

# ***In the House of Representatives, U. S.,***

*May 3, 2017.*

*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 the following

## **HOUSE AMENDMENT TO SENATE AMENDMENT:**

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

**1 SECTION 1. SHORT TITLE.**

*2 This Act may be cited as the “Consolidated Appropria-*  
*3 tions Act, 2017”.*

**4 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*

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*DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017*

*Title I—Military Personnel*  
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*Title IV—Research, Development, Test and Evaluation*  
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*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*  
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*Title II—Executive Office of the President and Funds Appropriated to the President*  
*Title III—The Judiciary*  
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*DIVISION F—DEPARTMENT OF HOMELAND SECURITY  
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*Title I—Departmental Management, Operations, Intelligence, and Oversight*

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

*Title I—Department of the Interior*

*Title II—Environmental Protection Agency*

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*DIVISION H—DEPARTMENTS OF LABOR, HEALTH AND HUMAN  
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*Title I—Department of Labor*

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*Title I—Legislative Branch*

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*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*

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*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*

1 **SEC. 3. REFERENCES.**

2 *Except as expressly provided otherwise, any reference*  
3 *to “this Act” contained in any division of this Act shall*  
4 *be treated as referring only to the provisions of that divi-*  
5 *sion.*

6 **SEC. 4. EXPLANATORY STATEMENT.**

7 *The explanatory statement regarding this Act, printed*  
8 *in the House section of the Congressional Record on or*  
9 *about May 2, 2017, and submitted by the Chairman of the*  
10 *Committee on Appropriations of the House, shall have the*  
11 *same effect with respect to the allocation of funds and im-*  
12 *plementation of divisions A through L of this Act as if it*  
13 *were a joint explanatory statement of a committee of con-*  
14 *ference.*

15 **SEC. 5. STATEMENT OF APPROPRIATIONS.**

16 *The following sums in this Act are appropriated, out*  
17 *of any money in the Treasury not otherwise appropriated,*  
18 *for the fiscal year ending September 30, 2017.*

1 **SEC. 6. AVAILABILITY OF FUNDS.**

2       (a) *Each amount designated in this Act by the Con-*  
3 *gress as an emergency requirement pursuant to section*  
4 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
5 *Deficit Control Act of 1985 shall be available (or rescinded,*  
6 *if applicable) only if the President subsequently so des-*  
7 *ignates all such amounts and transmits such designations*  
8 *to the Congress.*

9       (b) *Each amount designated in this Act by the Con-*  
10 *gress for Overseas Contingency Operations/Global War on*  
11 *Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-*  
12 *anced Budget and Emergency Deficit Control Act of 1985*  
13 *shall be available (or rescinded, if applicable) only if the*  
14 *President subsequently so designates all such amounts and*  
15 *transmits such designations to the Congress.*

16 **SEC. 7. TECHNICAL ALLOWANCE FOR ESTIMATING DIF-**  
17 **FERENCES.**

18       *If, for fiscal year 2017, new budget authority provided*  
19 *in appropriations Acts exceeds the discretionary spending*  
20 *limit for any category set forth in section 251(c) of the Bal-*  
21 *anced Budget and Emergency Deficit Control Act of 1985*  
22 *due to estimating differences with the Congressional Budget*  
23 *Office, an adjustment to the discretionary spending limit*  
24 *in such category for fiscal year 2017 shall be made by the*  
25 *Director of the Office of Management and Budget in the*  
26 *amount of the excess but the total of all such adjustments*

1 *shall not exceed 0.2 percent of the sum of the adjusted dis-*  
 2 *cretionary spending limits for all categories for that fiscal*  
 3 *year.*

4 **SEC. 8. CORRECTION.**

5 *The Further Continuing and Security Assistance Ap-*  
 6 *propriations Act, 2017 (Public Law 114–254) is amended*  
 7 *by changing the long title so as to read: “Making further*  
 8 *continuing appropriations for the fiscal year ending Sep-*  
 9 *tember 30, 2017, and for other purposes.”.*

10 **DIVISION A—AGRICULTURE, RURAL DE-**  
 11 **VELOPMENT, FOOD AND DRUG ADMIN-**  
 12 **ISTRATION, AND RELATED AGENCIES**  
 13 **APPROPRIATIONS ACT, 2017**

