarks of Mr. HATCH pertaining to the introduction of S. 1015 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Kansas.

SEVERE KANSAS WEATHER

Mr. MORAN. Mr. President, I come to the floor this evening to talk about winter storms that hit Kansas and surrounding States over the weekend, destroying crops and killing livestock. We face many challenges, and the Senator from Utah just described a serious circumstance for many people in this country. I applaud his efforts to try to find the solution.

The challenges that we face in Kansas after this weekend are another vivid reminder of the difficulties that each day our farm families and ranchers face trying to produce a crop or raise cattle. A farm family's economic situation can change in a moment's notice. What happened over the weekend was 17, 18, 20 inches of snow and high winds with a devastating blizzard, and it was preceded by temperatures into the twenties. The consequence to the wheat crop is dramatic.

A weekend weather event like this is often just an inconvenience for most people. However, it is the difference between having a crop to harvest or having nothing to sell. It is the difference between earning a living and not earning a living. It is the difference between staying on the farm or ranch and not being able to.

While the extent of the damage is being assessed—and we don't know exactly what that will be—it is clear that many wheat producers will likely have lost their entire crop. We have about 7.5 million acres of wheat planted in Kansas, and many of those acres—perhaps up to about half—were harshly impacted by this snowstorm and winter conditions.

Having a bountiful production is especially important for farmers at times of low commodity prices. That is what we are in now. The price of wheat, and the price of cattle, the price of corn, they are historically low. These are already challenging times. While the overall farm income, as a result of that, has been cut in half since 2013, Kansas producers fortunately were able to overcome that, to some degree, because we had bountiful harvests, great crops, high yields. Yet the number of bushels these producers will have to sell now as a result of these storms is clearly in question.

With low prices, we need high yields and large harvests. We clearly will not

have that. Those of us from ag States often talk about the importance of crop insurance and farm programs for producers. This storm reminds us, once again, the importance of that safety net. A farmer who lost an entire wheat crop over one weekend cannot afford to continue to farm without crop insurance to help cover the losses.

These farmers in Kansas would either go out of business or require ad hoc disaster assistance, something that used to happen during my earlier days in Congress. Every time there was a snowstorm, a freeze, a drought that devastated a crop, Congress was asked to provide ad hoc disaster assistance to make up for that challenge.

Giving farmers the ability to purchase affordable crop insurance means they have the ability to survive, to farm for another year. It is critical that we continue to promote and protect crop insurance in the upcoming farm bill.

Cattle producers and feeders also experienced losses due to this storm. About 75 percent of the cattle on feed in the country—75 percent of the cattle that are being fed in this country, ultimately for consumption in the grocery stores or restaurants, are located in the area hit by this winter storm. Feed lots are reporting the loss will total into the thousands of head of cattle. This impact comes only weeks after wildfires in Kansas, Texas, and Oklahoma destroyed ranches and killed thousands of cattle just a few weeks back.

Farmers and ranchers are some of the most resilient people. They remain optimistic in times of very difficult circumstances. Facing potential disaster and adversity every year, these men and women continue to bear the burden of producing food, fuel, and fiber for our country and for the world.

I would offer my prayers to those farmers and ranchers harmed by the snowstorms and these prairie fires, and I would, once again, express my commitment to making sure they have the tools necessary to survive this and future weather disasters.

In discussing the challenges currently being faced by farmers, I also want to take a moment to mention my disappointment that the budget-neutral cotton provision was left out of the omnibus legislation that was released earlier this week and we expect to vote on tomorrow or the next day. As a result of the 2014 farm bill, cotton farmers, including those cotton farmers in Kansas, were no longer eligible to participate in title I of the farm programs.

Without an effective safety net, cotton producers have especially felt the impact of the downturn in the farm economy due to those low prices. For over a year, the cotton industry has worked with both authorizers and appropriators to fix the issues stemming from the 2014 farm bill.

So it is really discouraging when their proposals met with resistance at the very last minute, not because of the merits of the proposals but because of unrelated issues with dairy policy that were not resolved. I, too, want to strengthen the protection provided for dairy producers in the farm bill. Kansas is one of the fastest growing dairy-producing States in the Nation.

Helping cotton farmers ought not be contingent on issues with dairy policy. I have heard from a number of Kansas cotton producers about the importance of this proposal, and my message to them remains the same: I understand the economic hardship that they are facing, and I am committed to working with the new Secretary of Agriculture to find a solution to the cotton problems and issues they face, as well as many others facing farmers and ranchers today.

I ask my colleagues to keep in their thoughts and prayers those farmers and ranchers across the Nation who, through no fault of their own, are struggling today because of weather and fire.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 18 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, the last two weekends have surged with political activism. Around the world, millions of people took to the streets to stand up for science and to call attention to the global crisis of climate change. This past weekend, my wife and I marched here in Washington, alongside 200,000 people from across our country in the People's Climate March.

I joined faculty and students from Rhode Island's Greene School, an environmental charter school named after the great Nathanael Greene. The Presiding Officer may well know that Nathanael Greene worked his way through the Presiding Officer's State during the course of fighting the Southern Revolutionary campaign and that General Cornwallis wrote to his wife that ''that damn Greene is more dangerous than Washington.'' So we are very proud of Nathanael Greene in Rhode Island and of the school that bears his name.

The kids who came down traveled overnight, through the night, to participate in that march. Joined by 375 sister marches worldwide, we came together with one voice to demand leadership in the fight against climate change. The Science March in Washington over Earth Day weekend, led by a nonpartisan group of scientists, was joined by people in 600 satellite marches around the world.

I went to Earth Day Texas, a truly impressive event, with 150,000 people, making it the largest Earth Day event in the world. It is the passion of businessman and philanthropist Trammell Crow, who has been bringing Republicans and Democrats together to combat climate change since 2011. So for my 165th ''Time to Wake Up'' speech, I want to thank all of those folks who made their voices heard these past few weeks in the streets or online.

With the Trump administration locked into tone-deaf climate denial, these marches mattered. And how tone-deaf this administration is. Data from Yale's program on Climate Change Communication shows national support for climate action across a broad range of questions. Nationally, 71 percent trust scientists about climate change—right here; trust climate science about global warming, 71 percent. So many folks came out to the Science March to show that.

A majority of Americans, 53 percent, believe climate change is caused mostly by human activity. That compares to 9 percent—9 percent of the Republican caucus here in a vote taken just last Congress. History will have to look back and explain why 53 percent of the American people say that is the case and only 9 percent of our Republican caucus was able to recognize that.

Eighty-two percent of Americans want research into clean and renewable energy sources. Seventy-five percent want us to regulate carbon dioxide as a pollutant, and 69 percent—right here—want strict CO_2 limits on existing coal-fired powerplants.

The President is disparaging the Paris climate agreement, but 7 out of 10 registered voters say the United States should stay in. Republicans favor staying in the Paris agreement by 2 to 1. This chart shows that support for research into renewables is strong across the country, even in coal country: 79 percent in Kentucky, 81 percent in West Virginia, and 82 percent in Wyoming.

It is the same in the oil patch. Seventy-nine percent of Texans support research into renewables. Despite this overwhelming public support, even in the reddest and most fossil fuel States, President Trump is proposing massive cuts to this research—clearly, tone-deaf. It is the same for emissions limits on coal plants. In all 50 States, in all 435 red, blue, and purple congressional districts, there is majority support for emissions limits.

Every single congressional district in the country has majority support for emissions limits. Of course, in some, it goes up into huge numbers like over 75 percent here in Vermont, but the baseline is that every single congressional district, a majority want emissions limits, but of course tone-deaf President Trump has directed his EPA Administrator to look at dismantling the Clean Power Plan.

A majority of Americans in every single State and in every single congressional district, which obviously includes every Republican congressional district, agree that climate change is happening. Whether you break it down

by State or break it down by congressional district, the results are the same. From here—50 percent and down—are various shades of blue. From here—50 percent and up—are various shades of orange. As you can see, there is not a remaining speck of blue on this map. The American people have settled this question in their minds.

Here is what, by the way, the next generation of Republicans think. The Thomson Reuters Foundation surveyed 21 college Republican clubs, of whom half said their members believe human activities are changing the climate. ''The people that are in power right now, for whatever reason, don't have that same global view,'' said Grace Woodward, the president of the Davidson College Republicans.

She continued: ''When our generation is in power, we will take climate change much more seriously.'' I am not sure we have the time for that, but I appreciate Grace's sentiment.

Kent Haeffner, president of the Harvard University Republican Club, said he, too, believes it will eventually become politically unviable for Republicans to keep dismissing climate change. He said: ''I think that the folks that are our age are going to have to reshape the party and take it in a different direction.'' It sounds like these future leaders of the Republican Party are putting their elders on notice.

It is not just a majority of the American people and it is not just young leaders of the Republican Party who don't buy President Trump's tone-deaf climate agenda; corporate America is not buying it either. In the lead-up to the inauguration, more than 630 companies and investors, representing nearly 2 million employees and more than $1 trillion in annual revenue, wrote to Donald Trump, counseling him to follow through on U.S. commitments to combat climate change.

Food giants Kellogg's, Campbell's, and Mars, clothing brands Nike and Levi's, and other corporate heavyweights like Monsanto and Johnson & Johnson urged the incoming President to maintain national efforts to reduce emissions, invest in the low-carbon economy at home and abroad, and keep the United States in the Paris Agreement.

Just last week, 13 of the largest and most successful companies in America wrote to the President to, and I quote them here, ''urge that the United States remain a party to the Paris Agreement, work constructively with other nations to implement the agreement, and work to strengthen international support for broad ranges of innovation technology.''

I don't know how the business community could state its position much more clearly. That group included BP, DuPont, General Mills, Google, Intel, Microsoft, National Grid, Novartis, PG&E, Schneider Electric, Shell, Unilever, and Walmart.

As former New York City mayor Michael Bloomberg put it, ''Washington won't determine the fate of our ability to meet our Paris commitment.''

Mr. President, I ask unanimous consent to have both of these letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

APRIL 26, 2017.

Hon. DONALD J. TRUMP,
President of the United States, The White House, 1600 Pennsylvania Avenue, NW., Washington, DC.

DEAR MR. PRESIDENT: We write to express our support for continued participation by the United States in the Paris climate change agreement.

Climate change presents U.S. companies with both business risks and business opportunities. U.S. business interests are best served by a stable and practical framework facilitating an effective and balanced global response. We believe the Paris Agreement provides such a framework.

Companies based or operating in the United States benefit from U.S. participation in the agreement in many ways:

Strengthening competitiveness—By requiring action by all parties, developed and developing countries alike, the agreement ensures a more balanced global effort, reducing the risk of competitive imbalances for U.S. companies.

Supporting sound investment—By setting clearer long-term objectives, and by improving transparency, the agreement provides greater clarity on policy direction, enabling better long-term planning and investment.

Creating jobs, markets and growth—By committing all countries to action, the agreement expands markets for innovative clean technologies, generating jobs and economic growth. U.S. companies are well positioned to lead, and lack of U.S. participation could put their access to these growing markets at risk.

Minimizing costs—By encouraging market-based implementation, the agreement helps companies innovate to achieve environmental objectives at the lowest possible cost.

Reducing business risks—By strengthening global action over time, the agreement will reduce future climate damages, including physical harm to business facilities and operations, declining agricultural productivity and water supplies, and disruption of global supply chains.

As businesses concerned with the well-being of our customers, our investors, our communities, and our suppliers, we are strengthening our climate resilience, and we are investing in renewables, efficiency, nuclear, biofuels, carbon capture, sequestration, and other innovative technologies that can help achieve a clean energy transition. For this transition to succeed, however, governments must lead as well. We urge that the United States remain a party to the Paris Agreement, work constructively with other nations to implement the agreement, and work to strengthen international support for a broad range of innovative technologies.

We believe that as other countries invest in advanced technologies and move forward with the Paris Agreement, the United States can best exercise global leadership and advance U.S. interests by remaining a full partner in this vital global effort.

We appreciate the opportunity to share our views and would welcome the opportunity to provide further input as the Administration continues to shape its climate policies.

Sincerely,

Apple, BHP Billiton, BP, DuPont, General Mills, Google, Intel, Microsoft, National Grid, Novartis Corporation, PG&E, Rio Tinto, Schneider Electric, Shell, Unilever, Walmart.

DEAR PRESIDENT TRUMP, MEMBERS OF THE US CONGRESS, AND GLOBAL LEADERS: We, the undersigned members in the business and investor community of the United States, reaffirm our deep commitment to addressing climate change through the implementation of the historic Paris Climate Agreement.

We want the US economy to be energy efficient and powered by low-carbon energy. Cost-effective and innovative solutions can help us achieve these objectives. Failure to build a low-carbon economy puts American prosperity at risk. But the right action now will create jobs and boost US competitiveness. We pledge to do our part, in our own operations and beyond, to realize the Paris Agreement's commitment of a global economy that limits global temperature rise to well below 2 degrees Celsius.

We call on our elected US leaders to strongly support:

1. Continuation of low-carbon policies to allow the US to meet or exceed our promised national commitment and to increase our nation's future ambition.

2. Investment in the low carbon economy at home and abroad in order to give financial decision-makers clarity and boost the confidence of investors worldwide.

3. Continued US participation in the Paris Agreement, in order to provide the long-term direction needed to keep global temperature rise below 2°C.

Implementing the Paris Agreement will enable and encourage businesses and investors to turn the billions of dollars in existing low-carbon investments into the trillions of dollars the world needs to bring clean energy and prosperity to all.

We support leaders around the world as they seek to implement the Paris Agreement and leverage this historic opportunity to tackle climate change.

18 Rabbits, Inc.; 22 Designs; 2pp; 3P Partners; 3rd Rock Data; 3Sisters Sustainable Management, LLC; 475 High Performance Building Supply; 900 Degrees Neapolitan Pizzeria; Adobe Home Furnishings; **Abt Electronics**; Abundance Food Coop; **Acer America Corporation**; Active Minds LLC; **Addenda Capital**; **Adidas Group**; **Adobe, Inc**; Adopt-A-watt; AdventureCORPS, Inc.; Aegis Renewable Energy; AGF Investments Inc.; Agrarian Ales; AjO; **Akamai Technologies, Inc.**; Aker Wade Power Technologies; Allagash Brewing Company; **Allianz**; Allumia; AlphaFlow, Inc.; Alta Ski Area; Altiz Orchard; **Amalgamated Bank**; Amber Kinetics; **AMD**; **Ameresco, Inc.**

American Licorice Co.; American Outdoor Products, Inc.; Amherst College; Amicus GBC, LLC; Anchor; Ankrom Moisan; Architects; Annie Card Creative Services; **Annie's, Inc.**; Anthesis Group; Anthropocene Institute; Applied Sustanability Group.

Appraccel; Appropriate Technology Group, LLC; Apricus Inc.; Aradia's Temple; Arapahoe Basin; Archer Capital Advisors; Agryle Brewing Company; Arjuna Capital; ARTEMIA Communications.

Artemis Water Strategy; ArtforScience; As You Sow; Aslan Brewing Company LLC; Aspen Brewing Company; **Aspen Skiing Company**; Assured Medical Billing, Inc.; Astra Women's Business Alliance; Athena Sustainable Materials Institute; Athens Impact Investing.

Athens Impact LLC: Socially Responsible Financial Services; Athens' Own; Auralites Inc.; Aurental Consulting; **Autodesk, Inc.**; **Aveda**; Avery and Sun; **Avery Dennison**; Axialent USA; Azzad Asset Management.

B2B4ME; Baker Office Supply; Baldwin Brothers Inc.; Bambeco; Banán; Baroco Corporation; Barrett International Technology;

Basic Solar & Renewables; Bath Natural Market; Bean Capers Inc.; Beanfields PBC; Beautycounter; Belay Technologies, Inc.; BELKIS Consulting, LLC; BELT; **Ben & Jerry's Homemade, Inc.**; Bent Paddle Brewing Co.

Bergsund DeLaney Architecture & Planning; Bespoken Corporate Communications; Big Dipper Wax Works Inc.; Big Kid Science; Big Path Capital; Biodico; **Biogen, Inc.**; Biohabitats, Inc.; BioJam Industrial Research & Development Global, Inc.; Bioroot Energy, Inc.; Biositu, LLC; Biosynthetic Technologies.

Bisbee Food Co-op; BKW III, LLC; Black Oak Wind Farm; Blacklin Associates; Blacktorne S&D Consulting; Blogs for Brands; **Blue Cross Blue Shield of Massachusetts**; Blue Moon Wellness; Blue Mountain Solar Inc.; Blue Phoenix Media, Inc.; Blue Star Integrative Studio; Blueprint Public Affairs; Boardwalk Capital Management; Bonnaire Enterprises LLC; Bora Architects; Boreal Mountain Tahoe/Soda Springs Ski Resort.

Borst Enginerring & Construction LLC; Boston Common Asset Management; Boston Organics; Bowling Green LLC; Box Digital Media; Box Latch Products; BR+A Consulting Engineers; Breathe Deep; Brendshann Construction Co Inc.; Brewery Vivant; Bright Common Architecture; Brit + Co; Broadside Bookshop; **Brooks Sports**; Buglet Solar Electric Installation; Bumbleride; Bump'n Grind; Bunk House at ZION; Bed & Breakfast; Buoy Beer Company; Burness; **Burton Snowboards**; Burtt & Associates; Business Climate Leaders; Business Wisdom; ByFusion.

C+C; CA Healthy Nail Salon Cooperative; **CA Technologies**; Cali Green Life; Califia Farms; California Clean Energy Fund; **California Public Employees' Retirement System**; **California State Teachers Retirement System**; **Calvert Investments**; Calypso Communications LLC; Cambridge Energy Advisors; Camp Encore/Coda; **Campbell Soup Company**; Cantabrigian Mechanics; Canyon Market; Cappello's; Captus Group LLC; Carbon Lighthouse; Care2.

Carlsbad Feed Store; Carolina Biodiesel, LLC; Case Medical; **Catalyst Paper Corporation**; Catalyze Partners; CDI Meters, Inc.; CEO Pipe Organs/Golden Ponds Farm; Cerego; CEVG; Chambong Industries; Charge Across Town; Che Qualita Enterprises, Inc.; ChekFaxx Corporation; Cherly Heinrichs Architecture; ChicoEco, Inc DBA; ChicoBag Company; Choices Natural Market; Chosen Futures; Christopher Reynolds Foundation; Church Investment Group; City Brewery; Clarion Group Live, Inc.; Clean Agency; Clean Edge, Inc.; Clean Energy Collective; Clean Energy Investment Management; Clean Technology Partners, LLC; Clean Yield Asset Management; CleanCapital.

Clear Blue Commercial; **Clif Bar & Company**; Climate Clean, Inc.; Climate Coach International, LLC; Climate First!; Climate Ready Solutions; Cloudability; Coelius Consulting; Coerver Analytics, LLC; Columbia Green Technologies; **Columbia Sportswear Company**; Communitas Financial Planning; Community Capital Management, Inc.; Compass Natural LLC; Compass(x) Strategy; Compression Institute; Comunicaciones Kokopele; Comverge; Confluence Sustainability; Congregation of Sisters of St. Agnes; Congregation of St. Joseph.

Connecticut Retirement Plans and Trust Funds; CONTEMPL8 T-SHIRTS LLC; Content Creation Services; Continuum Industries, Inc.; Convex Technologies Inc.; Cool Energy, Inc.; Cooper Spur Mountain Resort; Copper Mountain Ski Resort; Copyrose Marketing & Communications; Corn Board Manufacturing, Inc.; Cornerstone Capital Group; Cornucopia Community Advocates; COULSON; **Craft Brew Alliance**; Creative Facilitating and Coaching; Creekwood Energy Partners; Crossbow Strategies; Crystal Mountain; CTA Architects Engineers; Curren Media Group; Cyclone Energy Group.

Dahlman Ranch, Inc.; **Dana Investment Advisors**; Dana Lund Landscaping; **Dannon Company, Inc.**; **Dansko Inc**; Daughters of Charity, Province of St. Louise; DayQuest Life Counseling & Healthy-Mind Services; DBL Partners; Debra's Natural Gourmet; Decoding Sustainability with Matthew Yamatin; Deep Green Inc; Deer Valley Resort; Della's LLC; Deschutes Brewery; Detour; DIESEL, A Bookstore; **Dignity Health**; Distance Learning Consulting; Do Good Investing, LLC; Domini Impact Investments LLC; Dominican Sisters of Hope; Dominican Sisters of Mission San Jose; Dominican Sisters of Peace; Dominican Sisters of San Rafael; Dominican Sisters of Sparkill; DoneGood; Donna M. Carr, M.D.; Dorothea Leicher NCpsyA; Douglas Elliman; Drew Maran Construction, Inc.; Ducoterra LLC; DuPage Psychological Associates; **DuPont**; Durange Compost Company; DynoForms.

Eaglecrest Ski Area; Earth - Bread + Brewery LLC; Earth Essence; Earth Friendly Products (ECOS); EarthKind Energy; Earthprints; Earthshade NAtural Window Fashions; **Ebates**; **eBay**; Ecco Bella; Echo Credits; Echo Mountain; Eco Latch Systems, LLC; **Eco-Products**; Ecodeo; Ecogate; EcoPlum; ecoShuttle; Ecosystems Group, Inc; EcoTienda La Chiwinha; Ecotone Services, Inc; Edgewood Garden LLC; Eighty2degrees LLC; **EILEEN FISHER**; EKI Energy Services Limited; Eleek, Inc.; Elephants Delicatessen; Ellenzweig; Elloian Law; Emerge Interactive; Emerger Strategies; Emmy's Organics, Inc.; Empowerment Solar LLC; Endosys; Energy Optimizers, USA; EnergyWorks.

Entercom Communications Corp.; Environment & Enterprise Strategies; EOS Climate; Epic Capital Wealth Management; Equal Exchange Inc; Equinox Consultancy LLC; Erin Austin Law; Eskew+Dumez+Ripple; Espresso Parts LLC; Essex Timber Co. LLC; ETG book cafe; Ethical Bean Coffee; Ethical Markets Media Certified B Corp.; Etho Capital; ETM Solar Works; Eva Realty, LLC; Evari GIS Consulting; Everence & the Praxis Mutual Funds; Evolution Marketing; Exact Solar.

Fairhaven Runners, Inc.; Faller Real Estate; Farmers Union, Inc.; Feel Good Salsa LLC; Felician Sisters of North America Inc., Leadership Team; **Fetzer Vineyards**; Fiberactive Organics; Filtrine Mfg. Co.; First Affirmative Financial Network; Flink Energy Consulting; FOG Pharmaceuticals, Inc.; Fort George Brewery and Public House; Four Twenty Seven; Framework LLC; Franciscan Sisters of Allegany, NY; Franciscan Sisters of Perpetual Adoration; Fred Thomas Resort; **Fremont Brewing**; Friends Fidicuary Corporation; Future Made.

Gaia Herbs; Gale River Motel, LLC; **Gap Inc.**; Gara Landscapes, LLC; Garmentory Inc.; Gauthereau Group; CGI General Contractors; Geek Werks; **Genentech, Inc.**; **General Mills, Inc.**; Gerding Edlen Development; Gerry Fortin Rare Coins; Ginkgo Leaf Consulting; Gladstein, Neandross & Associates; Global Energy Inc.; Global Organics; Globetrans EC; GloryBee; GO Box; Going Beyond Sustainability; Good Company; Good Energy Guild; Good Neighbor Health Clinic; Goodmeetsworld; GPM Global; Grady Britton; Granlibakken Management Company; Great Green Content; Green Alliance; Green Canyon Apothecary; Green Century Capital Management; Green Concierge Travel; Green Faith; Green Hammer; Green Heron Tools, LLC; Green Ideals; Green Knight Environmental Inc.; Green Media Ventures; Green Pod LLC; Green Retirement; Green Star; Greenability; Greenbank Associates; GreenBeams, LLC; GREENPLAN Inc.; Greentown Labs; Greenvest/FWG.

Hackensack Meridian Health; Hammerschlag & Co. LLC; Hanging Rock Animal Hospital, Inc.; Hannon Armstrong; **Happy Family Brands**; HarborWest Design; Harmony Acupuncture, LLC; Harvest Power LLC; Hasty Hickock, LICSW private practice; HeartPath Acupuncture, LLC; Hello!Lucky; Hemp Ace International LLC; Hempy's American Made Fine Hemp Goods; Henry and Marty Restaurant; **Hewlett Packard Enterprise**; Hey and Associates, Inc.; High Plains Architects, PC; Hilary's; **Hilton**; Historic Properties LLC; HJKessler Associates; Holiday Valley Resort;

Hollender Sustainable Brands, LLC; Home Green Home; Horse & Dragon Brewing Company; House Kombucha; **HP Inc.;** Humanity, Inc; Hummingbird Wholesale; HydroCycle Engineering; HydroQuest.

iBark; ICCR (Interfaith Center on Corporate Responsibility); Ideal Energy Inc; IDEAS For Us; **IKEA North America Services, LLC;** Impact Bioenergy, Inc.; Impact Infrastructure, Inc.; Impact Investors; Impax Asset Management; Independence Solar; Independent Natural Food Retailers; Indigo Natural Marketing and Sales; Indosole; Indow; Infer Energy; Information Technology Industry Council; Innovative Power Systems; Inntopia; Inovateus Solar; INTEGRAL GROUP; Integrated Choices, LLC; **Intel Corporation;** IntelliparkUS, Inc.; Interdependent Web LLC; **Interface**; Interfaith Power and Light; Intersection; Intex Solutions, Inc.; iPlay; ISOS Group; iSpring; Itty Bitty Inn.

J. Ottman Consulting; **J&B Importers, Inc.;** Jackson Hole EcoTour Adventures; Jackson Hole Mountain Resort; Jacoby Architects; Janji; Jantz Management LLC; Jazzie Beans LLC; Jefferson Veterinary Center; JF Pontzer, LLC; JGE Global LLC; Jilbert Winery; Jimbo's...Naturally!; Jiminy Peak Mountain Resort, LLC; JJ McNeil Commercial; JLens Investor Network; **JLL;** JMJ Construction Group; **Johnson & Johnson;** Jonathan Rose Companies; Joule Energy; JoyWorks Communications; JSA Financial Group; JTN Energy; **Jupiter Aluminum;** Just Business; Just in Time Direction; Justice Commission of the Sisters of the Presentation of the Blessed Virgin Mary, Aberdeen, SD.

K2 Sports; Karen Beall, Inc.; Kayak Media; Keene Advisors; Keinomari Consulting; **Kellogg Company;** Kelly Services; KERBspace; Kimberton Whole Foods; **King Arthur Flour;** Kirksey Architecture; KL Felicitas Foundation; Klean Kanteen; Kleynimals; KLW Consulting Inc; Kostis Kosmos Inc.; Krull & Company; Kuity Corp.; KW Botanicals Inc.

L'Oreal USA; Lamey-Wellehan; Lancaster General Health; Law Office of Nancy D. Israel; Lawrence R. Jensen & Assoociates; Lazarus Financial Planning, LLC; Le Pain Quotidien; Leadership Team Sisters of St. Francis of Tiffin, OH; Leadership Momentum; LEEDerGroup.com; Leisure Wheels Quadracycles; Leslie Lawton Connected Communications; **Levi Strauss & Co.;** Lex Machina; LifeSource Natural Foods; LifeWise Community; Liftopia, Inc.; LightWave Solar; Lin Industries, Inc.; Linear City Concepts; LiveNeighborly; Livingston Energy Innovations; LM Holder III FAIA; Locksley, Inc.; Long Wind Farm; Longhorn Solar; Lookout Pass Ski & Recreation Area; Los Angeles Cleantech Incubator; Lotus Foods, Inc.; **Louis Berger;** Lumenomics, Inc.; Luna & Larry's Coconut Bliss; Lutsen Mountains Corporation; **Lyft;** Lynne Rudie Graphic Design.

M.A. Mortenson Company; M&E Engineers; Macomb Food Cooperative; Macroclimate$_R$; Magnetic Threads; **Mammoth Mountain and June Mountain;** Manhattan Holistic Chamber

of Commerce; **ManpowerGroup;** marianne ieone llc; **Mars Incorporated;** Martha's; Martin 4 Investments, LLC; Martin Rehearsal Studios; Maryknoll Sisters; Mazzetti + GBA; Melina/Hyland design group; Mennonite Education Agency; Mercatus, Inc.; Mercer Road Farm; Merck Family Fund; Mercury Press International; **Mercy Health;** Mercy Investment Services; Meridian Ecosystems, Inc.; Metropolitan Group; Metrus Energy; Michael W. Grainey Consulting LLC; Microgrid Systems Laboratory; Midwest Capuchin Franciscans; Midwest Coalition for Responsible Investment; Mightybytes; migration.mobi; MilkCrate; MILLC; Millennium Microgrid; **Miller/Howard Investments;** MindEase Billing; Minerva Consulting; Mirova; Mission Cheese; MissionCTRL Communications (m^2c); Mithun; Mobile Data Labs; Modavanti; Monadnock Food Coop; **Mondelēz International; Monsanto Company;** Montanus Energy; Moore Capital Management; MooreBetterFood; Mount Bohemia; Mountain Gear, Inc.; Mountain High Resort; Mountain Mel's Essential Goods; Mountain Rider's Alliance, LLC; Mountain Rose Herbs; mphph design; mphpm design; Mrs. Green's World; Mt. Hood Meadows; Mulago Foundation; mvWiFi, LLC; MyFlightbook.

Namasté Solar; Nancy Deren Financial Counciling; National Co+op Grocers; National Foundry; National Latino Farmers & Ranchers Trade Assn; **National Ski Areas Association;** National Small Business Network; Native American Natural Foods; Natixis Asset Management; Natural Habitat Adventures; Natural Habitats; Natural Investments; Natural Logic; NEI Investments; Neighborhood Sun; Neil Kelly; Nettleton Strategies; **New Belgium Brewing;** New Century Productions, Inc.; New Horizon Financial Strategies; New Summit Investments; **New York City Comptroller's Office; New York State Common Retirement Fund;** Nia Global Solutions; Nightshade Fine Gardening; **NIKE;** Nomadix; North Highland Worldwide Consulting; North Ridge Investment Management; North Sound Energy Remodel, LLC; North Star Coaching; NorthFork Financial, LLC; NorthStar Asset Management, Inc.; Northwest Coalition for Responsible Investment; **NRG Energy, Inc.;** Numi Organic Tea; nurx; Nutiva.

Oasis Montana Inc.; Octagon Builders; **Office of the General Treasurer of Rhode Island;** OgreOgress productions; OhmConnect; OLAVIE; Old Bust Head Brewing Company; OM Properties, LLc; Omnidian, Inc.; On Belay Business Advisors Inc; **Oregon State Treasurer;** Organic India USA; **Organic Valley; Organically Grown Company;** Orion Renewable Energy Group; Orly Zeewy Brand Architect; Oroeco; Our Earth Music, Inc.; **Outdoor Industry Association;** Outdoor Project; Outerknown; Outpost Natural Foods Co-op; Owens Business & Cnsltg., LLC.

Pacific Gas and Electric Company; Page Paladino and Company; PaleoBOSS Lady; Papertide Publishing; Parenting Journey; **Parnassus Investments; Patagonia;** Pax World Funds; Payette; **Pearson;** PeopleSense Consulting; Pepper Sisters, Inc.; **Perkins+Will;** Personal Beast Inc.; Peter L Villa Fine Art; Pick My Solar; Pilotwear & Diecast Airplane; Pitchfork Communications; Planet Cents; PlanGreen; PLC Repair; **Plum Organics;** Portfolio Advisory Board, Adrian Dominican Sisters; Portland Consulting Group; Prairie Ventures, LLC; Presbyterian Church U.S.A.; Preserve; Priests of the Sacred Heart; Principled Investing LLC; Priority Veterinary Management Consultants; Prisere LLC; Product World USA; Professional Building Consultant Group; Projector.is, Inc.; PromptWorks, LLC; Proterra, Inc.; PTI Global Solutions; Pulp Pantry; Pure Strategies, Inc.

Queridomundo Creative; Quest; Quri.

RADAR, Inc.; Re-Nuble, Inc.; ReachScale; REBBL, Inc.; Rebel Writer; **Recreational Equipment, Inc.;** Region VI Coalition for Responsible Investment and Sisters of the Humility of Mary; ReGrained, Inc; ReGreen Inc.; RenewWest; Replenishing the Earth; RetroFuture; Remodeling; **Reynders, McVeigh Capital Management, LLC;** Reynolds Foundation; Rio Grande Renewables, LLC; Riverina Natural Oils; Rivermoor Energy; RL Investments; Roanoke Mountain Adventures, LLC; Robert Bates Company; Rockford Brewing Company; Room & Board INC; Roots Realty; **Royal DSM;** RPM Bank; Ruffwear; Rune's Furniture and Carpet; Russian River Vineyards; Rutherford + Chekene.

S CAP Consultancy; s2 Sustainability Consultants; **Safari Energy; Salesforce.com**; Sarah Mae Brown Consulting LLC; Saris Cycling Group; Sasaki Associates; **Saunders Hotel Group;** Savenia; Savii Group; Scentsational Scrubs; **Schneider Electric;** School Sisters of Notre Dame Cooperative Investment Fund; School Sisters of St. Francis; SCIEFrameworks, LLC; Scoville Public Relations; Scrivo Communications; SEA Builders LLC; **Sealed Air Corporation;** Seamans Capital Management; **Seattle City Light;** Sefte Living; Seismic Brewing Company.

SEIU Staff Fund; Sequent Management, Inc.; Servants of Mary; **Seventh Generation;** Seventh Generation CRI; Severn Consulting SFMG; SharePower Responsible Investing, Inc.; SheerWind; Sheng Ai International, LLC; Shift Advantage; Sidel Global Environmental; Sidel Systems USA Inc.; Siegel & Strain Architects; Sierra Club Foundation; Sierra Energy; **Sierra Nevada Brewing Co.;** Sierra Real Estate; Sigma Capital; Silicon Ranch Corporation; Simply Perfect Beauty; Sisters of Bon Secours USA; Sisters of Charity of Leavenworth; Sisters of Charity of New York; Sisters of Charity, BVM; Sisters of Saint Francis, Rochester, Minnesota; Sisters of Saint Joseph of Chestnut Hill, Philadelphia, PA; Sisters of St. Dominic of Caldwell; Sisters of St. Dominic, Racine, Wisconsin; Sisters of St. Francis of Philadelphia; Sisters of St. Joseph; Sisters of St. Joseph of Boston; Sisters of the Humility of Mary; Sisters of the Precious Blood; Sisters of the Presentation of the BVM; Sisters of the Sacred Heart of Mary WAP; **Skanska USA Inc.;** Skibutlers; Smarter Shift Inc.; SMMA.

For the full list of signatories, please see: *http://lowcarbonusa.org/business*. Signatories in bold >$100 million in annual revenues or >$5 billion in assets under management.

Mr. WHITEHOUSE. These companies know that climate change could disrupt their supply chains, make water or commodities more costly, or even roil international markets. So they are moving ahead whether the President and congressional Republicans are with them or not.

Mars, the maker of M&Ms and Snickers bars, has pledged to eliminate greenhouse gas emissions from its facilities by 2040. When asked by the New York Times if President Trump's threats to leave the Paris accord had any effect on Mars' plans, global sustainability director Kevin Rabinovitch replied: ''This doesn't change our commitments. . . . We're doing this because we see a real business risk.''

Walmart, which already has set a goal of deriving half its energy from renewable sources by 2025, recently announced Project Gigaton, an initiative to eliminate 1 gigaton of carbon emissions by 2030 from its entire supply chain.

Big league sports is engaged too. Major League Baseball stadiums and National Basketball Association arenas have installed wind turbines to generate their own low-carbon energy, or solar panels, like the Red Sox's Fenway Park.

The National Hockey League has partnered with ENERGY STAR and the Natural Resources Defense Council to make its facilities more energy efficient. Salt Lake City's Major League Soccer stadium built one of Utah's largest solar panel arrays, providing more than 70 percent of that facility's energy.

The National Football League has a program to reduce overall greenhouse gas emissions during every Super Bowl, which has resulted in the planting of over 50,000 trees in Super Bowl host communities.

In 2016, outdoor retailer REI hit 100 percent renewable energy for the fourth consecutive year, and they just opened a new net-zero energy distribution center in the Arizona desert. Starbucks announced plans to power 116 stores in Washington State on renewable energy. Patagonia created an incentive program for employees who commute to work without driving, saving more than 25,000 gallons of fuel last year, and it invested more than $50 million to purchase 2,500 residential solar units.

And it is not just the business community that makes things; financial firms are urging their clients to factor climate change into their investment decisions.

Last year, the investment firm BlackRock, with more than $1 trillion in assets under management, issued a report titled ''Adapting Portfolios to Climate Change,'' which describes ''how investors can incorporate climate factors to reduce risk and seize opportunities.''

The Asset Owners Disclosure Project last week reported that ''[s]ixty percent of the world's 500 biggest asset owners, with funds worth $27 trillion''—hold your breath on that—''now recognized the financial risks of climate change and opportunities in the low carbon transition and are taking action.''