14 **TITLE I**

15 **AGRICULTURAL PROGRAMS**

16 **PRODUCTION, PROCESSING, AND MARKETING**

17 **OFFICE OF THE SECRETARY**

18 **(INCLUDING TRANSFERS OF FUNDS)**

19 *For necessary expenses of the Office of the Secretary,*  
 20 *\$44,555,000, of which not to exceed \$5,051,000 shall be*  
 21 *available for the immediate Office of the Secretary; not to*  
 22 *exceed \$502,000 shall be available for the Office of Tribal*  
 23 *Relations; not to exceed \$1,496,000 shall be available for*  
 24 *the Office of Homeland Security and Emergency Coordina-*

1 tion; not to exceed \$1,209,000 shall be available for the Of-  
2 fice of Advocacy and Outreach; not to exceed \$24,928,000  
3 shall be available for the Office of the Assistant Secretary  
4 for Administration, of which \$24,124,000 shall be available  
5 for Departmental Administration to provide for necessary  
6 expenses for management support services to offices of the  
7 Department and for general administration, security, re-  
8 pairs and alterations, and other miscellaneous supplies and  
9 expenses not otherwise provided for and necessary for the  
10 practical and efficient work of the Department; not to ex-  
11 ceed \$3,869,000 shall be available for the Office of Assistant  
12 Secretary for Congressional Relations to carry out the pro-  
13 grams funded by this Act, including programs involving  
14 intergovernmental affairs and liaison within the executive  
15 branch; and not to exceed \$7,500,000 shall be available for  
16 the Office of Communications: Provided, That the Secretary  
17 of Agriculture is authorized to transfer funds appropriated  
18 for any office of the Office of the Secretary to any other  
19 office of the Office of the Secretary: Provided further, That  
20 no appropriation for any office shall be increased or de-  
21 creased by more than 5 percent: Provided further, That not  
22 to exceed \$11,000 of the amount made available under this  
23 paragraph for the immediate Office of the Secretary shall  
24 be available for official reception and representation ex-  
25 penses, not otherwise provided for, as determined by the

1 *Secretary: Provided further, That the amount made avail-*  
2 *able under this heading for Departmental Administration*  
3 *shall be reimbursed from applicable appropriations in this*  
4 *Act for travel expenses incident to the holding of hearings*  
5 *as required by 5 U.S.C. 551–558: Provided further, That*  
6 *funds made available under this heading for the Office of*  
7 *the Assistant Secretary for Congressional Relations may be*  
8 *transferred to agencies of the Department of Agriculture*  
9 *funded by this Act to maintain personnel at the agency*  
10 *level: Provided further, That no funds made available under*  
11 *this heading for the Office of Assistant Secretary for Con-*  
12 *gressional Relations may be obligated after 30 days from*  
13 *the date of enactment of this Act, unless the Secretary has*  
14 *notified the Committees on Appropriations of both Houses*  
15 *of Congress on the allocation of these funds by USDA agen-*  
16 *cy.*

17 *EXECUTIVE OPERATIONS*

18 *OFFICE OF THE CHIEF ECONOMIST*

19 *For necessary expenses of the Office of the Chief Econo-*  
20 *mist, \$18,917,000, of which \$4,000,000 shall be for grants*  
21 *or cooperative agreements for policy research under 7*  
22 *U.S.C. 3155; and of which \$2,000,000, to remain available*  
23 *until September 30, 2018, shall be available for policy re-*  
24 *search and related activities in support of the forthcoming*  
25 *Farm Bill.*



1                    *OFFICE OF HEARINGS AND APPEALS*

2            *For necessary expenses of the Office of Hearings and*  
3 *Appeals, \$13,399,000.*

4                    *OFFICE OF BUDGET AND PROGRAM ANALYSIS*

5            *For necessary expenses of the Office of Budget and Pro-*  
6 *gram Analysis, \$9,525,000.*

7                    *OFFICE OF THE CHIEF INFORMATION OFFICER*

8            *For necessary expenses of the Office of the Chief Infor-*  
9 *mation Officer, \$49,538,000, of which not less than*  
10 *\$33,000,000 is for cybersecurity requirements of the Depart-*  
11 *ment.*

12                    *OFFICE OF THE CHIEF FINANCIAL OFFICER*

13            *For necessary expenses of the Office of the Chief Finan-*  
14 *cial Officer, \$8,028,000.*

15                    *OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL*

16                                    *RIGHTS*

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

19                    *OFFICE OF CIVIL RIGHTS*

20            *For necessary expenses of the Office of Civil Rights,*  
21 *\$24,206,000.*