Bill Gates, along with more than 20 of the world's most successful businesspeople, launched a $1 billion investment fund in late 2016, Breakthrough Energy Ventures, to reduce greenhouse gas emissions by financing clean energy technology.

These clear-eyed assessments of the business effects of climate change are not entirely new. Back in 2009, Donald Trump joined business leaders to warn us about the ''catastrophic and irreversible effects of climate change.'' There advertisement read: ''There will be catastrophic and irreversible consequences for humanity and our planet.'' That was then, I guess.

The country is moving on without President Trump and without the Republican Party. State and local officials are on the march, leading their

communities on a path to reduced carbon emissions. Companies are on the march, greening their operations and supply chains. And on campuses across the country, young Republicans and young Democrats are on the march, coming together to prepare for a cleaner future. As the marches and events of the past 2 weekends demonstrated, there is no going back.

I realize it is hard for my Republican colleagues to go against the fossil fuel cartel, but it is not too late for them to finally say enough is enough, to wake up and to join the march.

Mr. President, 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 6:50 p.m., adjourned until Thursday, May 4, 2017, at 9:30 a.m.

EXTENSIONS OF REMARKS

CELEBRATING THE RETIREMENT OF RICHARD J. NAPLES

HON. JOSH GOTTHEIMER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. GOTTHEIMER. Mr. Speaker, I rise today to celebrate the retirement of Richard J. Naples, Executive Vice President and Chief Regulatory Officer of BD (Becton, Dickinson and Company). Rick has been a key leader to the BD family of more than 40,000 associates in 50 countries. Since 2006, he has worked tirelessly at BD, and over the last 30 years, has helped bring innovative, lifesaving technologies to patients and families. Rick truly embodied BD's commitment to advance the world of health.

Rick's work hasn't gone unnoticed. He and his team have led more than three hundred successful FDA regulatory submissions, and driven countless industry-wide initiatives to ensure more timely patient access to safe and innovative technologies. Rick currently serves on the Board of the Medical Device Innovation Consortium (MDIC), the first public-private partnership with FDA to advance regulatory science to speed time to market for new medical technology. For several years, he chaired the AdvaMed Diagnostics Task Force and has been recognized as one of the top regulatory professionals in the industry.

Congratulations on this significant milestone, I wish Rick and his wife, Leslie, and their family, the very best in both his retirement and future adventures.

IN RECOGNITION OF GILLES LARAMEE

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Ms. KUSTER of New Hampshire. Mr. Speaker, today I stand in recognition of Gilles P. Laramee, a Marine Corps veteran and a committed advocate for New Hampshire's veterans community, who sadly passed away unexpectedly on February 18th at the age of 85.

First and foremost, Mr. Laramee of Berlin, NH, was proud to have served his country as a United States Marine during the Korean War. In his later years, he was a selfless volunteer and a mentor to many Granite State veterans over his years of service on the North Country Veterans Committee.

Mr. Laramee was a member of the Good Shepard Parish, the Marine Corp League, and the White Mountain Post 2520 VFW. His volunteerism included working with veterans at Androscoggin Valley Hospital, the New Hampshire Department of Corrections in Berlin, and the Federal Bureau of Prisons Corrections facility in Berlin. He was truly dedicated to serving brothers and sisters in the veterans community through some of their darkest times.

More than anything, Mr. Laramee loved his work as regional director for Toys-for-Tots. He took such pride in gathering and distributing toys to children and families in need. His dedication to this charity was so profound that he became know as "Father Christmas" to many North Country families.

Mr. Laramee is survived by his wife Lillian, his daughters Diane and Rachel, their husbands and children. He will also be missed by the many veterans whose lives he touched.

While Taps has played for this hero, we are left to say "Semper Fi" dear and loyal friend.

HONORING HENRY L. "HANK" LACAYO

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Ms. BROWNLEY of California. Mr. Speaker, today, I rise to offer my sympathy and condolences to Leah Lacayo and the entire Lacayo family on the passing of my friend and ally, Henry L. "Hank" Lacayo.

Hank dedicated his life to bettering our community and country. Born in 1931 in Los Angeles, Hank grew up in the depths of the Great Depression, fighting through a time of great economic uncertainty and racial injustice. When World War II broke out, Hank was absolutely determined to serve his country. He tried to join the military at the age of 16, but was turned away. He finally was able to join the U.S. Army Air Corps after his high school graduation.

Following his military service, Hank began his career in 1953 at North American Aviation and became involved with United Auto Workers of America (UAW) Local 887. Nine years later, he was elected President of the UAW Local, a position in which he represented the interests of over 30,000 workers and their families. Through his steadfast leadership, Hank was appointed National Director of the Political and Legislative Department of the UAW. While working in this capacity, Hank served as an advisor under Democratic Presidential Administrations from John F. Kennedy to Bill Clinton. In 1986, Hank retired from the UAW and subsequently formed H. L. & Associates, a consulting firm that enabled him to continue to be involved in labor relations issues, as well as other government, seniors, and international issues.

After his retirement, Hank continued to give back to his community by serving as President of the Congress of California Seniors, where he dedicated his time to advocating for a better quality of life for others. Hank also worked hard in the community to help prepare the next generation of leaders, public servants, and community activists.

Founded in 2010 at California State University Channel Islands, the Henry L. "Hank" Lacayo Institute for Workforce & Community Studies facilitates student internships, scholarly research, and the dissemination of policy information and recommendations. In the program, students learn the essential skill sets to change lives and positively impact communities.

Hank spent his lifetime working for Ventura County and for our nation. His hard work and dedication—which has ranged from serving in the Army Air Corp, to actively fighting for working families and California's seniors, and passing down his knowledge and experience to students who will continue his influential work—has helped to create a better America.

Last year, the United Way of Ventura County recognized Hank for his lifetime achievements. However, it is tremendously difficult to encapsulate everything that Hank did for his community and his country in only a few words. Hank was so much greater and bigger than the words that have often been used to describe him.

He will be remembered for his wise counsel, sincere kindness, and unwavering commitment to service to others. Hank will truly be missed, but his legacy will continue to live on in the hearts of the many individuals that he touched, including my own, throughout his extraordinary and remarkable life.

HONORING ROTACARE

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize the RotaCare Bay Area San Rafael Clinic's 20th Anniversary of caring for, and protecting, the people of Marin County.

The RotaCare clinics of the Bay Area are important contributors to their communities' health. Starting with one clinic on the former Agnews State Hospital site, there are now twelve clinics located throughout the Bay Area in Concord, Daly City, Gilroy, Half Moon Bay, Monterey, Pittsburg, Richmond, San Jose, San Leandro, San Rafael, and Santa Cruz.

Their mission, "to provide free medical care in the Bay Area for those who have the greatest need and the least access," has been a guiding tenet to the many volunteers and philanthropic donors who support the program. RotaCare assists anyone in need and is known for their attempts to alleviate costly and time consuming emergency room visits for the uninsured.

My district's own San Rafael clinic was founded in 1997 by Mike Osborne, Sharron Newton, Gus Catechi and Peter Pattengill, members of the Rotary Club of Marin Sunrise. The Rotary District theme that year was homelessness, which sparked the idea of starting a free clinic in San Rafael. At first, the clinic was held once a week at Ritter House in San Rafael, but as the clinic grew it was a forced to find a larger space. In 2003, the clinic moved to Kaiser Permanente's Downtown San Rafael Office and expanded their hours to

twice a week to accommodate the growing need of free, quality health care that still continues today.

Mr. Speaker, the RotaCare clinics' commitment to providing accessible, free health care to those who would otherwise go without care keeps our community thriving with healthy, active people. It is therefore fitting to honor and thank RotaCare Bay Area's San Rafael clinic for 20 years of success in adhering to the mission of providing health care to those who are most in need and to offer best wishes on many more years of important work.

25TH ANNIVERSARY OF FORT HAMILTON HIGH SCHOOL'S MARCHING BAND

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. DONOVAN. Mr. Speaker, I rise today to recognize the Fort Hamilton High School Marching Band on their 25th Anniversary.

Founded during the 1990 to 1991 school year, the Fort Hamilton High School Marching Band has been a mainstay for students, staff, and parents alike. During its inaugural year, the Marching Band was busy purchasing instruments, uniforms, and sheet music. Under the guidance of Laurence Laurenzano, the Assistant Principal of Music at the time, 75 students participated in their first competition at Festival Disney in Disney World and Universal Studios.

For the past 15 years, Thomas P. Oberle, the Assistant Principal for Performing Arts, has led the Fort Hamilton High School Marching Band. Under his leadership, students have performed in Canada, Atlanta, Williamsburg, and Boston. Furthermore, they have also marched in the Labor Day, St. Patrick's Day, Norwegian Day, Veterans Memorial Day, and Greek Independence Day parades. Not to be outdone, the Marching Band has also performed at the Gridiron Gala for the National Football League and United Way.

Mr. Speaker, I want to congratulate the Fort Hamilton High School Marching Band on their 25th Anniversary. Their success is proof of their commitment, energy, and greatness.

WINNING THE FIGHT AGAINST HUMAN TRAFFICKING: THE FREDERICK DOUGLASS TRAFFICKING VICTIMS PREVENTION AND PROTECTION ACT OF 2017

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, the subcommittee I chair held a hearing on accelerating the fight against human trafficking with particular focus on the new Frederick Douglass Trafficking Victims Prevention and Protection Act of 2017—the comprehensive, bipartisan legislation that my friend and colleague Karen Bass and I introduced last Thursday joined by Chairman Royce, Representatives Jackson Lee, Brooks, Frankel, Wagner, Cardenas, Poe, and Costello.

In the fight to end modern day slavery, and as the author of the landmark Trafficking Victims Protection Act of 2000, the new bill honors the extraordinary legacy of one of the greatest Americans who ever lived.

Born a slave in 1818—we look forward to celebrating the 200th anniversary of his birth next year—Frederick Douglass escaped slavery when he was 20 and dedicated his entire life to abolishing slavery and, after emancipation, to ending Jim Crow laws while struggling for full equality for African American citizens. A gifted orator, author, editor, statesman (and Republican), he died in 1895.

The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act authorizes $130 million over 4 years to prevent human trafficking, protect victims, and beef up prosecution at home and abroad. Among other things, I note that this bill encourages more hotels at home and abroad to put policies and trainings in place so that the hotels are less likely to be used by human traffickers to exploit children. To the extent practicable, the U.S. Government will direct U.S. Government travelers using taxpayer money to use hotels that have taken affirmative steps to end trafficking within their walls.

The new bill seeks to restore the credibility of the Trafficking in Persons Report, produced annually by the Department of State, to hold countries accountable for progress, or the lack thereof, in the fight against human trafficking. Talk is cheap—we insist on sustainable action.

This report scrutinizes more than 190 countries—with the credible threat of serious sanction for egregious violators branded Tier 3—to improve their trafficking laws and actions.

But in several notable cases, particularly in 2015, countries that should have been held accountable by the last administration with Tier 3 designations were given a pass—countries such as Malaysia, Cuba, China, Oman, Uzbekistan, and others. The new bill tries to ensure that countries complicit in trafficking are held accountable. No politics. Ever. And it will remove from current law the presumption that countries failing to quantify convictions and identify victims somehow deserve passing grades.

IJM's Policy Director Tim Gehring underscored that concern in his testimony today stating, "The politicization of the tier rankings, against the advice of the anti-trafficking experts at TIP Office is to the detriment of the annual report, the U.S. Government's leadership on combatting this human rights abuse, and, ultimately, to the people exploited in the countries which receive an undeserved higher ranking."

Last year alone, I chaired two hearings on this: "Accountability Over Politics: Scrutinizing the Trafficking in Persons Report" in July and earlier in March, "Get it Right This Time: A Victims-Centered Trafficking in Persons Report."

I was profoundly disappointed that the Obama Administration chose to politicize tier rankings rather than speak the truth to power. If the Trump Administration follows that dangerous precedent I will be no less a critic.

The Frederick Douglass Act will limit the amount of time a country can stay on the warning, Tier 2 Watch List, inspiring countries to take action against trafficking today, not in four years when their warnings are up.

The Act will also ensure that countries still using child soldiers, such as Afghanistan, where boys are on the front lines fighting the Taliban by day and being used as sex slaves at night, stop this obscene practice before being allowed to partner with the U.S. military—something Green Beret Sergeant First Class Charles Martland tried to do at great personal cost.

The Act will also ensure that waivers for countries using child soldiers are not abused. In 2016, only three of 10 countries designated as using child soldiers were not allowed to access funds, and these were the countries we did not fund anyway. The Act will ensure that the waiver is used only in cases where the President can ensure steps are being taken to address the recruitment and use of child soldiers.

In addition, the Act will help keep goods made by child trafficking victims out of the United States by ensuring continued funding for and enhancing the specificity of Department of Labor reports on slave-made goods.

Provisions in the Act will prevent the abuse of domestic servants in embassies and diplomatic homes in the United States. Diplomats and their families in the U.S. are getting off scot-free after trafficking domestic servants in their homes—we are going to change that. Trafficking is illegal here, no matter who you are.

The Act encourages accountability for U.S. Government funds going abroad to help trafficking victims, and strengthens implementation of U.S. laws and regulations to prevent government purchases from putting money in the hands of traffickers.

We welcomed several of the top anti-human trafficking organizations who have endorsed the legislation, including ATEST, the U.S. Conference of Catholic Bishops, which submitted testimony for the record, and Frederick Douglass Family Initiatives, whose work educating children about the threat of trafficking has inspired this legislation.

HONORING THE DISABLED VETERANS MEMORIAL IN UNION, MISSOURI

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor the Disabled Veterans Memorial in Union, Missouri. The memorial is located in Veterans Memorial Park which broke ground in 2013 to provide nearly 44 acres of multi-use facilities for the Union community. This dedication of this beautiful memorial is taking place on Sunday, May 7, 2017. May 7th also marks a historic day when, in 1945, Nazi Germany unconditionally surrendered to the allies at Reims, France, ending World War II in the European theater. I can think of no better day to reflect on the sacrifices that our men and women in uniform make every day. This day of dedication will feature numerous members of the Union community and local veterans including: pastors, legion honor guard, and local high school bands.

This memorial has been 20 years in the making and would not be a reality without the dedication of stakeholders throughout Missouri. The memorial has been funded through private donations from individuals and groups

within the community. With the cost for this memorial totaling around $240,000, this major undertaking clearly demonstrates the commitment of these citizens to bringing honor and distinction to the Disabled Veterans of Missouri and the United States. The memorial not only honors the Disabled Veterans that served so proudly, but also honors Prisoners of War and those who are Missing in Action. Additionally, this memorial is endorsed by the National Paralyzed Veterans of America and the Franklin County Disabled Veterans of America.

I ask you to join me in recognizing the Disabled Veterans Memorial in Union, Missouri. This memorial will show the gratitude we feel as a nation for those who have worn the uniform and sacrificed so much for this great nation.

HONORING AUDREY NIXON

HON. BRADLEY SCOTT SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. SCHNEIDER. Mr. Speaker, I rise today to remember a dedicated public servant and dear friend, Audrey Nixon, who passed away at the age of 81.

Since 1982, Audrey tirelessly served the communities of Waukegan, North Chicago, Park City, and Gurnee with distinction and grace as a member of the Lake County Board.

She was known and universally admired as the matriarch of the Lake County Board—not just for her tenure, which was longer than any other member—but for her ability to bridge the divides of partisan politics and bring out the best in her colleagues, working together for the residents of Lake County.

Audrey was a fierce advocate for her constituents, determinedly promoting diversity, inclusion, and opportunity.

She was the long-time chair of the Law and Judicial Committee, where she exercised her passion and commitment to civil justice for all.

She was an energetic supporter of YouthBuild, which has helped countless young adults complete their education, get needed counseling, and learn critical job skills to put them on the path to success.

Thanks to Audrey, future generations to come will continue to enjoy the beauty and serenity of Greenbelt Forest Preserve.

Audrey is survived by her three children and twenty grandchildren.

She will be fondly remembered and sorely missed by her many friends, her congregation at Christian Valley Missionary Baptist Church in North Chicago, and the myriad constituents whose lives she touched through her decades of service to Lake County.

IN RECOGNITION OF THE SERVICE OF COMMANDER DONALD ''HOPPY'' HANSON

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, today, I rise in recognition of the service of Commander Donald ''Hoppy'' Hanson of Novi, Michigan and in celebration of his 93rd birthday.

Serving in World War II, the Korean War, and the Vietnam War, Commander Hanson served his country valiantly, defending our nation's fundamental principles of freedom and democracy around the world.

He has been an unwavering defender of liberty, and it is thanks to him that we have the privilege to live in the greatest country in the world.

Commander Hanson represents the best of our great country. He's a strong believer in the traditions built by Americans before him, but he never lost sight of the future of our nation.

As a Livonia school teacher for 20 years, he nurtured the promise of every generation to come, enriching the minds of the next generation, the future of a nation he fought so courageously to preserve.

Today, I echo an eternally grateful nation in thanking Commander Hanson for his devout service and in celebration of his 93rd birthday.

HONORING RANDI KLABER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. ENGEL. Mr. Speaker, those who give their time and effort in service to their community have the ability to make a truly positive, lasting impact. For the Westchester Jewish Center, no one has made a greater impact than Randi Klaber, who this year is being honored at the organization's 66th Annual Spring Gala.

Randi Klaber joined Westchester Jewish Center in 1992 and is a longtime WJC Trustee and a past WJC Officer. As a two time Sisterhood President she helped revitalize this essential organization for the women in the community. Randi is involved in committees as varied as Musical Enrichment, Gala planning and the interior design of the building. She has been involved in several search committees and helps care for seniors in our community.

Randi is an Interior Designer and freelance graphic designer by trade. She's an oil painter and member of the Mamaroneck Artists' Guild. She brings her artistry skills to WJC as well. She has designed advertising materials and logos and a painting that hangs in the memorial chapel.

Randi has been instrumental in building WJC into a revered and vibrant center of our Jewish lives. Randi has played an important role in the lives of 500 member families who call WJC their second home.

There is no doubt that the entire Westchester Jewish Center community is better off thanks to the work and efforts of Randi. On this special occasion, I want to personally congratulate her on receiving this well-deserved recognition and thank her for all she has done in the community.

IN RECOGNITION OF THE 10TH ANNIVERSARY OF WOMEN GIVING BACK

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mrs. COMSTOCK. Mr. Speaker, I am honored to use this time to recognize the 10th Anniversary of Women Giving Back, a local non-profit organization in Virginia's 10th District dedicated to helping women and children less fortunate. Women Giving Back focuses on providing homeless women and children in crisis with appropriate clothing to boost their confidence and self-esteem as they attempt to enter the workforce or fit in at school. On the second Saturday of each month, the Women Giving Back store, in Sterling, Virginia, opens its doors to hundreds of homeless women and children, allowing them to shop from its donated collection completely free of charge.

Women Giving Back was founded in 2007 as a program of HomeAid NoVA, a non-profit that, since 2001, has completed over 100 projects, building and renovating housing and shelter facilities across Northern Virginia. In 2015, Women Giving Back established their own non-profit, separating from HomeAid NoVA, however the two organizations still work together, helping thousands receive both clothing and shelter each year.

Since its inception, Women Giving Back has distributed over 500,000 items to more than 23,000 women and 15,300 children from over 100 shelters across Northern Virginia. Today, potential shoppers work with case managers at Women Giving Back to determine their eligibility and schedule times to shop, and once they are approved, qualified shoppers can obtain up to 50 clothing items per month. To support this large-scale monthly program, throughout the year staff and volunteers sort clothing, coordinate clothing drives, conduct community outreach, and fundraise. The arduous process, which the staff and volunteers undertake to serve the shoppers, is a true testament to the generosity, hard work, and dedication of the volunteers and staff at Women Giving Back.

One annual fundraiser that has garnered a great deal of popularity and community involvement is the Cinco De Mayo event, which helps the organization sustain its store program throughout the year. It is entertaining, forward thinking, community events, like the Cinco De Mayo event, that have helped the organization thrive and maintain its strong presence in our community for the past 10 years.

Mr. Speaker, I ask that you join me in recognizing the 10th Anniversary of Women Giving Back and in thanking them for their commitment and service to our community. The efforts and contributions from the staff, volunteers, corporate sponsors, and our community are truly exemplary, and I wish them all the best in their future endeavors.

IN RECOGNITION OF LARRY HARRIS RECEIVING THE LIBERTY BELL AWARD

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. HUDSON. Mr. Speaker, I rise today to honor Larry Harris for receiving the Cabarrus County Bar Association Liberty Bell Award.

A native of North Carolina's 8th District, Larry grew up in Kannapolis, where he attended Winecoff High School and served as the senior class president before pursuing a history degree at the University of North Carolina at Chapel Hill. He then enlisted in the US Marine Corps from 1961–1963 where he received outstanding marks as a Rifleman. After finishing his service, Larry attended Wake Forest Law School, graduating in 1965 before going on to practice law for 51 years in Cabarrus County.

During his more than five decades in the legal field, Mr. Harris served in nearly every leadership role imaginable. He served as President of the Cabarrus County Bar Association, and was active with the NC Bar Association, NC Academy of Trial Lawyers and the Juvenile Court. Larry also ran for Congress in 1978 and served as the Chairman of the Cabarrus County Republican Party. In addition to all of these activities, Larry found time to serve his community through numerous local civic organizations, serving as the Vice President of the Kannapolis Jaycees and President of the Winecoff Lions Club. He's also been an active Shriner and Mason for decades.

The Liberty Bell Award is presented by the Cabarrus County Bar Association to an individual who educates people on and upholds the laws that support American freedom. Throughout his lifetime of involvement in Cabarrus County, Larry has helped many people maintain their confidence in our judicial system by being a constant resource for anyone in need.

Mr. Speaker, please join me today in congratulating Larry Harris as the Cabarrus County Bar Association Liberty Bell Award recipient and wish him well as he continues to serve our community.

HONORING THE LIFE AND LEGACY OF COACH DONALD THOMPSON

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to honor the life of Coach Donald Thompson, the legendary coach of the Pahokee High School Football Team, who sadly passed away on April 10, 2017 at the age of 76. Coach Thompson was born in Harrisburg, Arkansas on Valentine's Day in 1941. He spent his formative years in Pahokee, Florida, where he made friends in classrooms and on the football field, many of whom remained close throughout his life.

Coach Thompson went to college and played nose tackle for the Citadel Bulldogs in Charleston, South Carolina. In his junior year, his team won the Tangerine Bowl. He was then transferred to the University of Arkansas at Monticello, where he played football for the Boll Weevils and graduated with a degree in education.

After college, Coach Thompson began his career, first in coaching and teaching, then as a regional sales manager for weightlifting companies, before he was offered the head coaching position at Pahokee High School. He coached the Blue Devils from 1984 to 1992, co-founded the famous Muck Bowl, an annual game that draws fans from throughout the Glades area and beyond. Coach Thompson guided his team to the first of many state championships in 1989. For these and many other exemplary accomplishments, on and off the gridiron, he was inducted into the Palm Beach County Sports Hall of Fame in 2008.

Even after he retired from coaching, and despite deteriorating health, he continued to volunteer with the team, cleaning uniforms, fixing helmets and praying with players during practices and games. He loved being a part of the Pahokee High School Football Team and athletic program.

Although he was highly regarded as a football coach, his true passions were his faith, family and friends. His true calling was to be an example to his family and everyone he encountered, especially his fellow congregants at the First United Church of Pahokee, his football players and the children of Pahokee. In "Coach T," many found a man who would happily be the father figure they wanted and needed. His calming voice, caring demeanor and strength of character endeared him to everyone.

Coach Thompson also loved sailing, spending countless hours on the waters of South Florida sailing his beloved Lake Okeechobee with his loving wife of 52 years, Alice, and his family. Coach Donald Thompson was truly one of a kind—a fine sportsman, a real gentleman and a credit to mankind. I was fortunate to know him and call him my friend. He will be dearly missed.

IN RECOGNITION OF MRS. HARRISON'S 3RD GRADE CLASS

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, I rise today to recognize the bright young artists in Mrs. Harrison's 3rd grade class at Plymouth Christian Academy in Canton, Michigan.

I know that artists get their start long before high school and college, learning to expand their imagination and foster their creativity in classrooms just like Mrs. Harrison's.

In an effort to highlight young artists from across Michigan's 11th Congressional District, this year, I announced the 1st Annual "Color my Capitol" Program.

Brimming with talent, Mrs. Harrison's students were eager to showcase their amazing artistic skills and take part in this one-of-a-kind program.

Let me tell you, Mr. Speaker, Mrs. Harrison's 3rd graders did not disappoint. Their creations are unique, innovative, and imaginative. Their colorful artwork embodies our country's bright and promising future with these sharp young minds leading the way.

It is my utmost honor to have their artwork displayed in my Congressional district office in Troy, Michigan for everyone who visits to enjoy. Each and every time I walk into my office, I am reminded of their talent.

Congratulations to Mrs. Harrison and the young artists she has the pleasure of teaching.

CELEBRATING THE 50TH ANNIVERSARY OF HAMILTON COUNTY PARKS

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor the Hamilton County Parks and Recreation Department on the occasion of their 50th Anniversary. For the last half century, the Hamilton County Parks and Recreation Department has enriched our community. Their greatly successful mission to provide high-quality parks and facilities, to be a leader in natural resource education and services, and as an excellent resource for our community and its citizens has made Hamilton County one of the best places to live in Indiana and in the United States. Thank you to the Staff and the Hamilton County Commissioners who have served with distinction and have carried out the mission of the Hamilton County Parks and Recreation Department. The people of Indiana's Fifth Congressional District are forever grateful for the contributions to our Hoosier community, and it is my distinct privilege to honor the Hamilton County Parks and Recreation Department today.

Founded in 1967, Hamilton County Parks and Recreation Department ordinance was established on March 11, 1967. The ordinance was filed May 1, 1967 in the office of Auditor John Randall. The inaugural board of directors were appointed for a two-year term beginning in 1968. Board meetings were held at the Commissioner's Court in The Hamilton County Court House, located in Noblesville. The founding Board members included: Henry Burgher as President, Jerry Barr as Secretary, Floyd Overdorf as a Member, and Paul Wheeler as a Member. Thanks to the foresight of the inaugural Board members, for the last 50 years we have had an excellent park system that has enriched the lives of our residents here in Hamilton County and all those who have visited.

The Hamilton County Parks and Recreation Department created its first park in 1970 after acquiring Potter's Bridge in Noblesville. Today the Parks Department oversees eleven parks: Bray Family Homestead Park, Cool Creek Park and Nature Center, Coxhall Gardens, Geist Park, Lafayette Trace Park, Morse Park & Beach, Potter's Bridge Park, River Road Park, Riverwood Canoe Landing, Rookery Preserve, and Strawtown Koteewi Park. Each park has a unique experience to offer, and has brought fun and joy to the citizens and families of Hamilton County and to all those who visit. Nature trails, bird watching, water sports, natural history, archery, and many other great activities make our Parks in Hamilton County world class. In addition to the thousands of acres of land to oversee, the Parks Department also offers workshops, school programs, and facilities.

On behalf of the citizens of Indiana's Fifth Congressional District, I would like to congratulate the Hamilton County Parks and Recreation Department on the celebration of its 50th Anniversary. I am proud that our Hoosier state is home to an exemplary department such as this one. I wish the Hamilton County Parks and Recreation Department all the best as it embarks on its next 50 years of excellence in Indiana.

IN RECOGNITION OF JOHN A. OBEE FOR HIS DISTINGUISHED LEGAL CAREER ON THE DAY OF HIS RETIREMENT

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize John A. Obee, an attorney who has effectively served the State of Michigan for nearly 40 years, on the day of his retirement. Mr. Obee has had a distinguished career utilizing his legal expertise on behalf of his clients and during his time in public service with the State of Michigan.

After graduating from Wayne State University Law School in 1978, Mr. Obee began his legal career as a judicial law clerk with Justice Blair Moody, Jr. of the Michigan Supreme Court. He then served as an Assistant United States Attorney with the U.S. Attorney for the Eastern District until 1982, after which he entered private practice. Mr. Obee's work has focused primarily on real estate litigation, including serving as an arbitrator for construction and labor matters. In addition, Mr. Obee has worked extensively on fair housing issues in Michigan and has served as a Hearing Referee for the Michigan Department on Civil Rights. He also has utilized his legal experience as an Adjunct Law Professor at Michigan State University and the University of Detroit Law School, where he taught classes on housing discrimination law.

Mr. Obee has had an outstanding career as a lawyer and advocate for fair housing. He has received numerous accolades for his tireless advocacy on behalf of his clients, including the Fair Housing Center of Metropolitan Detroit's Fair Housing Leadership Award for his work on fair housing litigation. Additionally, Mr. Obee has served on numerous labor panels, including the Federal Mediation on Conciliation Service and the Michigan Employment Relations Commission. Mr. Obee's membership on these panels, as well as his extensive contributions to trade publications and scholarly journals, underscore his legal expertise as well as his dedication to his clients.

Mr. Speaker, I ask my colleagues to join me in honoring John A. Obee for his exceptional career as an attorney. Mr. Obee has had an outstanding legal career in public service and working in private practice.

WORKING FAMILIES FLEXIBILITY ACT OF 2017

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 2, 2017

Ms. ESHOO. Mr. Speaker, I rise today in strong opposition to H.R. 1180, the Working Families Flexibility Act of 2017. This misguided legislation would undermine nearly 80 years of federal employment law guaranteeing overtime pay to employees who work more than 40 hours in a week at a given job.

Income inequality in America has increased dramatically over the last four decades while the middle class continues to shrink. The average income for the top 0.01 percent of households grew 322 percent between 1980 and 2015, compared to a 0.03 percent increase for the remaining 90 percent of households over the same period of time. Rising household expenses like childcare, healthcare, housing, and education have made it even more difficult for families to climb the rungs of the economic ladder, while approximately 47 million Americans continue to live below the federal poverty line, including over 15 million children.

Congress should focus on policies and legislation that help middle- and low-income households achieve economic mobility. Instead, H.R. 1180 would short-change hourly workers by allowing private sector employers to offer compensatory time off in place of overtime pay. By weakening existing requirements for overtime pay, employers can choose to offer overtime hours to employees who agree to receive compensatory time, while nothing in the bill guarantees that employees will be able to use their compensatory time when they wish to. Although employers are required to pay employees for any unused compensatory time, they have up to thirteen months to do so, and there are no protections for workers if the employer declares bankruptcy or permanently closes its doors.

At a time when the American Dream has become more difficult to attain, it is more critical than ever for Congress to take action that will make it easier for working parents to meet their responsibilities both at home and at work. These policies include increasing the federal minimum wage; providing households with paid sick and family leave; and ensuring workers are guaranteed stable and predictable work schedules.

I urge my colleagues to vote 'No' on H.R. 1180, the Working Families Flexibility Act of 2017.

HIGH SCHOOL HEROES RESCUE MAN FROM SUBMERGED CAR

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge two brave and honorable Carlyle High School seniors from my district, Tyler Guthrie and Tucker Johnson. The two students showed compassion and great character when they saved a man's life after his car flipped over into water on Saturday, April 22, 2017.

The victim was pulling off of Old US 50 into the Hatchery Park, trying to adjust his Bluetooth set when he received a phone call. Suddenly the man lost control of his Lexus, which flipped over onto its roof in the water. Luckily, driving behind the gentleman's car were Tyler and Tucker, and they immediately sprang into action.

The two young men could hear the man's cries for help as they inspected the scene. Johnson quickly called 911, while Guthrie smashed in the rear window with a rock he had picked up. Johnson then assisted the man out of his overturned sinking car shortly before an ambulance arrived on the scene.

I ask that we all join in honoring these two good Samaritans and use their selfless act as a reminder that we are all here to help one another.

I stand today to salute Tyler Guthrie and Tucker Johnson for their contributions to this great society and to wish them the very best in all of their future endeavors.

IN RECOGNITION OF MS. KORPELA'S 3RD GRADE CLASS

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, I rise today to recognize the bright young artists in Ms. Korpela's 3rd grade class at Nijo-Iro Japanese Immersion Elementary in Livonia, Michigan.

I know that artists get their start long before high school and college, learning to expand their imagination and foster their creativity in classrooms just like Ms. Korpela's.

In an effort to highlight young artists from across Michigan's 11th Congressional District, this year, I announced the lst Annual ''Color my Capitol'' Program.

Brimming with talent, Ms. Korpela's students were eager to showcase their amazing artistic skills and take part in this one-of-a-kind program.

Let me tell you, Mr. Speaker, Ms. Korpela's 3rd graders did not disappoint. Their creations are unique, innovative, and imaginative. Their colorful artwork embodies our country's bright and promising future with these sharp young minds leading the way.

It is my utmost honor to have their artwork displayed in my Congressional district office in Troy, Michigan for everyone who visits to enjoy. Each and every time I walk into my office, I am reminded of their talent.

Congratulations to Ms. Korpela and the young artists she has the pleasure of teaching.

JERUSALEM DAY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. GENE GREEN of Texas. Mr. Speaker, on May 14, 1948, the democratic State of Israel was founded.

This week, 69 years later, we celebrate a vibrant, Jewish state located in the biblical homeland

In tribute to Israel's 69th birthday, I rise today to honor the Jewish people and their long-standing struggle to build and expand their country.

Many of the Jews who lived in Israel in 1948 were survivors of the Second World War and the Holocaust, which pushed international opinion for the need for a homeland for the Jewish people where they could be free from persecution and free to build a better life.

Since that fateful day in Tel Aviv, Israel and its people have worked tirelessly to build a thriving democracy that is economically prosperous and at peace with neighboring nations.

Today, 69 years later, after many difficulties and hardships, a strong, resolute Israel has a population over 8 million.

The first nation to recognize Israel's independence, I am proud to say, was the United States, when Democratic President Harry Truman welcomed Israel into the community of nations just hours after its declaration.

The bonds between our two great nations, bound together by common interests and shared values, have only grown with time.

Through Democratic and Republican Administrations, we have continued to stand by our ally in the Middle East.

As most people know, I have been a longtime supporter of Israel and continue to advocate on their behalf.

Mr. Speaker, I hope on this joyous celebration that we reflect on the need to redouble our efforts to bring peace to the region and continue to tangibly support our friend and ally in its request for peace.

HONORING PATSY CLINE

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mrs. BLACKBURN. Mr. Speaker, there are those whose lives shine so brightly and give us hope regardless of life circumstances and tragedies we may endure. Patsy Cline, who was also known as the First Lady of Country Music, was one of those inspiring and uplifting souls. She moved us all by her incredible voice and meaningful lyrics such as Crazy and Walking after Midnight that would continue to be cherished by generations to follow.

Patsy was a true treasure whose memory will forever be remembered by her fans and Tennesseans alike. Patsy Cline was inducted into the Country Music Hall of Fame, and was the first female soloist chosen for the honor. Her short yet remarkable music and television career paved a way for women to pursue their passion in the entertainment industry. The true strength she exemplified came from the genuine love in her heart to serve and entertain her family, friends, and fans. She lived a life worth living.

INTRODUCTION OF THE EMERGENCY FINANCIAL MANAGER REFORM ACT OF 2017

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. CONYERS. Mr. Speaker, the Emergency Financial Manager Reform Act of 2017 is intended to ensure that state-appointed emergency financial managers for municipalities in fiscal distress do not violate Constitutional protections, ensure public health and safety, and are accountable stewards of taxpayer funds. The bill responds to problems presented when unaccountable emergency financial managers usurp local elected officials and unilaterally make decisions that jeopardize public health and safety.

The bill accomplishes these objectives by authorizing the U.S. Attorney General to withhold ten percent of the funds that would otherwise be allocated to a state under the Edward Byrne Justice Assistance Grant Program (Byrne-JAG), which provides funding to states for law enforcement purposes, if the U.S. Attorney General determines that the state appointed an emergency financial manager who fails to meet any of the criteria as specified in the bill. These criteria, for example, include a requirement that the appropriate state official submit a certification to the U.S. Attorney General stating that the appointment of an emergency financial manager has neither the purpose nor the effect of denying or abridging the right to vote on account of race or color. Another condition specifies that the emergency financial manager receive prior approval from the governor of the state and the appropriate local elected officials before making decisions affecting public health or safety. A further condition protects the rights of employees under collective bargaining agreements from being impaired in violation of the U.S. Constitution.

SECTION-BY-SECTION EXPLANATION OF THE BILL

Section 1. Short Title. Section 1 sets forth the short title of the bill as the Emergency Financial Manager Reform Act of 2017.

Section 2. Findings. Section 2 of the bill sets forth a series of congressional findings explaining why this legislation is necessary.

Section 3. Safeguards Regarding State Appointment of an Emergency Financial Manager. Subsection (a) of section 3 authorizes the U.S. Attorney General to withhold ten percent of funds that would otherwise be allocated to a state under the Byrne-JAG grant program for the following fiscal year if the state has appointed an emergency financial manager and any of the following criteria are not met:

(1) The emergency financial manager is appointed and the chief legal officer or other appropriate state official has not prior thereto submitted a certification to the U.S. Attorney General that such appointment has neither the purpose nor the effect of denying or abridging the right to vote on account of race or color and the U.S. Attorney General has not interposed an objection within 60 days following the submission of such certification.