22                    *AGRICULTURE BUILDINGS AND FACILITIES*

23                                    *(INCLUDING TRANSFERS OF FUNDS)*

24            *For payment of space rental and related costs pursu-*  
25 *ant to Public Law 92–313, including authorities pursuant*

1 *to the 1984 delegation of authority from the Administrator*  
2 *of General Services to the Department of Agriculture under*  
3 *40 U.S.C. 121, for programs and activities of the Depart-*  
4 *ment which are included in this Act, and for alterations*  
5 *and other actions needed for the Department and its agen-*  
6 *cies to consolidate unneeded space into configurations suit-*  
7 *able for release to the Administrator of General Services,*  
8 *and for the operation, maintenance, improvement, and re-*  
9 *pair of Agriculture buildings and facilities, and for related*  
10 *costs, \$84,189,000, to remain available until expended.*

11 *HAZARDOUS MATERIALS MANAGEMENT*

12 *(INCLUDING TRANSFERS OF FUNDS)*

13 *For necessary expenses of the Department of Agri-*  
14 *culture, to comply with the Comprehensive Environmental*  
15 *Response, Compensation, and Liability Act (42 U.S.C.*  
16 *9601 et seq.) and the Resource Conservation and Recovery*  
17 *Act (42 U.S.C. 6901 et seq.), \$3,633,000, to remain avail-*  
18 *able until expended: Provided, That appropriations and*  
19 *funds available herein to the Department for Hazardous*  
20 *Materials Management may be transferred to any agency*  
21 *of the Department for its use in meeting all requirements*  
22 *pursuant to the above Acts on Federal and non-Federal*  
23 *lands.*

1                                    *OFFICE OF INSPECTOR GENERAL*

2            *For necessary expenses of the Office of Inspector Gen-*  
3 *eral, including employment pursuant to the Inspector Gen-*  
4 *eral Act of 1978, \$98,208,000, including such sums as may*  
5 *be necessary for contracting and other arrangements with*  
6 *public agencies and private persons pursuant to section*  
7 *6(a)(9) of the Inspector General Act of 1978, and including*  
8 *not to exceed \$125,000 for certain confidential operational*  
9 *expenses, including the payment of informants, to be ex-*  
10 *pende**d under the direction of the Inspector General pursu-*  
11 *ant to Public Law 95–452 and section 1337 of Public Law*  
12 *97–98.*

13                                    *OFFICE OF THE GENERAL COUNSEL*

14            *For necessary expenses of the Office of the General*  
15 *Counsel, \$44,697,000.*

16                                    *OFFICE OF ETHICS*

17            *For necessary expenses of the Office of Ethics,*  
18 *\$4,136,000.*

19            *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*  
20                                    *EDUCATION, AND ECONOMICS*

21            *For necessary expenses of the Office of the Under Sec-*  
22 *retary for Research, Education, and Economics, \$893,000.*

23                                    *ECONOMIC RESEARCH SERVICE*

24            *For necessary expenses of the Economic Research Serv-*  
25 *ice, \$86,757,000.*

1        *NATIONAL AGRICULTURAL STATISTICS SERVICE*

2        *For necessary expenses of the National Agricultural*  
3 *Statistics Service, \$171,239,000, of which up to \$42,177,000*  
4 *shall be available until expended for the Census of Agri-*  
5 *culture: Provided, That amounts made available for the*  
6 *Census of Agriculture may be used to conduct Current In-*  
7 *dustrial Report surveys subject to 7 U.S.C. 2204g(d) and*  
8 *(f).*

9                    *AGRICULTURAL RESEARCH SERVICE*10                    *SALARIES AND EXPENSES*

11        *For necessary expenses of the Agricultural Research*  
12 *Service and for acquisition of lands by donation, exchange,*  
13 *or purchase at a nominal cost not to exceed \$100, and for*  
14 *land exchanges where the lands exchanged shall be of equal*  
15 *value or shall be equalized by a payment of money to the*  
16 *grantor which shall not exceed 25 percent of the total value*  
17 *of the land or interests transferred out of Federal ownership,*  
18 *\$1,170,235,000: Provided, That appropriations hereunder*  
19 *shall be available for the operation and maintenance of air-*  
20 *craft and the purchase of not to exceed one for replacement*  
21 *only: Provided further, That appropriations hereunder shall*  
22 *be available pursuant to 7 U.S.C. 2250 for the construction,*  
23 *alteration, and repair of buildings and improvements, but*  
24 *unless otherwise provided, the cost of constructing any one*  
25 *building shall not exceed \$500,000, except for headhouses*