(2) The emergency financial manager is authorized to make decisions affecting public health or safety of the residents of a local government unit without receiving prior approval from the governor of the state and the appropriate local elected officials.

(3) The emergency financial manager fails to have adequate oversight to ensure against conflicts of interest, mismanagement, and abuse of discretion by the emergency financial manager. The bill, in section 4, defines adequate oversight to mean that a monthly, publically-available report accounting for all financial activities of the emergency financial manager, including possible conflicts of interest, mismanagement, and abuses of discretion. This report must be reviewed and approved by the governor. In addition, adequate oversight means that there must be an independent, state-approved, and publically-available annual audit of the emergency financial manager's duty-related activities.

(4) The emergency financial manager is authorized to reject, modify, or terminate an existing collective bargaining agreement without mutual consent of all parties to such agreement.

(5) The emergency financial manager is authorized to reject, modify, or terminate an existing contract without mutual consent of all parties to such contract or such rejection, modification, or termination is approved by an federal bankruptcy court.

Subsection (b) provides that the amount of funding not allocated under subsection (a) is to be reallocated to other states that are not subject to any reduction under subsection (a).

Section 4. Definitions. Section 4 defines various terms used in the bill.

IN RECOGNITION OF MS. SPENCER'S 3RD GRADE CLASS

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, I rise today to recognize the bright young artists in Ms. Spencer's 3rd grade class at Auburn Elementary in Auburn Hills, Michigan.

I know that artists get their start long before high school and college, learning to expand their imagination and foster their creativity in classrooms just like Ms. Spencer's.

In an effort to highlight young artists from across Michigan's 11th Congressional District, this year, I announced the 1st Annual ''Color my Capitol'' Program.

Brimming with talent, Ms. Spencer's students were eager to showcase their amazing artistic skills and take part in this one-of-a-kind program.

Let me tell you, Mr. Speaker, Ms. Spencer's 3rd graders did not disappoint. Their creations are unique, innovative, and imaginative. Their colorful artwork embodies our country's bright and promising future with these sharp young minds leading the way.

It is my utmost honor to have their artwork displayed in my Congressional district office in Troy, Michigan for everyone who visits to enjoy. Each and every time I walk into my office, I am reminded of their talent.

Congratulations to Ms. Spencer and the young artists she has the pleasure of teaching.

IN TRIBUTE TO SHEILA DIANNE COCHRAN

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Ms. MOORE. Mr. Speaker, I rise today to recognize Sheila Dianne Cochran, Milwaukee Area Labor Council, AFL–CIO Secretary-Treasurer and Chief Operating Officer. She began service at the Council in March of 2009 and officially retired on March 31, 2017.

Ms. Cochran ran the largest Central Labor Council in Wisconsin. The Milwaukee Area Labor Council has about 110 affiliate Labor

Unions and represents approximately 25,000 members. The council has two divisions; the Council and Field Mobilization Department. Sheila was responsible for supervising six staff, running the day-to-day operation with oversight of all records and managing the financial operation that included a budget of approximately $600,000 dollars. Further, under separate authority, the Milwaukee Area Labor Council houses The Labor Community @ Work a nonprofit, 501c3 charity organization that helps those in need. Some of the services provided under the auspices of The Labor Community @ Work include: operate food drives for Pathfinders, collect toiletries for the Health and Hygiene Drive for the Homeless, construction of ''little libraries'', cooks for the St. Ben's Community Meal grill out BBQ dinner, and provides funds for Laborfest and Wisconsin Election Protection. Sheila Cochran sits on the non-profit board The Labor Community @ Work as an at large member.

Sheila was hired at Delphi /Delco/E&S in 1979; she began her work in the labor movement while employed there in 1989, when she was elected as Recording Secretary of UAW, Local 438. In 1999, she was elected to the then Milwaukee County Labor Council. The Milwaukee Area Labor Council was formed in 2008 when it merged the Milwaukee, Ozaukee and Washington County Labor Councils.

Sheila has served on numerous boards, commissions, and councils over the years including: The Fair Lending Coalition, WTRP/BIG STEP Board; Member Milwaukee Area Technical College Board of Directors, National Board of the Coalition of Black Trade Unionists, Chair of Wisconsin Election Protection, and Elected Member United Way Board of Greater Milwaukee. In fact, she holds the position of the longest-serving member of the area United Way Board of Greater Milwaukee.

I am grateful to have had the opportunity to know and work with Sheila for over 25 years. She has provided invaluable counsel and advice over the years. I am so pleased to be able to join with friends and colleagues at her retirement dinner celebration on May 19, 2017, where she has asked that all the proceeds from the dinner are to be donated to The Labor Community @ Work. I wish her much success as she transitions into a different phase of her life. Mr. Speaker, I am proud to honor Sheila and I am proud to call her friend. The citizens of the Fourth Congressional District and the State of Wisconsin are privileged to have someone of her ability and dedicated service working on their behalf for so many years. I am honored for these reasons to pay tribute to Sheila Cochran.

25TH ANNIVERSARY OF THE RATIFICATION OF THE TWENTY-SEVENTH AMENDMENT

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. SMITH of Texas. Mr. Speaker, May 5th marks the 25th Anniversary of the ratification of the Twenty-Seventh Amendment to the Constitution of the United States. The Twenty-Seventh Amendment guarantees that the Members of Congress may not adjust their current salaries, and that any changes in pay will not take effect until the next session of Congress. James Madison originally proposed this amendment in 1789. However, it would take 202 years for this amendment to be ratified by the states. Gregory Watson, a constituent of the 21st District of Texas, helped restart the push for ratification in 1982. Mr. Watson's involvement helped to ratify the amendment on May 5, 1992. This anniversary marks an important day for the nation and for Mr. Watson. His efforts exemplify superb civic duty and should inspire other to become active in our government. I ask my colleagues to join me in recognizing May 5th as the Anniversary of the ratification of the 27th Amendment and Gregory Watson for the important role he played in its ratification.

PERSONAL EXPLANATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. REED. Mr. Speaker, on Tuesday May 2, 2017, I was unable to vote on roll call No. 244: Final Passage of H.R. 1180 ''Working Families Flexibility Act of 2017.'' Had I been present, I would have voted ''yes.''

IN HONOR OF THE 75TH ANNIVERSARY OF THE GREAT FALLS VOLUNTEER FIRE DEPARTMENT

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to honor the 75th Anniversary of the Great Falls Volunteer Fire Department in Great Falls, Virginia. Established in 1942 and originally named the Forestville Volunteer Fire Department, the Department formed as an auxiliary to the McLean Fire Department to enhance Virginia's domestic readiness during World War II. The original membership of 29 volunteer firefighters has doubled, and the department now includes paid ranks, operational members, and administrative members, and today is a fixture of the Great Falls community.

Through exemplary leadership, community support, and working in coordination with the Fairfax County Fire and Rescue Department, the Great Falls Volunteer Fire Department has experienced immense growth since its inception in 1942. Originally, the Department only had a small barn, a single 1942 Chevrolet truck with a 500 gallon tank, and 29 volunteer members. But over the years the department expanded, and in 1961 the department moved to its current location to accommodate the additional firefighters and the overnight staff. After recent renovations, the department reopened their current station in 2011, and this state of the art facility is certified as a Leadership in Energy and Environmental Design (LEED) Gold building for its use of green technologies, making it the first of its kind among Fairfax County Government Buildings. The once one-truck department now has five emergency vehicles and was the first Fairfax County Fire and Rescue Station to have four-wheel drive ambulances. And today there are 22 career firefighters on duty 24/7, and 40 volunteer members, serving in both operational and administrative roles.

In addition to their efforts to keep our community safe, the Great Falls Volunteer Fire Department provides support at community events all over Fairfax County, including parades, festivals, and fundraisers, and throughout the years, the Great Falls community and its leaders have offered continuous assistance to the Department.

Mr. Speaker, I ask my colleagues to join me in applauding the Great Falls Volunteer Fire Department for their years of selfless service and heroism and to again congratulate them on this historic milestone. I would like to personally express my gratitude to the men and women who selflessly put themselves in dangerous positions on behalf of their neighbors, friends, and community, and I wish them all the best in their future endeavors.

IN RECOGNITION OF MRS. STEVENSON'S 3RD GRADE CLASS

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, I rise today to recognize the bright young artists in Mrs. Stevenson's 3rd grade class at Deerfield Elementary in Novi, Michigan.

I know that artists get their start long before high school and college, learning to expand their imagination and foster their creativity in classrooms just like Mrs. Stevenson's.

In an effort to highlight young artists from across Michigan's 11th Congressional District, this year, I announced the 1st Annual ''Color my Capitol'' Program.

Brimming with talent, Mrs. Stevenson's students were eager to showcase their amazing artistic skills and take part in this one-of-a-kind program.

Let me tell you, Mr. Speaker, Mrs. Stevenson's 3rd graders did not disappoint. Their creations are unique, innovative, and imaginative. Their colorful artwork embodies our country's bright and promising future with these sharp young minds leading the way.

It is my utmost honor to have their artwork displayed in my Congressional district office in Troy, Michigan for everyone who visits to enjoy. Each and every time I walk into my office, I am reminded of their talent.

Congratulations to Mrs. Stevenson and the young artists she has the pleasure of teaching.

HONORING SEAN MACKIN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. ENGEL. Mr. Speaker, I rise today to honor a businessman, a humanitarian, an advocate for Irish American Causes, but most importantly, a dear friend. I have known Sean Mackin for many years and I cherish the friendship he and I have forged over that time. I am honored to be able to recognize his many accomplishments.

Born in Belfast, County Antrim, Sean joined the Irish republican movement at age 11. He was arrested and imprisoned several times by British security forces, starting at age 12, but was never found guilty. In 1978, Amnesty International cited Sean's cause as one of the five most serious cases of torture in Northern Ireland. Following his release from prison, he met and married Philomena Devine, and the two immigrated to New York in 1983. Shortly after relocating, Sean was detained at the behest of the British government. As a Member of Congress, I heard about Sean's case, and knew that if he were to be deported his life would be at grave risk. I decided to get involved on Sean's behalf, and we soon became fast friends. After our prolonged and hard fought legal battle, the Mackin family won a landmark decision. His wife and daughter became the first Irish women to be granted political asylum in the United States, and Sean's deportation order was denied as he would go on to become an American citizen. He has been very involved in the Irish peace process and has worked with elected officials in Washington D.C. promoting peace and justice in Northern Ireland.

Sean is also a cofounder and chairman of the New York Irish Center known for its outstanding services to the senior Irish generation and suicide prevention assistance for the Irish community. In 2014, Sean was honored by the Irish Lobby for Immigration Reform for his work on behalf of undocumented Irish.

Of course, Sean's true love is his family. He and Philomena have three children, Jenifer, Sean Og and Ciaran, and four grandchildren, Gavin, Tyan, Ella and Pierce. They all live in Eastchester, NY.

This year, Sean will serve as Grand Marshal for the EIASC's 13th Annual Eastchester St. Patrick's Day Parade. I cannot think of a more fitting Grand Marshal. Congratulations to my friend Sean Mackin on receiving this wonderful honor.

HONORING THE LIFE OF AMEDEO ''ARMIE'' MEROLLA

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. LANGEVIN. Mr. Speaker, I rise today to honor the life and memory of General Amedeo ''Armie'' Merolla—a dedicated patriot, a passionate legal mind, a community leader in Rhode Island, and someone who I was proud to call a dear friend.

Armie Merolla was a man of service in every aspect of his life. He spent much of his time giving back to his community, serving his state and his country with distinction.

Armie's time in uniform began when he enlisted in the United States Marine Corps while still a student at Brown University. After graduating in 1951, he enlisted in the Rhode Island Army National Guard (RIARNG) and received a direct commission as a First Lieutenant in the Judge Advocate General Corps. His long and distinguished military career included posts in the Military Police, JAG, Field Artillery, and Military Intelligence, during which he earned numerous decorations, such as the Legion of Merit, the Meritorious Service Medal, and the Rhode Island Cross for Valor. Among his commissions with RIARNG, he served as State Inspector General, State Staff Judge Advocate, Brigadier General, and Assistant Adjutant General and Deputy Commanding General—Army. In his retirement, he was appointed as Commander of the Rhode Island State Defense Force and attained the honorary rank of Major General in the Rhode Island Militia.

As an attorney, Armie experienced great success and took on many roles after receiving his J.D. from Harvard Law School in 1954. At the time of his passing, he was a senior managing partner at Merolla, Accetturo & Lough, where he practiced alongside two of his children, Katherine and Steven. He served as Judge Advocate General and Assistant Providence City Solicitor, and contributed his legal expertise to the Rhode Island Secretary of State, the Rhode Island Public Buildings Authority, and the Director of the Rhode Island Department of Administration. The Rhode Island Supreme Court appointed him to the Alternate Dispute Resolution Task Force, the Rules of Evidence Committee, the Committee for Admission to the Bar, and the Committee on Clerkships. Armie also held leadership positions in several legal associations, including the Rhode Island Trial Lawyers Association.

In his community, Armie demonstrated an even deeper commitment to others. He was a Chairman of the Warwick School Committee, Chairman of the Warwick Bicentennial Committee, President of the Boys and Girls Clubs of Warwick, trustee of his church, president of the alumni association of his class at Brown, Commodore and Perpetual Member of the East Greenwich Yacht Club, and Co-Founder of Warwick Figure Skaters. He also held leadership positions in local chapters of the United Way, the Knights of Columbus, the Catholic Charities Fund, and John F. Kennedy's 1960 presidential campaign.

Armie devoted himself to a large and loving family, and is survived by his wife, Norma, his brother, John, his four children, Katherine, Julie, Sandra, and Steven, nine grandchildren, four nieces, one nephew, and seven grandnieces and grandnephews.

It is an honor to remember Armie on the Floor today, just as it was to consider him a trusted friend and advisor. He made a difference, and he will truly be missed.

REMEMBERING STAFF SERGEANT CHRISTOPHER W. SWANSON

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. HOYER. Mr. Speaker, I rise today to speak about a very special event taking place next week in my district.

Maryland's Fifth District lost a number of brave and extraordinary military personnel since 2001 in Iraq and Afghanistan or in support of our operations there. One of them was U.S. Army Staff Sergeant Christopher W. Swanson of Rose Haven, in Anne Arundel County, who fell in action on July 22, 2006, in Iraq's Anbar Province. Staff Sergeant Swanson gave his life to save his fellow soldiers when insurgents ambushed their patrol. He had been serving there with the 2nd Battalion, 6th Infantry Regiment, 1st Armored Division.

On Friday, May 12, family, friends, neighbors, and state and local officials will gather in Edgewater, Maryland, to rededicate the South River Bridge in Staff Sergeant Swanson's memory, a moving tribute to a young man from our area who lived by the highest ideals of our country and made the ultimate sacrifice under our nation's flag. His parents, Kelly and Gary Swanson, and his brother Kenny and his family, will be on hand to witness the renaming of the four-lane bridge, which connects southern Anne Arundel County with the state capital of Annapolis across the South River—a major thoroughfare serving commuters and commerce in the area. While so many in Rose Haven and its surrounding communities have known for years about what Staff Sergeant Swanson did for our country, now thousands of Marylanders will pass by the sign each day bearing his name and noting his extraordinary service and sacrifice. I hope they will take a moment each time to remember him and all those who were killed in action wearing our nation's uniform.

Staff Sergeant Swanson was proud of his roots in Southern Maryland. He graduated from Southern High School in 1999, where he had been captain of its soccer team, and enlisted that summer in the U.S. Army. It just made sense to him to serve, particularly given that both of his parents worked in law enforcement. Throughout his youth, he had often volunteered with the First Baptist Church in Upper Marlboro to go on service missions to Florida, Ohio, and West Virginia to help communities in need. At school, he gave his time to help out in the administrative office, and his teachers and peers alike saw him as a natural leader. It surprised no one at all that Staff Sergeant Swanson was on his third tour of duty in Iraq when, after being injured by an improvised explosive device, he insisted on going back into combat with his fellow soldiers instead of taking medical leave. As soon as his wound was stitched and he was given permission, he was right back with his unit, on the front lines.

It was less than two weeks later that Staff Sergeant Swanson was killed in action. He had served with distinction in Kosovo as an Army paratrooper and was later among those who participated in the initial stages of Operation Iraqi Freedom. Now, he rests among heroes in Arlington National Cemetery. His parents and brother launched a service organization in his memory, the SSG Christopher W. Swanson Support Charity for Veterans and their Families, which, among other projects, funds scholarships for the children of local fallen, wounded, or active duty soldiers to attend summer camp.

I hope my colleagues will join me in remembering Staff Sergeant Christopher W. Swanson, in thanking his Gold Star family for their sacrifice and charity work in tribute to him, and in paying tribute to all those from Maryland and across the country who gave their lives in service to our nation.

IN RECOGNITION OF MRS. CHAMPE'S 3RD GRADE CLASS

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, I rise today to recognize the bright young artists in Mrs.

Champe's 3rd grade class at Deerfield Elementary in Novi, Michigan.

I know that artists get their start long before high school and college, learning to expand their imagination and foster their creativity in classrooms just like Mrs. Champe's.

In an effort to highlight young artists from across Michigan's 11th Congressional District, this year, I announced the 1st Annual ''Color my Capitol'' Program.

Brimming with talent, Mrs. Champe's students were eager to showcase their amazing artistic skills and take part in this one-of-a-kind program.

Let me tell you, Mr. Speaker, Mrs. Champe's 3rd graders did not disappoint. Their creations are unique, innovative, and imaginative. Their colorful artwork embodies our country's bright and promising future with these sharp young minds leading the way.

It is my utmost honor to have their artwork displayed in my Congressional district office in Troy, Michigan for everyone who visits to enjoy. Each and every time I walk into my office, I am reminded of their talent.

Congratulations to Mrs. Champe and the young artists she has the pleasure of teaching.

IN HONOR OF THE RETIREMENT OF AUBURN UNIVERSITY PRESIDENT DR. JAY GOGUE

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention to recognize the retirement of Auburn University's 18th President, Dr. Jay Gogue.

Jay was raised in Waycross, Georgia, and earned bachelor's and master's degrees in horticulture from Auburn University before earning a doctorate in that field from Michigan State University.

In July 2007, Dr. Gogue returned to Auburn University to serve as the 18th president and has worked tirelessly to improve the academic strength of Auburn's student body.

Under his leadership, Auburn is implementing a strategic plan focused on enhancing student success, supporting faculty excellence, strengthening public engagement and promoting research, scholarship and creative work.