1 or greenhouses which shall each be limited to \$1,800,000,  
2 except for 10 buildings to be constructed or improved at  
3 a cost not to exceed \$1,100,000 each, and except for two  
4 buildings to be constructed at a cost not to exceed  
5 \$3,000,000 each, and the cost of altering any one building  
6 during the fiscal year shall not exceed 10 percent of the cur-  
7 rent replacement value of the building or \$500,000, which-  
8 ever is greater: Provided further, That appropriations here-  
9 under shall be available for entering into lease agreements  
10 at any Agricultural Research Service location for the con-  
11 struction of a research facility by a non-Federal entity for  
12 use by the Agricultural Research Service and a condition  
13 of the lease shall be that any facility shall be owned, oper-  
14 ated, and maintained by the non-Federal entity and shall  
15 be removed upon the expiration or termination of the lease  
16 agreement: Provided further, That the limitations on alter-  
17 ations contained in this Act shall not apply to moderniza-  
18 tion or replacement of existing facilities at Beltsville, Mary-  
19 land: Provided further, That appropriations hereunder  
20 shall be available for granting easements at the Beltsville  
21 Agricultural Research Center: Provided further, That the  
22 foregoing limitations shall not apply to replacement of  
23 buildings needed to carry out the Act of April 24, 1948 (21  
24 U.S.C. 113a): Provided further, That appropriations here-  
25 under shall be available for granting easements at any Ag-

1 *gricultural Research Service location for the construction of*  
2 *a research facility by a non-Federal entity for use by, and*  
3 *acceptable to, the Agricultural Research Service and a con-*  
4 *dition of the easements shall be that upon completion the*  
5 *facility shall be accepted by the Secretary, subject to the*  
6 *availability of funds herein, if the Secretary finds that ac-*  
7 *ceptance of the facility is in the interest of the United*  
8 *States: Provided further, That funds may be received from*  
9 *any State, other political subdivision, organization, or in-*  
10 *dividual for the purpose of establishing or operating any*  
11 *research facility or research project of the Agricultural Re-*  
12 *search Service, as authorized by law.*

13 *BUILDINGS AND FACILITIES*

14 *For the acquisition of land, construction, repair, im-*  
15 *provement, extension, alteration, and purchase of fixed*  
16 *equipment or facilities as necessary to carry out the agricul-*  
17 *tural research programs of the Department of Agriculture,*  
18 *where not otherwise provided, \$99,600,000 to remain avail-*  
19 *able until expended.*

20 *NATIONAL INSTITUTE OF FOOD AND AGRICULTURE*

21 *RESEARCH AND EDUCATION ACTIVITIES*

22 *For payments to agricultural experiment stations, for*  
23 *cooperative forestry and other research, for facilities, and*  
24 *for other expenses, \$849,518,000, which shall be for the pur-*  
25 *poses, and in the amounts, specified in the table titled "Na-*

1 tional Institute of Food and Agriculture, Research and  
2 Education Activities” in the explanatory statement de-  
3 scribed in section 4 (in the matter preceding division A of  
4 this consolidated Act): Provided, That funds for research  
5 grants for 1994 institutions, education grants for 1890 in-  
6 stitutions, capacity building for non-land-grant colleges of  
7 agriculture, the agriculture and food research initiative,  
8 veterinary medicine loan repayment, multicultural schol-  
9 ars, graduate fellowship and institution challenge grants,  
10 and grants management systems shall remain available  
11 until expended: Provided further, That each institution eli-  
12 gible to receive funds under the Evans-Allen program re-  
13 ceives no less than \$1,000,000: Provided further, That funds  
14 for education grants for Alaska Native and Native Hawai-  
15 ian-serving institutions be made available to individual eli-  
16 gible institutions or consortia of eligible institutions with  
17 funds awarded equally to each of the States of Alaska and  
18 Hawaii: Provided further, That funds for education grants  
19 for 1890 institutions shall be made available to institutions  
20 eligible to receive funds under 7 U.S.C. 3221 and 3222: Pro-  
21 vided further, That not more than 5 percent of the amounts  
22 made available by this or any other Act to carry out the  
23 Agriculture and Food Research Initiative under 7 U.S.C.  
24 450i(b) may be retained by the Secretary of Agriculture to