During his time as president, he has stayed connected with the students in the classroom and even teaches a graduate course in higher education administration where students learn university governance, leadership, budgeting and more. He enthusiastically worked in partnership with local and state officials to recruit new industry to the state of Alabama, creating jobs and economic opportunity.

In 2013, Dr. Gogue was selected for the Michigan State University Distinguished Alumni Award. In 2012, he was inducted into the Alabama Academy of Honor, a group of 100 Alabamians ''chosen for accomplishment or service greatly benefiting or reflecting great credit on the State.'' He also held a 2012 appointment to the U.S. Department of Homeland Security's academic advisory council.

Other memberships include Phi Kappa Phi and Golden Key honor societies, Sigma Xi scientific research society and the National Society of Scabbard and Blade, the honorary military society for all branches of service.

Dr. Gogue began his career at the U.S. Department of the Interior, where he worked for 12 years. Prior to returning to Auburn, he held a number of academic and administrative positions, starting at Texas A&M University as an assistant professor teaching and conducting research in plant science. Dr. Gogue later served as vice president for research and vice president/vice provost for agriculture and natural resources at Clemson University and as provost at Utah State University. He was selected as president of New Mexico State University in 2000. In 2003, he was named president of the University of Houston and chancellor of the University of Houston System.

Jay and his wife, Susie, met in the 8th grade and married while they were both undergraduates at Auburn. They have three children, one grandchild and two dogs. They are remaining in the Auburn community and he will continue teaching a course in higher education leadership.

Mr. Speaker, please join me in wishing my friends, Jay and Susie, best wishes on retirement. I thank him for his hard work and commitment to Auburn University.

TRIBUTE TO MANUEL TROY CORONADO

HON. JOAQUIN CASTRO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. CASTRO of Texas. Mr. Speaker, I rise today to acknowledge and honor the patriotic service of Manuel Troy Coronado, who recently retired from a distinguished career in the Army National Guard.

Troy was born in San Antonio, Texas in 1962. The son of a career military officer, he attended elementary school in Germany and Panama, and graduated from Robert E. Lee High School in San Antonio in 1980. He attended the University of Maryland in Munich, Germany and later graduated from Midwestern State University in Wichita Falls, Texas.

In 1986, Troy enlisted in the U.S. Army and shortly after gained acceptance into the Army's Officer Candidate School. He attended the Armor Officer Basic Course in Fort Knox, Kentucky and served a tour in Germany before taking time to pursue a civilian career, including jobs as a teacher and guidance counselor for troubled teens.

Drawn back to military service, Troy eventually reenlisted in the Army. Through his work, he lived in several places in the United States, including Arlington, Virginia; Houston, Texas; and Fort Benning, Georgia. Troy was deployed to Afghanistan in 2006 to serve as an embedded team trainer. Ultimately, Troy rose to the rank of Branch Chief in the National Guard Bureau's SOUTHCOM Joint Staff.

Troy's loving wife, Lisa, and their three daughters, Raquel, Jaqueline, and Mindy, have provided him with a great deal of support throughout his various deployments and assignments.

I join my fellow Texans and all Americans in thanking Troy for his years of admirable, selfless service to our nation.

RECOGNIZING JUDITH WILCOX

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. POCAN. Mr. Speaker, I rise today to recognize the life of Judith Wilcox, an extraordinary woman and great friend who dedicated her career to helping others. Her compassion, advocacy, knowledge, and dedication were on full display throughout her extensive public and community service. Judy was a role model and mentor to so many of us in the Dane County community. She improved numerous lives in Dane County through her work, which focused on expanding and providing housing opportunities and the services needed to make those arrangements a success.

Judy was an expert on affordable housing and serving the needs of the homeless community, as well as an outspoken champion for mental-health and housing for persons with severe mental health needs. She was the first woman elected to the Stoughton City Council and sat on numerous boards, including the Henry Vilas Zoo Commission and Journey Mental Health Center. Judy's community awards and accolades included the YWCA Women of Distinction and the Sterling Rose Award for her work on housing for persons living with HIV and AIDS and the Arcand Social Justice Award for her pioneering work in affordable housing over more than three decades.

I was fortunate enough to serve alongside Judy on the Dane County Board, where she represented parts of Madison's Isthmus for 12 years. She spoke forcefully and eloquently on these issues, when she chaired the Dane County Housing Authority, the Stoughton Housing Authority and the Dane County Human Services Board. Judy also helped people with disabilities and then people struggling to find housing all over Wisconsin in her positions in state government. From her Peace Corps service in Gambia to her passion as a chef, she was truly a servant leader. Yet she was also as good-humored, cheerful and quick-witted as she was generous—Judy never failed to make everyone around her laugh, smile, and know they had a friend.

She passed away after a brief illness last December at age 76 and we will gather to celebrate her life, legacy, and friendship this month. I am certain there will be no shortage of stories about her warmth, her laugh and her fiery belief in fighting for those who have few advocates and no voice.

Today, Mr. Speaker, it is with great honor that I recognize the life and service of Judy Wilcox, a colleague, a champion for justice and equality, a mentor, and a true friend.

IN RECOGNITION OF MRS. DUTKIEWICZ'S 3RD GRADE CLASS

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, I rise today to recognize the bright young artists in Mrs. Dutkiewicz's 3rd grade class at Deerfield Elementary in Novi, Michigan.

I know that artists get their start long before high school and college, learning to expand their imagination and foster their creativity in classrooms just like Mrs. Dutkiewicz's.

In an effort to highlight young artists from across Michigan's 11th Congressional District, this year, I announced the 1st Annual ''Color my Capitol'' Program.

Brimming with talent, Mrs. Dutkiewicz's students were eager to showcase their amazing artistic skills and take part in this one-of-a-kind program.

Let me tell you, Mr. Speaker, Mrs. Dutkiewicz's 3rd graders did not disappoint. Their creations are unique, innovative, and imaginative. Their colorful artwork embodies our country's bright and promising future with these sharp young minds leading the way.

It is my utmost honor to have their artwork displayed in my Congressional district office in Troy, Michigan for everyone who visits to enjoy. Each and every time I walk into my office, I am reminded of their talent.

Congratulations to Mrs. Dutkiewicz and the young artists she has the pleasure of teaching.

HONORING SAUL RAMOS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. McGOVERN. Mr. Speaker, I rise today to recognize and celebrate Saul Ramos from my hometown of Worcester, Massachusetts, who was recently named the 2017 National Education Association Education Support Professional, or ESP, of the year. This honor is awarded annually to the ESP who best demonstrates leadership in his or her classroom, school, and community.

Saul began his career in 1999 as a personal aide to a visually impaired kindergarten student. To allow this student to work on classroom materials alongside his peers, Saul taught himself to read and write in braille so he could transcribe these materials for his student. Saul continued to help this student for 12 years—supporting and encouraging him until he graduated from high school. In his current capacity as an ESP at Burncoat High School, Saul has taken it upon himself to integrate braille into the curriculum not only to help students with visual impairments, but also to allow other students to develop a stronger understanding of alternative learning methods.

Raised in both Puerto Rico and Worcester, Saul founded and now serves as the artistic director of a nonprofit called Arte Latino of New England to encourage Latinos in our community, especially those in their youth, to embrace their cultural heritage through art. Just one of his many creative initiatives aimed at helping Latino students to build confidence and embrace their roots, Saul wrote and produced a bilingual adaptation of ''Romeo and Juliet.''

Beyond the classroom, Saul is an incredible activist for teachers and students. He is the vice president of his local teachers union and is an active member on four committees of the Massachusetts Teachers Association, which recognized Saul as last year's most valuable educator in the state. Saul fights tirelessly for the rights of teachers and students. Nationally, Saul is a member of the National Education Association's Paraeducator Institute Working Group, the Sexual Orientation and Gender Identity Committee, and is the Northeast regional director of the Hispanic Caucus.

Our public schools promise to provide equal educational opportunities for all students, no matter their race, religion, or ability. This promise relies on dedicated, compassionate ESPs like Saul Ramos. On behalf of the teachers and students of Worcester, Massachusetts, and those all across the country, I thank Saul Ramos for his commitment to this noble profession.

H.R. 1695, REGISTER OF COPYRIGHTS SELECTION AND ACCOUNTABILITY ACT

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Ms. McCOLLUM. Mr. Speaker, I rise today to speak in opposition to the Register of Copyrights Selection and Accountability Act (H.R. 1695).

The Library of Congress has long been a repository for books, music, movies, photographs and other original works of art. In 1897, Congress recognized the need to protect these original works and the creators behind them, establishing the United States Copyright Office. The Copyright Office is housed within the Library and operates independently. It is led by the Register of Copyrights, a position that is appointed by the Librarian.

H.R. 1695 takes the appointment of the Register of Copyrights away from the Librarian of Congress, and instead makes it a political appointment by the President and confirmed by the Senate. This change would politicize the Library of Congress, the Librarian of Congress and the Register of Copyrights, and that is something I do not support.

Copyright industries are crucial to our economy, responsible for more than $1 trillion in GDP and employing more than 5 million people. If Congress wants to make meaningful improvements to the Copyright Office, we should address its technological limitations and need for modernization, and ensure it has the funding and resources needed to do that.

Mr. Speaker, I urge my colleagues to join me in opposing the Register of Copyrights Selection and Accountability Act (H.R. 1695).

150TH ANNIVERSARY OF ST. JOSEPH'S HEALTHCARE SYSTEM

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the outstanding achievements of the St. Joseph's Healthcare System as they celebrated their 150th Anniversary on Monday, May 1, 2017.

On September 8, 1867, the sisters of Charity of St. Elizabeth opened the 12 bed St. Joseph's Hospital in a small wooden house on Church Street, in Paterson, New Jersey. After caring for 102 patients that year, the start of St. Joseph's Healthcare became known and appreciated.

Today we like to thank those Sisters and Dr. John Quinn for working together to create the start of St. Joseph's. Without them, and the hard workers that have followed in their footsteps, St. Joseph's would not be where it is today. I would like to look back to 1882, when St. Joseph's was only 15 years old, and the first surgery was performed. The saving of lives is something that not only me, but everyone in the 9th Congressional District is thankful for. Performing surgeries is something that a very select amount of people can do, and it is a job that I will forever be thankful for, especially when it is saving the lives of people.

The work of St. Joseph's never fails to have me amazed. The lives they help, and the lives they save is some of the most astonishing work, but it does not stop there. In 1895, St. Joseph's opened up their School of Nursing. They had their first graduating class of nine nurses in 1904, and have been training and preparing nurses ever since. St. Joseph's works hard every day to help these upcoming nurses be the best healthcare providers that they can possibly be. St. Joseph's is continuing to grow every single day, and thankfully they only grew for the better.

As technology advances, St. Joseph's has been able to advance their abilities as well. From one time being a little house on Church Street, I have watched St. Joseph's grow, and improve. After relocating and then expanding their equipment, staff, and resources, the St. Joseph's hospital has expanded to other towns like Wayne, New Jersey and are still growing and improving every day. Besides having a top of the line Children's hospital, they also have an Ambulatory Surgery Center in Paterson and one of the best emergency rooms in a hospital.

I have the great honor of representing the hard working people of St. Joseph's in Congress. This is a place where people work hard to support their family and their community, a place where the history is long and storied.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to recognizing and commemorating 150 years of St. Joseph's Healthcare System.

Mr. Speaker, I ask that you join our colleagues to celebrate 150 years of service, dedication, and excellence from the people of St. Joseph's Healthcare System.

IN RECOGNITION OF MRS. RAY'S 3RD GRADE CLASS

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, I rise today to recognize the bright young artists in Mrs. Ray's 3rd grade class at Plymouth Christian Academy in Canton, Michigan.

I know that artists get their start long before high school and college, learning to expand their imagination and foster their creativity in classrooms just like Mrs. Ray's.

In an effort to highlight young artists from across Michigan's 11th Congressional District, this year, I announced the 1st Annual ''Color my Capitol'' Program.

Brimming with talent, Mrs. Ray's students were eager to showcase their amazing artistic skills and take part in this one-of-a-kind program.

Let me tell you, Mr. Speaker, Mrs. Ray's 3rd graders did not disappoint. Their creations are unique, innovative, and imaginative. Their colorful artwork embodies our country's bright and promising future with these sharp young minds leading the way.

It is my utmost honor to have their artwork displayed in my Congressional district office in Troy, Michigan for everyone who visits to enjoy. Each and every time I walk into my office, I am reminded of their talent.

Congratulations to Mrs. Ray and the young artists she has the pleasure of teaching.

IN TRIBUTE TO LORNA M. SHAWANO

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Ms. MOORE. Mr. Speaker, I rise today to recognize Lorna M. Shawano who was Tribal Secretary for the Forest County Potawatomi Community for 26 years.

Ms. Shawano was involved in securing the approvals of the gaming compacts from the State of Wisconsin. The gaming compacts fostered the growth of the Forest County Potawatomi from operating a modest bingo hall to a nationally recognized entertainment center. During Ms. Shawano's tenure, the Potawatomi successfully developed a casino and hotel in Milwaukee. Today, Potawatomi Hotel & Casino welcomes more than 6 million guests annually and has 2,700 team members and eighty-five percent of those employees reside in Milwaukee County. It opened in 1991 as Potawatomi Bingo with a 2,500 seat bingo hall and approximately 300 team members. She is especially proud of their inclusive hiring practices. In fact, over half of the team members working at Potawatomi Hotel & Casino are minority.

Under her tenure as Secretary, the Forest County Potawatomi experienced tremendous economic growth and increased sovereignty. Ms. Shawano was involved with successful efforts to stop a proposed sulfide mine that would have polluted the Tribe's air, water and land; she also played a part in the 15 year successful efforts by the Tribe to obtain the sovereign right to protect the air over its reservation which involved multiple levels of government. Lorna also served on the Crandon Indian Education and Mining Impact Boards.

Ms. Shawano's work as Tribal Secretary with the rest of the Executive Council, and the Tribe as a whole, has made the Forest County Potawatomi Community into the strong, successful, and respected tribe that it is today. While Lorna will no longer serve as Tribal Secretary, the leadership she has shown over the years will allow the Forest County Potawatomi Tribe to continue to move forward.

Mr. Speaker, I am proud to honor Lorna Shawano, along with her 3 children and of 8 grandchildren. She has lived on the Stone Lake Reservation for nearly 45 years. I am proud to call her friend. The citizens of the Fourth Congressional District and the State of Wisconsin are privileged to have someone of her ability and dedicated service working so diligently for so many years. I am honored for these reasons to pay tribute to Lorna M. Shawano, for serving as Forest County Potawatomi Tribal Secretary for 26 years.

INTRODUCTION OF THE ''CULTIVATING REVITALIZATION BY EXPANDING AMERICAN AGRICULTURAL TRADE AND EXPORTS (CREAATE) ACT''

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. NEWHOUSE. Mr. Speaker, I rise today to introduce my legislation, the Cultivating Revitalization by Expanding American Agricultural Trade and Exports Act, or simply the ''CREAATE Act.'' For decades, the U.S. Department of Agriculture's (USDA) export promotion programs have helped American farmers create, expand, and maintain access to foreign markets.

The goal of the CREAATE Act is simple—to reassert the importance of the Market Access Program (MAP) and Foreign Market Development Program (FMD) to America's agricultural producers and our economy as a whole. These important programs provide the U.S. agricultural community with the tools needed to retain its edge in an increasingly competitive global economy.

MAP and FMD are two of the most impactful USDA export promotion programs, and statutory funding each program has been static since the 2002 Farm Bill. However, those funds have been practically eroded in recent years by inflation, administrative costs, and sequestration. Meanwhile, America's competitors have ramped up their own export promotion programs, creating additional competition in the international marketplace. For example, the European Union spends more for the promotion of wine ($255.36 million in 2017 alone) than the U.S. spends on the promotion of all commodities through both the MAP and FMD programs. If this trend continues, American producers will be severely disadvantaged in the global marketplace.

Throughout their history, these successful public/private partnerships have cultivated hundreds of billions of dollars in exports, and created millions of American jobs, both in the agriculture sector and in support industries. Without these programs, it is very likely that the United States would not be the net agricultural exporter that we are today.

FIRST CONGRESSIONAL DISTRICT OF NEW YORK OUR COMMUNITY SALUTES HONOREE LIST

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. ZELDIN. Mr. Speaker, I rise today to pay a special tribute to 42 exemplary young men and women from the First Congressional District of New York who have chosen to serve our country in various branches of the Armed Forces of the United States. These courageous individuals will be dedicating at least their immediate future to the security and welfare of their fellow citizens. I admire their strong sense of patriotism and desire to protect our values and make certain we remain the great nation we are today.

Each of the following students has my deepest appreciation for their service to this country and I ask my colleagues to join me in personally recognizing:

US Army, Liam Clifton, Bellport High School; US Army, Alejandro Freire, William Floyd High School; US Army, Marcus Glenn, Longwood High School; US Army, Francisco Hernandez, Bellport High School; US Army, Brandon Lech, Bellport High School; US Army, Bailey Meyer, Eastport South Manor High School; US Army, Robert Napadano, William Floyd High School; US Army, Julio Robles, Longwood High School; US Army, Bryan Staker, Longwood High School; US Army, Nicholas Vallejos, Bellport High School; US Army, Jenna Vaughn, Bellport High School; US Army, Aaron Vogel, Eastport South Manor High School; US Army, James Welsh, Patchogue-Medford High School.

US Marines, Chris Ballas, William Floyd High School; US Marines, Thomas Callaghan, Longwood High School; US Marines, Tyler Cerce, Longwood High School; US Marines, Shane Hobel, William Floyd High School; US Marines, Freddy Kaucky, William Floyd High School; US Marines, Matt Lovett, William Floyd High School; US Marines, Bryan Lucero, Patchogue-Medford High School; US Marines, Brandon Maher, Patchogue-Medford High School; US Marines, Kevin Mardjani, Center Moriches High School; US Marines, Joselino Molina, Center Moriches High School; US Marines, Shaun Muller, Patchogue-Medford High School; US Marines, Andrew Passaro, William Floyd High School; US Marines, Gerardo Perez, Longwood High School; US Marines, Steven Rice, William Floyd High School; US Marines, Vinny Roxburgh, William Floyd High School; US Marines, Joseph Slawinski, Center Moriches High School; US Marines, Gareth Walsh, Center Moriches High School; US Marines, Carlie Wegley, William Floyd High School.

US Navy, Samantha Braband, Patchogue-Medford High School; US Navy, Tyler Classic, Longwood High School; US Navy, Matthew Fields, Patchogue-Medford High School; US Navy, Noah Giron, Bellport High School; US Navy, Saniya Joyner, William Floyd High School; US Navy, Quincy Morgenstond, William Floyd High School; US Navy, Darrion Negron, Bellport High School; US Navy, Matthew Pfisterer, Bellport High School; US Navy, Gabriel Schrage, Center Moriches High School.

US Air Force, Isaiah Tavarez, Longwood High School.

Air National Guard, Mike Insogna, Eastport South Manor High School.

These enlistees will be recognized on May 18, 2017 during the third annual ''Our Community Salutes Brookhaven Town Enlistee Ceremony'' at Sunset Harbor in Patchogue, NY.

Mr. Speaker, we should be extremely grateful as both a people and nation to each and every one of these individuals. Their call to duty cannot be underscored or admired enough and it is my distinct honor and privilege to represent them and their families in the First Congressional District of New York. I wish them the best of luck in their respective branches and in all of their future endeavors.

IN RECOGNITION OF MRS. BARES'S 3RD GRADE CLASS

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, I rise today to recognize the bright young artists in Mrs. Bares's 3rd grade class at Houghton Elementary in White Lake, Michigan.

I know that artists get their start long before high school and college, learning to expand their imagination and foster their creativity in classrooms just like Mrs. Bares's.

In an effort to highlight young artists from across Michigan's 11th Congressional District, this year, I announced the 1st Annual ''Color my Capitol'' Program.

Brimming with talent, Mrs. Bares's students were eager to showcase their amazing artistic skills and take part in this one-of-a-kind program.

Let me tell you, Mr. Speaker, Mrs. Bares's 3rd graders did not disappoint. Their creations are unique, innovative, and imaginative. Their colorful artwork embodies our country's bright and promising future with these sharp young minds leading the way.

It is my utmost honor to have their artwork displayed in my Congressional district office in Troy, Michigan for everyone who visits to enjoy. Each and every time I walk into my office, I am reminded of their talent.

Congratulations to Mrs. Bares and the young artists she has the pleasure of teaching.

IN RECOGNITION OF CAPTAIN PATRICK LYNN PATTY AS THE ROBERT JACKSON EURY MEMORIAL AWARD RECIPIENT

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. HUDSON. Mr. Speaker, I rise today to honor Kannapolis Police Captain Patrick Lynn Patty for receiving the Robert Jackson Eury Memorial Award.

A native of North Carolina, Captain Patty has served with the Kannapolis Police Department in North Carolina's 8th Congressional District since 1994. Throughout his career, Captain Patty has served as a Patrol Officer, Field Trainer, Patrol Sergeant, Patrol Lieutenant, Field Operation Bureau Captain and now commands the Support Services Bureau. Captain Patty's outstanding leadership and commitment in these roles for the Kannapolis Police Department made him stand out in our community. Additionally, Captain Patty put his life on the line for our nation, serving four years as an Airborne Infantry Officer in the 82nd Airborne Division of the US Army.

This award is presented in memory of Robert Jackson Eury, a man who lost his life in line of duty while serving as a Carbarrus County law enforcement officer. This award keeps Mr. Eury's legacy alive through officers who share his same admirable and commendable spirit in Cabarrus County. Based on his career of service, I would say Captain Patty fits the mold of esteemed law enforcement officers in our community set by Robert Eury.

There is no doubt in my mind that Captain Patty will continue his outstanding leadership and maintain his unwavering values while protecting the people of Cabarrus County. I am excited to see what the future holds for such a dedicated officer.

Mr. Speaker, please join me today in congratulating Captain Patrick Patty as the Robert Jackson Eury Memorial Award recipient and wish him well as he continues to make a positive difference in the lives of others.

IN RECOGNITION OF THE HONORABLE FRANK WOLF

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mrs. COMSTOCK. Mr. Speaker, it is a privilege for me to use this time to honor my former boss and mentor, the Honorable Frank Wolf, who has dedicated much of his life to public service as he represented the people of Virginia's 10th Congressional District for 34 years.

Congressman Frank Wolf was at the forefront of many important issues for over three decades. He was a leader in bringing metro rail to Dulles and worked in a bipartisan manner on numerous transportation initiatives. He also assumed a leading role in addressing the mounting problem of gang violence in Northern Virginia and helped secure funding for the Northern Virginia Regional Gang Task Force. And while he clearly played a crucial and prominent role in a variety of issues affecting the Commonwealth of Virginia, arguably, his most signature achievements have stemmed from his leadership on humanitarian issues abroad.

He has been a tireless and zealous crusader for oppressed religious minorities and was the conscience of the Congress on human rights and religious liberty. As co-chair of the bipartisan House Human Rights Caucus, Congressman Wolf made it his mission to be the voice of the voiceless and shed light upon the plight of millions of people persecuted because of their religion. Since departing from Congress, Mr. Wolf has continued to carry the torch of religious freedom, with his passionate advocacy, as he leads the 21st Century Wilberforce Initiative to create a world where religious freedom is recognized by nations across the globe as a fundamental human right.

Congressman Wolf's efforts to raise awareness for the voiceless also extended to the innocent victims of human trafficking. In Congress, he worked with local elected officials and law enforcement agencies in the Commonwealth in spearheading initiatives to eradicate human trafficking. He also took steps to educate the public about this largely unknown problem and increase community involvement in aiding the victims of these horrific crimes. In recognition of these valiant strides, he was selected as the 2014 Lifetime Pathbreaker Award recipient.

Mr. Speaker, I ask that my colleagues join me in honoring the legacy of Congressman Wolf, as we recognize his many contributions. We cannot thank him enough for services he provided to the Commonwealth of Virginia and to our country. I look forward to his continued contributions in promoting religious freedom and I wish him all the best in his future endeavors.

HONORING ADINA & LAWRENCE GARBUZ

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. ENGEL. Mr. Speaker, I rise today to honor two people who have left an indelible mark on the New Rochelle community, Adina and Lawrence Garbuz. This year, Young Israel of New Rochelle are honoring Adina and Lawrence for all they have done on behalf of the community, and you cannot find two individuals more deserving of the honor.

Whether to YINR, SAR or most importantly their family, Adina and Lawrence demonstrate by example what it means to help others. They moved to New Rochelle in 2002 and immediately became involved in the YINR community. In addition to currently serving on the YINR Executive Board as Treasurer, Adina has held multiple positions in all areas of our shul. Adina has served as Women's League President and Treasurer after being involved in the New Mother's committee as well as more than once spearheading the mishloach manot project. Her sound advice and perspective made her a perfect choice for the Board, and Executive Board.

Lawrence has also found his own way to connect to YINR, forging a strong friendship and learning partnership with Rabbi Fink as well as attending for many years daf yomi. He also assisted the Men's Club, helped organize the very successful Saturday night ping pong tournaments and for many years distributed mishloach manot in Brooklyn. He is also often called upon to handle sensitive matters for our members who are need of his professional expertise.

In addition to Adina and Lawrence's commitment to YINR, they are supporters of their alma mater Cardozo Law School, the Bronx Jewish Community Council, and the Joint Distribution Committee. But their strongest commitment is to their four children Ella, Liav, Jonah and Eva whom they raise with their strong values of giving to others and to one's community.

Adina and Lawrence have shown a tireless dedication to both YINR and the neighborhood. On this special occasion, I want to take the opportunity to thank them for that tireless effort, and congratulate them on receiving this most distinguished honor.

IN RECOGNITION OF MRS. GEYER'S 3RD GRADE CLASS

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. TROTT. Mr. Speaker, I rise today to recognize the bright young artists in Mrs. Geyer's 3rd grade class at All Saints Catholic School in Canton, Michigan.

I know that artists get their start long before high school and college, learning to expand

their imagination and foster their creativity in classrooms just like Mrs. Geyer's.

In an effort to highlight young artists from across Michigan's 11th Congressional District, this year, I announced the 1st Annual ''Color my Capitol'' Program.

Brimming with talent, Mrs. Geyer's students were eager to showcase their amazing artistic skills and take part in this one-of-a-kind program.

Let me tell you, Mr. Speaker, Mrs. Geyer's 3rd graders did not disappoint. Their creations are unique, innovative, and imaginative. Their colorful artwork embodies our country's bright and promising future with these sharp young minds leading the way.

It is my utmost honor to have their artwork displayed in my Congressional district office in Troy, Michigan for everyone who visits to enjoy. Each and every time I walk into my office, I am reminded of their talent.

Congratulations to Mrs. Geyer and the young artists she has the pleasure of teaching.

WILL THE HONG KONG MODEL SURVIVE (AN ASSESSMENT 20 YEARS AFTER THE HANDOVER)

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 3, 2017

Mr. SMITH of New Jersey. Mr. Speaker, earlier today, I made the following remarks at the hearing held by the Congressional-Executive Commission on China which I co-chair with Senator MARCO RUBIO regarding human rights in Hong Kong:

Two and half years ago, tens of thousands of Hong Kong's residents peacefully gathered in the streets, yellow umbrellas in hand, seeking electoral reform and greater democracy.

Joshua Wong was at the forefront of that movement—along with Nathan Law and Alex Chow and so many young student leaders. The Umbrella Movement was not only composed of students, but included veterans of the democracy movement in Hong Kong, including Martin Lee.

It is good to see Joshua and Martin here today, bringing together the generations of advocates committed to Hong Kong's freedom and autonomy.

Joshua Wong and all those associated with the Umbrella Movement have become important symbols of Hong Kong's vitality and its freedoms. They are now part of Hong Kong's unique brand and any effort to detain, censor, or intimidate them damages that brand.

Over the past two years, Senator RUBIO and I, along with other members of the China Commission, have introduced the Hong Kong Human Rights and Democracy Act and we have worked in Congress to maintain the State Department's annual report on Hong Kong.

We have issued statements of concern about the political prosecutions of Joshua and other Umbrella Movement leaders; the unprecedented interventions by the Chinese government in Hong Kong's courts and political affairs, and the abductions Hong Kong booksellers and other citizens.

We have also discussed the erosion of Hong Kong's autonomy and freedoms with both U.S. and Chinese officials.

I want to commend Senator RUBIO for his leadership on human rights issues and on Hong Kong. We have worked together closely and I am honored to work with him on the China Commission. Senator RUBIO is a true champion of the globe's oppressed and persecuted.

As long as I have the privilege of serving as a Chair of the China Commission, I promise to continue shining a light on Hong Kong. Maintaining Hong Kong's autonomy is a critical U.S. interest. The U.S. also has a clear interest in Beijing abiding by its international agreements—in Hong Kong and elsewhere.

The democratic aspirations of the people of Hong Kong cannot be indefinitely suppressed. I promise to stand with Hong Kong and call attention to violations of basic human rights as long as I serve in Congress.

Though Beijing's increasingly rough oversight of Hong Kong may not be as brutal as that pursued on the Mainland, it is no less pernicious. The ultimate goal is eroding Hong Kong's guaranteed freedoms and the rule law and intimidating those who try to defend them.

This year will be the 20th anniversary of the handover of Hong Kong. Unfortunately it seems the territory's autonomy looks increasingly fragile.

We are coming up on another anniversary as well, the 25th anniversary of the Hong Kong Policy Act.

At this juncture we should be examining both the health of the ''one country, two systems'' model and examining the very assumptions that underlie U.S.-Hong Kong relations. What can be done differently, what new priorities should be set?

The Hong Kong Policy Act of 1992 was based on the assumption that freedom, the rule of law, and autonomy promised to Hong Kong would be protected and respected.

It was also based on the assumption that time was on the side of freedom—that trade and investment would eventually bring political liberalization and human rights to Mainland China.

As Chairman RUBIO and I have been saying for some time, one can no longer base U.S. policy on the ''fantasy'' that China's future will be more democratic and more open.

Mainland China has become more repressive, not less. Prosperity has turned a poor authoritarian country into a rich authoritarian country with predictable results for China's rights defenders, ethnic and religious groups, labor and democracy advocates, foreign businesses and Hong Kong's autonomy.

Some will argue that the best course of action would be to retreat into a hard realism, recognize China's interests and spheres of influence and protect U.S. interests. We could ignore what is happening in Hong Kong and shift responsibility to the British or some undefined international body.

I disagree.

We don't need a new realism to govern our China policy. Instead, we need a new idealism—a renewed commitment to democratic ideals, to human rights, and the rule of law in ways that compete directly with the Chinese model in Asia and Africa and elsewhere.

Chinese leaders need to know that the United States stands for freedom of expression, the freedom of religion, Internet freedom, the rule of law, universal suffrage, and an end to torture as critical interests, necessary for bilateral relations, and linked to the expansion of mutual prosperity and integrated security.

The U.S. should also push back hard against the erosion of freedom and autonomy in Hong Kong.

It is in everyone's interest that Hong Kong remain a free and prosperous bridge between China and the West, but the city's unique vitality and prosperity are rooted in its guaranteed freedoms. If Hong Kong is to become just another Mainland Chinese city, we will have to reassess whether Hong Kong warrants special status under U.S. law.

The arc of history does not bend toward justice without concerted action from all freedom-loving peoples. If the U.S. and the international community does not defend the rights and freedoms of Hong Kong's citizens now, there is little hope that freedom can take root in China's future.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 4, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 8

2:30 p.m.
Committee on the Judiciary
Subcommittee on Crime and Terrorism
To hold hearings to examine Russian interference in the 2016 United States election.
SD–226

MAY 9

9:30 a.m.
Committee on Armed Services
To hold hearings to examine United States Cyber Command; with the possibility of a closed session in SVC–217, following the open session.
SD–G50

10 a.m.
Committee on Finance
To hold hearings to examine the Children's Health Insurance Program, focusing on the path forward.
SD–215

2:30 p.m.
Committee on Armed Services
To hold hearings to examine the nominations of David L. Norquist, of Virginia, to be Under Secretary (Comptroller), Robert Daigle, of Virginia, to be Director of Cost Assessment and Program

Evaluation, and Elaine McCusker, of Virginia, to be a Principal Deputy Under Secretary, all of the Department of Defense.

SD–G50

Committee on Commerce, Science, and Transportation

Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security

To hold hearings to examine maritime transportation, focusing on opportunities and challenges for the Maritime Administration and Federal Maritime Commission.

SR–253

Committee on Environment and Public Works

Subcommittee on Transportation and Infrastructure

To hold hearings to examine water resources, focusing on the role of the public and private sectors.

SD–406

MAY 10

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on National Security and International Trade and Finance

To hold hearings to examine secondary sanctions against Chinese institutions, focusing on assessing their utility for constraining North Korea.

SD–538

Committee on Environment and Public Works

To hold hearings to examine state views on the need to modernize the Endangered Species Act.

SD–406

Committee on Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine emerging external influences in the Western Hemisphere.

SD–419

Committee on Health, Education, Labor, and Pensions

Business meeting to consider S. 934, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and an original bill entitled, ''Recognize, Assist, Include, Support, and Engage (RAISE) Family Caregivers Act''.

SD–G50

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine cyber threats facing America, focusing on an overview of the cybersecurity threat landscape.

SD–342

Committee on the Judiciary

To hold hearings to examine the nominations of Steven Andrew Engel, of the District of Columbia, and Makan Delrahim, of California, both to be an Assistant Attorney General, and Noel J. Francisco, of the District of Columbia, to be Solicitor General of the United States, all of the Department of Justice.

SD–226

10:30 a.m.

Committee on the Budget

To hold hearings to examine growth policies for the new Administration.

SD–608

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on Water and Power

To hold hearings to examine S. 440, to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota, S. 677, to authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, S. 685, to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the States of Montana and North Dakota, S. 930, to require the Administrator of the Western Area Power Administration to establish a pilot project to provide increased transparency for customers, S. 1012, to provide for drought preparedness measures in the State of New Mexico, S. 1029, to amend the Public Utility Regulatory Policies Act of 1978 to exempt certain small hydroelectric power projects that are applying for relicensing under the Federal Power Act from the licensing requirements of that Act, and S. 1030, to require the Federal Energy Regulatory Commission to submit to Congress a report on certain hydropower projects.

SD–366

Committee on Indian Affairs

To hold hearings to examine S. 772, to amend the PROTECT Act to make Indian tribes eligible for AMBER Alert grants, and S. 825, to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska.

SD–628

Committee on the Judiciary

Subcommittee on Crime and Terrorism

To hold hearings to examine law enforcement access to data stored across borders, focusing on facilitating cooperation and protecting rights.

SD–226

Committee on Veterans' Affairs

To hold hearings to examine the Veterans Choice Program and the future of care in the community.

SR–418

Special Committee on Aging

To hold hearings to examine aging with community, focusing on building connections that last a lifetime.

SD–562

3 p.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine the nomination of Althea Coetzee, of Virginia, to be Deputy Administrator of the Small Business Administration.

SR–428A

MAY 17

2:30 p.m.

Committee on Indian Affairs

To hold hearings to examine the Government Accountability Office's high risk list for Indian programs.