1 *pay administrative costs incurred by the Secretary in car-*  
2 *rying out that authority.*

3 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

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

7 *EXTENSION ACTIVITIES*

8 *For payments to States, the District of Columbia,*  
9 *Puerto Rico, Guam, the Virgin Islands, Micronesia, the*  
10 *Northern Marianas, and American Samoa, \$477,391,000,*  
11 *which shall be for the purposes, and in the amounts, speci-*  
12 *fied in the table titled “National Institute of Food and Agri-*  
13 *culture, Extension Activities” in the explanatory statement*  
14 *described in section 4 (in the matter preceding division A*  
15 *of this consolidated Act): Provided, That funds for facility*  
16 *improvements at 1890 institutions shall remain available*  
17 *until expended: Provided further, That institutions eligible*  
18 *to receive funds under 7 U.S.C. 3221 for cooperative exten-*  
19 *sion receive no less than \$1,000,000: Provided further, That*  
20 *funds for cooperative extension under sections 3(b) and (c)*  
21 *of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and sec-*  
22 *tion 208(c) of Public Law 93–471 shall be available for re-*  
23 *tirement and employees’ compensation costs for extension*  
24 *agents.*





1 *Foreign Service Act of 1980 (22 U.S.C. 4085),*  
2 *\$946,212,000, of which \$477,000, to remain available until*  
3 *expended, shall be available for the control of outbreaks of*  
4 *insects, plant diseases, animal diseases and for control of*  
5 *pest animals and birds (“contingency fund”) to the extent*  
6 *necessary to meet emergency conditions; of which*  
7 *\$11,520,000, to remain available until expended, shall be*  
8 *used for the cotton pests program for cost share purposes*  
9 *or for debt retirement for active eradication zones; of which*  
10 *\$37,857,000, to remain available until expended, shall be*  
11 *for Animal Health Technical Services; of which \$697,000*  
12 *shall be for activities under the authority of the Horse Pro-*  
13 *tection Act of 1970, as amended (15 U.S.C. 1831); of which*  
14 *\$55,340,000, to remain available until expended, shall be*  
15 *used to support avian health; of which \$4,251,000, to re-*  
16 *main available until expended, shall be for information*  
17 *technology infrastructure; of which \$166,500,000, to remain*  
18 *available until expended, shall be for specialty crop pests;*  
19 *of which, \$8,826,000, to remain available until expended,*  
20 *shall be for field crop and rangeland ecosystem pests; of*  
21 *which \$16,523,000, to remain available until expended,*  
22 *shall be for zoonotic disease management; of which*  
23 *\$40,966,000, to remain available until expended, shall be*  
24 *for emergency preparedness and response; of which*  
25 *\$54,000,000, to remain available until expended, shall be*

1 for tree and wood pests; of which \$5,723,000, to remain  
2 available until expended, shall be for the National Veteri-  
3 nary Stockpile; of which up to \$1,500,000, to remain avail-  
4 able until expended, shall be for the scrapie program for  
5 indemnities; of which \$2,500,000, to remain available until  
6 expended, shall be for the wildlife damage management pro-  
7 gram for aviation safety: Provided, That of amounts avail-  
8 able under this heading for wildlife services methods devel-  
9 opment, \$1,000,000 shall remain available until expended:  
10 Provided further, That of amounts available under this  
11 heading for the screwworm program, \$4,990,000 shall re-  
12 main available until expended; of which \$3,000,000, to re-  
13 main available until expended, shall be for National Bio  
14 and Agro-Defense human capital development: Provided  
15 further, That no funds shall be used to formulate or admin-  
16 ister a brucellosis eradication program for the current fiscal  
17 year that does not require minimum matching by the States  
18 of at least 40 percent: Provided further, That this appro-  
19 priation shall be available for the operation and mainte-  
20 nance of aircraft and the purchase of not to exceed five,  
21 of which two shall be for replacement only: Provided fur-  
22 ther, That in addition, in emergencies which threaten any  
23 segment of the agricultural production industry of this  
24 country, the Secretary may transfer from other appropria-  
25 tions or funds available to the agencies or corporations of