SD–628

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2687–S2733

Measures Introduced: Twenty-four bills and four resolutions were introduced, as follows: S. 1013–1036, and S. Res. 150–153. **Pages S2720–21**

Measures Reported:

S. 35, to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, with an amendment in the nature of a substitute. (S. Rept. No. 115–35)

S. 99, to require the Secretary of the Interior to study the suitability and feasibility of designating the President James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System. (S. Rept. No. 115–36)

S. 189, to modify the boundary of the Fort Scott National Historic Site in the State of Kansas, with an amendment in the nature of a substitute. (S. Rept. No. 115–37)

S. 287, to update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument. (S. Rept. No. 115–38)

S. 331, to remove the use restrictions on certain land transferred to Rockingham County, Virginia. (S. Rept. No. 115–39)

S. 432, to designate the Cerro del Yuta and Rio San Antonio Wilderness Areas in the State of New Mexico. (S. Rept. No. 115–40)

S. 466, to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest. (S. Rept. No. 115–41)

S. 501, to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System. (S. Rept. No. 115–42)

H.R. 534, to require the Secretary of State to take such actions as may be necessary for the United States to rejoin the Bureau of International Expositions, with an amendment in the nature of a substitute. **Page S2720**

Measures Passed:

Rule Relating to States Savings Arrangements for Non-governmental Employees: By 50 yeas to 49 nays (Vote No. 120), Senate passed H.J. Res. 66, disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees. **Pages S2692–S2715**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 48 nays (Vote No. 119), Senate agreed to the motion to proceed to consideration of the joint resolution. **Page S2692**

Commending the Northwest Missouri State University Bearcats: Senate agreed to S. Res. 151, commending the Northwest Missouri State University Bearcats on their National Collegiate Athletic Association Division II national championship victories. **Page S2728**

National Donate Life Month: Senate agreed to S. Res. 152, expressing support for the designation of April 2017 as ''National Donate Life Month''. **Page S2728**

Public Service Recognition Week: Senate agreed to S. Res. 153, expressing the sense of the Senate that, during Public Service Recognition Week, public servants should be commended for their dedication and continued service to the United States. **Page S2728**

National Day of Awareness for Missing and Murdered Native Women and Girls: Committee on the Judiciary was discharged from further consideration of S. Res. 60, designating May 5, 2017, as the ''National Day of Awareness for Missing and Murdered Native Women and Girls'', and the resolution was then agreed to. **Page S2728**

House Messages:

Omnibus Appropriations Act—Agreement: Senate began consideration of the amendment of the House to the amendment of the Senate to H.R. 244,

to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, taking action on the following amendments and motions proposed thereto: **Pages S2715–16**

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Pages S2715–16**

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 210 (to the House Amendment to the Senate amendment), to change the enactment date. **Page S2716**

McConnell Amendment No. 211 (to Amendment No. 210), of a perfecting nature. **Page S2716**

McConnell motion to refer the message of the House on the bill to the Committee on Health, Education, Labor, and Pensions, with instructions, McConnell Amendment No. 212, to change the enactment date. **Page S2716**

McConnell Amendment No. 213 (to (the instructions) Amendment No. 212), of a perfecting nature. **Page S2716**

McConnell Amendment No. 214 (to Amendment No. 213), of a perfecting nature. **Page S2716**

A motion was entered to close further debate on the 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 on Friday, May 5, 2017. **Pages S2715–16**

A unanimous-consent agreement was reached providing for further consideration of the House amendment to the Senate amendment to the bill, at approximately 9:30 a.m. on Thursday, May 4, 2017. **Page S2728**

Wilson Nomination—Agreement: A unanimous-consent-time agreement was reached providing that following Leader remarks, on Monday, May 8, 2017, Senate begin consideration of the nomination of Heather Wilson, of South Dakota, to be Secretary of the Air Force; that there be 4 hours of debate on the nomination, equally divided in the usual form; that following the use or yielding back of time, Senate vote on confirmation of the nomination. **Page S2716**

Messages from the House: **Page S2720**

Measures Referred: **Page S2720**

Additional Cosponsors: **Pages S2721–22**

Statements on Introduced Bills/Resolutions: **Pages S2723–27**

Additional Statements: **Pages S2719–20**

Amendments Submitted: **Page S2727**

Authorities for Committees to Meet: **Page S2728**

Record Votes: Two record votes were taken today. (Total—120) **Pages S2692, S2715**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:50 p.m., until 9:30 a.m. on Thursday, May 4, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2728.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE INNOVATION AND RESEARCH FUNDING

Committee on Appropriations: Subcommittee on Department of Defense concluded a hearing to examine defense innovation and research funding, after receiving testimony from Robert O. Work, Deputy Secretary, William B. Roper, Jr., Director, Strategic Capabilities Office, and Steven H. Walker, Acting Director, Defense Advanced Research Projects Agency, all of the Department of Defense.

DOD LABORATORIES

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine Department of Defense laboratories and their contributions to military operations and readiness, after receiving testimony from Melissa L. Flagg, former Deputy Assistant Secretary of Defense for Research, Office of the Secretary of Defense; Jeffery P. Holland, former Director, Engineer Research and Development Center, United States Army Corps of Engineers; John A. Montgomery, former Director of Research, Naval Research Laboratory, United States Navy; and Ricky L. Peters, former Executive Director, Air Force Research Laboratory, United States Air Force.

FLEXIBLE PERSONNEL SYSTEM

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine building a flexible personnel system (F.A.S.T. Force) for a modern military, after receiving testimony from former Senator James M. Talent, Kathy Roth-Douquet, and Major General Arnold L. Punaro, USMC (Ret.), all of the Bipartisan Policy Center Task Force on Defense Personnel.

ECONOMIC AND PRIVATE SECTOR GROWTH

Committee on the Budget: Committee concluded a hearing to examine the economy and private sector growth, after receiving testimony from Michael R.

Strain, American Enterprise Institute, Washington, D.C.; William C. Dunkelberg, National Federation of Independent Business, Wynnewood, Pennsylvania; and Jeffrey Sachs, Columbia University, New York, New York.

BROADBAND INFRASTRUCTURE

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine investing in America's broadband infrastructure, focusing on exploring ways to reduce barriers to deployment, after receiving testimony from Arizona Representative Jeff Weninger, Chandler; Mayor Gary Resnick, Wilton Manors, Florida; and Patricia Cooper, Space Exploration Technologies Corporation (SpaceX), Larry Downes, Georgetown Center for Business and Public Policy, and Brian M. Hendricks, Nokia Corporation, all of Washington, D.C.

INFRASTRUCTURE PROJECT STREAMLINING AND EFFICIENCY

Committee on Environment and Public Works: Committee concluded a hearing to examine infrastructure project streamlining and efficiency, focusing on achieving faster, better, and cheaper results, after receiving testimony from William T. Panos, Wyoming Department of Transportation Director, Cheyenne; Leah F. Pilconis, The Associated General Contractors of America, Arlington, Virginia; and John D. Porcari, U.S. Advisory Services, Washington, D.C.

PHILANTHROPY, REMITTANCES, AND INTERNATIONAL DEVELOPMENT

Committee on Foreign Relations: Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy concluded a hearing to examine global philanthropy and remittances and international development, after receiving testimony from Una Osili, Indiana University Lilly Family School of Philanthropy, Indianapolis; and Daniel F. Runde, Center for Strategic and International Studies, Sam Worthington, InterAction, and Semhar Araia, UNICEF USA, all of Washington, D.C.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported H.R. 534, to require the Secretary of State to take such actions as may be necessary for the United States to rejoin the Bureau of International Expositions, with an amendment in the nature of a substitute.

FEDERAL BUREAU OF INVESTIGATION

Committee on the Judiciary: Committee concluded a hearing to examine the Federal Bureau of Investigation, including S. 139, to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, after receiving testimony from James B. Comey, Director, Federal Bureau of Investigation, Department of Justice.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 47 public bills, H.R. 2303–2349; and 7 resolutions, H. Con. Res. 53; and H. Res. 307, 309–313 were introduced. **Pages H3321–24**

Additional Cosponsors: **Pages H3325–26**

Report Filed: A report was filed today as follows:

H. Res. 308, providing for consideration of the bill (H.R. 2192) to amend the Public Health Service Act to eliminate the non-application of certain State waiver provisions to Members of Congress and congressional staff, and providing for further consideration of the bill (H.R. 1628) to provide for reconciliation pursuant to title ll of the concurrent resolution on the budget for fiscal year 2017 (H. Rept. 115–109). **Page H3321**

Speaker: Read a letter from the Speaker wherein he appointed Representative Lance to act as Speaker pro tempore for today. **Page H3071**

Recess: The House recessed at 10:44 a.m. and reconvened at 12 noon. **Page H3076**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rabbi Richard Boruch, Rabinowitz Aish International, New York, NY. **Page H3076**

Journal: The House agreed to the Speaker's approval of the Journal by a recorded vote of 236 ayes to 178 noes, Roll No. 251. **Pages H3076, H3308–09**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures. Consideration began Tuesday, May 2nd.

Disaster Declaration Improvement Act: H.R. 1665, amended, to ensure that Administrator of the Federal Emergency Management Agency considers severe local impact in making a recommendation to the President for a major disaster declaration, by a ⅔ recorded vote of 425 ayes with none voting ''no'', Roll No. 248; and **Page H3089**

Amending the Robert T. Stafford Disaster Relief and Emergency Assistance Act concerning the statute of limitations for actions to recover disaster or emergency assistance payments: H.R. 1678, amended, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act concerning the statute of limitations for actions to recover disaster or emergency assistance payments, by a ⅔ recorded vote of 423 ayes with none voting ''no'', Roll No. 250. **Pages H3307–08**

Consolidated Appropriations Act, 2017: The House concurred in the Senate amendments numbered 2 and 3 to H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and concurred in the Senate amendment numbered 1 with an amendment consisting of the text of Rules Committee Print 115–16 modified by the amendment printed in H. Rept. 115–108, by a yea-and-nay vote of 309 yeas to 118 nays, Roll No. 249. **Pages H3089–H3307**

H. Res. 305, the rule providing for consideration of the Senate amendments to the bill (H.R. 244) was agreed to by a recorded vote of 240 ayes to 186 noes, Roll No. 247, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 192 nays, Roll No. 246. **Pages H3080–89**

Moment of Silence: The House observed a moment of silence in memory of Matthew McClanahan, a pipefitter for the Architect of the Capitol, who died in a tragic accident on the Capitol Grounds on April 18. **Page H3307**

Providing for a correction in the enrollment of H.R. 244: The House agreed to H. Con. Res. 53, providing for a correction in the enrollment of H.R. 244. **Pages H3309–10**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, May 4. **Page H3310**

Recess: The House recessed at 6:12 p.m. and reconvened at 10:15 p.m. **Page H3320**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H3080.

Senate Referral: S. 141 was referred to the Committees on Science, Space, and Technology, Armed Services, Transportation and Infrastructure, Foreign Affairs, and the Permanent Select Committee on Intelligence. **Page H3321**

Quorum Calls—Votes: Two yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H3087–88, H3088–89, H3089, H3306–07, H3307, H3308–09. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:16 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Agriculture: Full Committee held a markup on H.R. 1177, the ''Removing Outdated Restrictions to Allow for Job Growth Act''; and H.R. 2154, to rename the Red River Valley Agricultural Research Center in Fargo, North Dakota, as the Edward T. Schafer Agricultural Research Center. H.R. 1177 was ordered reported, without amendment. H.R. 2154 was ordered reported, as amended.

2020 CENSUS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies held an oversight hearing on the 2020 Census. Testimony was heard from John H. Thompson, Director, Census Bureau; Kevin Smith, Chief Information Officer, Census Bureau; Robert Goldenkoff, Director of Strategic Issues, Government Accountability Office; and David Powner, Director of Information Technology, Government Accountability Office.

PUBLIC WITNESS DAY

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing for public witnesses. Testimony was heard from public witnesses.

MEMBERS AND OUTSIDE WITNESS DAY

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing for Members of Congress and outside witnesses. Testimony was heard from Representatives Hultgren and McGovern, and public witnesses.

2018 VETERANS AFFAIRS OVERSIGHT

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs and Related

Agencies held an oversight hearing on 2018 Veterans Affairs. Testimony was heard from David J. Shulkin, Secretary of Veterans Affairs.

LITTORAL COMBAT SHIPS AND THE TRANSITION TO FRIGATE CLASS

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a hearing entitled ''Littoral Combat Ships and the Transition to Frigate Class''. Testimony was heard from Rear Admiral John P. Neagley, U.S. Navy, Program Executive Officer, Littoral Combat Ships; and Rear Admiral Ronald A. Boxall, U.S. Navy, Director, Surface Warfare (N96).

FAILURES OF FISCAL MANAGEMENT: A VIEW FROM THE COMPTROLLER GENERAL

Committee on the Budget: Full Committee held a hearing entitled ''Failures of Fiscal Management: a View from the Comptroller General''. Testimony was heard from Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office.

LEGISLATION ADDRESSING PIPELINE AND HYDROPOWER INFRASTRUCTURE MODERNIZATION

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled ''Legislation Addressing Pipeline and Hydropower Infrastructure Modernization''. Testimony was heard from John Katz, Deputy Associate General Counsel, Office of the General Counsel, Federal Energy Regulatory Commission; Terry Turpin, Director, Office of Energy Projects, Federal Energy Regulatory Commission; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Financial Services: Full Committee continued a markup on H.R. 10, the ''Financial CHOICE Act of 2017''.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee held a markup on H.R. 1625, the ''Targeted Rewards for the Global Eradication of Human Trafficking Act''; H.R. 1677, the ''Caesar Syria Civilian Protection Act of 2017''; and H.R. 2200, the ''Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017''. H.R. 1625 was ordered reported, without amendment. H.R. 1677 and H.R. 2200 were ordered reported, as amended.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Full Committee held a markup on H.R. 625, the ''Reporting Efficiently to Proper Officials in Response to Terrorism Act of 2017''; H.R. 1351, the ''Strengthening Oversight of TSA Employee Misconduct Act''; H.R. 2131, the ''Fixing Internal Response to Misconduct Act''; H.R. 2132, the ''Traveler Redress Improvement Act of 2017''; H.R. 2169, the ''Improving Fusion Centers' Access to Information Act''; H.R. 2188, the ''Community Counterterrorism Preparedness Act''; H.R. 2190, the ''Streamlining DHS Overhead Act''; H.R. 2213, the ''Anti-Border Corruption Reauthorization Act of 2017''; H.R. 2283, the ''Department of Homeland Security Morale, Recognition, Learning and Engagement Act of 2017''; and H.R. 2281, the ''Border Enforcement Security Task Force Reauthorization Act of 2017''. H.R. 2188, H.R. 2283, H.R. 2131, H.R. 2190, H.R. 625, H.R. 2169, H.R. 2132, H.R. 2213, H.R. 1351, and H.R. 2281 were ordered reported, as amended.

DENYING TERRORISTS ENTRY TO THE UNITED STATES: EXAMINING VISA SECURITY

Committee on Homeland Security: Task Force on Denying Terrorists Entry into the United States held a hearing entitled ''Denying Terrorists Entry to the United States: Examining Visa Security''. Testimony was heard from Edward Ramotowski, Deputy Assistant Secretary, Office of Visa Services, Department of State; John Wagner, Deputy Executive Assistant Commissioner, Customs and Border Protection, Department of Homeland Security; Michael Dougherty, Acting Assistant Secretary, Border, Immigration, and Trade Policy Office of Policy, Department of Homeland Security; Clark E. Settles, Assistant Director, National Security Investigations Division, Immigration and Customs Enforcement, Department of Homeland Security; and Rebecca Gambler, Director, Homeland Security and Justice, Government Accountability Office.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on H.R. 1892, the ''Honoring Hometown Heroes Act''; H.R. 1761, the ''Protecting Against Child Exploitation Act of 2017''; H.R. 1039, the ''Probation Officer Protection Act of 2017''; and H.R. 2266, the ''Bankruptcy Judgeship Act of 2017''. H.R. 1892 and H.R. 1039 were ordered reported, without amendment. H.R. 1761 and H.R. 2266 were ordered reported, as amended.

THE CHALLENGES OF KEEPING HYDROPOWER AFFORDABLE AND OPPORTUNITIES FOR NEW DEVELOPMENT

Committee on Natural Resources: Subcommittee on Water, Power and Oceans held a hearing entitled ''The Challenges of Keeping Hydropower Affordable

and Opportunities for New Development''. Testimony was heard from David Montagne, Executive Vice President, General Manager, Sabine River Authority of Texas; and public witnesses.

REVIEWING THE FAFSA DATA BREACH

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Reviewing the FAFSA Data Breach''. Testimony was heard from James W. Runcie, Chief Operating Officer, Office of Federal Student Aid, Department of Education; Jason K. Gray, Chief Information Officer, Department of Education; Ken Corbin, Deputy Commissioner Wage and Investment Division, Internal Revenue Service; Gina Garza, Chief Information Officer, Internal Revenue Service; and Tim Camus, Deputy Inspector General, Treasury Inspector General for Tax Administration.

AMERICAN HEALTH CARE ACT OF 2017; TO AMEND THE PUBLIC HEALTH SERVICE ACT TO ELIMINATE THE NON-APPLICATION OF CERTAIN STATE WAIVER PROVISIONS TO MEMBERS OF CONGRESS AND CONGRESSIONAL STAFF

Committee on Rules: Full Committee held a hearing on H.R. 1628, the ''American Health Care Act of 2017''; and H.R. 2192, to amend the Public Health Service Act to eliminate the non-application of certain State waiver provisions to Members of Congress and congressional staff. The Committee granted, by record vote of 8–3, a closed rule for H.R. 2192. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. Additionally, section 2 of the rule provides for further consideration of H.R. 1628, the American Health Care Act of 2017. The rule provides that the further amendments printed in the Rules Committee Report shall be considered as adopted. Testimony was heard from Representatives Upton, MacArthur, and McSally.

OIL AND GAS TECHNOLOGY INNOVATION

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled ''Oil and Gas Technology Innovation''. Testimony was heard from public witnesses.

EMPOWERING SMALL BUSINESSES: THE ACCELERATOR MODEL

Committee on Small Business: Full Committee held a hearing entitled ''Empowering Small Businesses: The Accelerator Model''. Testimony was heard from public witnesses.

MARITIME TRANSPORTATION REGULATORY ISSUES

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled ''Maritime Transportation Regulatory Issues''. Testimony was heard from Rear Admiral Paul F. Thomas, Assistant Commandant for Prevention Policy, U.S. Coast Guard; Michael A. Khouri, Acting Chairman, Federal Maritime Commission; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, MAY 4, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine telemedicine in the Department of Veterans Affairs, focusing on leveraging technology to increase access, improve health outcomes, and lower costs, 10:30 a.m., SD–124.

Committee on Armed Services: to hold hearings to examine United States Special Operations Command, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine reauthorization of the National Flood Insurance Program, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine questions, answers, and perspectives on the current state of airline travel, 10:30 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the threat posed by electromagnetic pulse and policy options to protect energy infrastructure and to improve capabilities for adequate system restoration, 10 a.m., SD–366.

Committee on Foreign Relations: to hold hearings to examine international development, focusing on value added through private sector engagement, 10 a.m., SD–419.

Committee on the Judiciary: business meeting to consider S. 139, to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and S. 534, to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, Time to be announced, Room to be announced.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2 p.m., SH–219.

House

Committee on Financial Services, Full Committee, to continue markup on H.R. 10, the ''Financial CHOICE Act of 2017'', 2128 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Health Care, Benefits, and Administrative Rules; and Subcommittee on Government Operations, joint hearing entitled, ''Examining a Church's Right to Free Speech'', 10 a.m., 2154 Rayburn.

Committee on Small Business, Subcommittee on Contracting and Workforce; and Subcommittee on Research and Technology of the House Committee on Science, Space, and Technology, joint hearing entitled ''Improving the Small Business Innovation Research and Small Business Technology Transfer Programs'', 10 a.m., 2318 Rayburn.

Permanent Select Committee on Intelligence, Full Committee, hearing on ongoing intelligence activities, 1 p.m., HVC–304. This hearing will be closed.

Next Meeting of the SENATE

9:30 a.m., Thursday, May 4

Senate Chamber

Program for Thursday: Senate will continue consideration of the House amendment to the Senate amendment to H.R. 244, Omnibus Appropriations Act. At 10:30 a.m., Senator Young be recognized for up to 20 minutes.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, May 4

House Chamber

Program for Thursday: Consideration of H.R. 2192—To amend the Public Health Service Act to eliminate the non-application of certain State waiver provisions to Members of Congress and congressional staff (Subject to a Rule). Further consideration of H.R. 1628—American Health Care Act of 2017 (Subject to a Rule).

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