1 *the Department such sums as may be deemed necessary, to*  
2 *be available only in such emergencies for the arrest and*  
3 *eradication of contagious or infectious disease or pests of*  
4 *animals, poultry, or plants, and for expenses in accordance*  
5 *with sections 10411 and 10417 of the Animal Health Pro-*  
6 *tection Act (7 U.S.C. 8310 and 8316) and sections 431 and*  
7 *442 of the Plant Protection Act (7 U.S.C. 7751 and 7772),*  
8 *and any unexpended balances of funds transferred for such*  
9 *emergency purposes in the preceding fiscal year shall be*  
10 *merged with such transferred amounts: Provided further,*  
11 *That appropriations hereunder shall be available pursuant*  
12 *to law (7 U.S.C. 2250) for the repair and alteration of*  
13 *leased buildings and improvements, but unless otherwise*  
14 *provided the cost of altering any one building during the*  
15 *fiscal year shall not exceed 10 percent of the current replace-*  
16 *ment value of the building.*

17 *In fiscal year 2017, the agency is authorized to collect*  
18 *fees to cover the total costs of providing technical assistance,*  
19 *goods, or services requested by States, other political sub-*  
20 *divisions, domestic and international organizations, foreign*  
21 *governments, or individuals, provided that such fees are*  
22 *structured such that any entity's liability for such fees is*  
23 *reasonably based on the technical assistance, goods, or serv-*  
24 *ices provided to the entity by the agency, and such fees shall*  
25 *be reimbursed to this account, to remain available until ex-*

1 *pended, without further appropriation, for providing such*  
2 *assistance, goods, or services.*

3 *BUILDINGS AND FACILITIES*

4 *For plans, construction, repair, preventive mainte-*  
5 *nance, environmental support, improvement, extension, al-*  
6 *teration, and purchase of fixed equipment or facilities, as*  
7 *authorized by 7 U.S.C. 2250, and acquisition of land as*  
8 *authorized by 7 U.S.C. 428a, \$3,175,000, to remain avail-*  
9 *able until expended.*

10 *AGRICULTURAL MARKETING SERVICE*

11 *MARKETING SERVICES*

12 *For necessary expenses of the Agricultural Marketing*  
13 *Service, \$84,933,000, of which \$1,000,000 shall be available*  
14 *for the purposes of section 12306 of Public Law 113-79:*  
15 *Provided, That of the funds provided herein, \$1,000,000*  
16 *shall be used for the transportation services division: Pro-*  
17 *vided further, That of the amounts made available under*  
18 *this heading, no more than \$1,000,000 shall be used for the*  
19 *purpose of Public Law 114-216: Provided further, That this*  
20 *appropriation shall be available pursuant to law (7 U.S.C.*  
21 *2250) for the alteration and repair of buildings and im-*  
22 *provements, but the cost of altering any one building during*  
23 *the fiscal year shall not exceed 10 percent of the current*  
24 *replacement value of the building.*

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

4                   *LIMITATION ON ADMINISTRATIVE EXPENSES*

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

11                   *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

12                                   *SUPPLY (SECTION 32)*

13                                   *(INCLUDING TRANSFERS OF FUNDS)*

14       *Funds available under section 32 of the Act of August*  
15 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*  
16 *program expenses as authorized therein, and other related*  
17 *operating expenses, except for: (1) transfers to the Depart-*  
18 *ment of Commerce as authorized by the Fish and Wildlife*  
19 *Act of August 8, 1956; (2) transfers otherwise provided in*  
20 *this Act; and (3) not more than \$20,705,000 for formulation*  
21 *and administration of marketing agreements and orders*  
22 *pursuant to the Agricultural Marketing Agreement Act of*  
23 *1937 and the Agricultural Act of 1961.*

1            *PAYMENTS TO STATES AND POSSESSIONS*

2            *For payments to departments of agriculture, bureaus*  
3 *and departments of markets, and similar agencies for mar-*  
4 *keting activities under section 204(b) of the Agricultural*  
5 *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,235,000.*

6            *GRAIN INSPECTION, PACKERS AND STOCKYARDS*7                            *ADMINISTRATION*8                            *SALARIES AND EXPENSES*

9            *For necessary expenses of the Grain Inspection, Pack-*  
10 *ers and Stockyards Administration, \$43,482,000: Provided,*  
11 *That this appropriation shall be available pursuant to law*  
12 *(7 U.S.C. 2250) for the alteration and repair of buildings*  
13 *and improvements, but the cost of altering any one building*  
14 *during the fiscal year shall not exceed 10 percent of the cur-*  
15 *rent replacement value of the building.*

16            *LIMITATION ON INSPECTION AND WEIGHING SERVICES*17                            *EXPENSES*

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

1 *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

2 *For necessary expenses of the Office of the Under Sec-*  
3 *retary for Food Safety, \$819,000.*

4 *FOOD SAFETY AND INSPECTION SERVICE*

5 *For necessary expenses to carry out services authorized*  
6 *by the Federal Meat Inspection Act, the Poultry Products*  
7 *Inspection Act, and the Egg Products Inspection Act, in-*  
8 *cluding not to exceed \$50,000 for representation allowances*  
9 *and for expenses pursuant to section 8 of the Act approved*  
10 *August 3, 1956 (7 U.S.C. 1766), \$1,032,062,000; and in*  
11 *addition, \$1,000,000 may be credited to this account from*  
12 *fees collected for the cost of laboratory accreditation as au-*  
13 *thorized by section 1327 of the Food, Agriculture, Conserva-*  
14 *tion and Trade Act of 1990 (7 U.S.C. 138f): Provided, That*  
15 *funds provided for the Public Health Data Communication*  
16 *Infrastructure system shall remain available until ex-*  
17 *pende: Provided further, That no fewer than 148 full-time*  
18 *equivalent positions shall be employed during fiscal year*  
19 *2017 for purposes dedicated solely to inspections and en-*  
20 *forcement related to the Humane Methods of Slaughter Act:*  
21 *Provided further, That the Food Safety and Inspection*  
22 *Service shall continue implementation of section 11016 of*  
23 *Public Law 110–246 as further clarified by the amendments*  
24 *made in section 12106 of Public Law 113–79: Provided fur-*  
25 *ther, That this appropriation shall be available pursuant*



1 *to law (7 U.S.C. 2250) for the alteration and repair of*  
2 *buildings and improvements, but the cost of altering any*  
3 *one building during the fiscal year shall not exceed 10 per-*  
4 *cent of the current replacement value of the building.*

5 *OFFICE OF THE UNDER SECRETARY FOR FARM AND*  
6 *FOREIGN AGRICULTURAL SERVICES*

7 *For necessary expenses of the Office of the Under Sec-*  
8 *retary for Farm and Foreign Agricultural Services,*  
9 *\$901,000.*

10 *FARM SERVICE AGENCY*

11 *SALARIES AND EXPENSES*

12 *(INCLUDING TRANSFERS OF FUNDS)*

13 *For necessary expenses of the Farm Service Agency,*  
14 *\$1,206,110,000: Provided, That not more than 50 percent*  
15 *of the \$100,851,000 made available under this heading for*  
16 *information technology related to farm program delivery,*  
17 *including the Modernize and Innovate the Delivery of Agri-*  
18 *cultural Systems and other farm program delivery systems,*  
19 *may be obligated until the Secretary submits to the Com-*  
20 *mittees on Appropriations of both Houses of Congress, and*  
21 *receives written or electronic notification of receipt from*  
22 *such Committees of, a plan for expenditure that (1) identi-*  
23 *fies for each project/investment over \$25,000 (a) the func-*  
24 *tional and performance capabilities to be delivered and the*  
25 *mission benefits to be realized, (b) the estimated lifecycle*

1 *cost, including estimates for development as well as mainte-*  
2 *nance and operations, and (c) key milestones to be met; (2)*  
3 *demonstrates that each project/investment is (a) consistent*  
4 *with the Farm Service Agency Information Technology*  
5 *Roadmap, (b) being managed in accordance with applicable*  
6 *lifecycle management policies and guidance, and (c) subject*  
7 *to the applicable Department's capital planning and invest-*  
8 *ment control requirements; and (3) has been reviewed by*  
9 *the Government Accountability Office and approved by the*  
10 *Committees on Appropriations of both Houses of Congress:*  
11 *Provided further, That the agency shall submit a report by*  
12 *the end of the fourth quarter of fiscal year 2017 to the Com-*  
13 *mittees on Appropriations and the Government Account-*  
14 *ability Office, that identifies for each project/investment*  
15 *that is operational (a) current performance against key in-*  
16 *dicators of customer satisfaction, (b) current performance*  
17 *of service level agreements or other technical metrics, (c)*  
18 *current performance against a pre-established cost baseline,*  
19 *(d) a detailed breakdown of current and planned spending*  
20 *on operational enhancements or upgrades, and (e) an as-*  
21 *essment of whether the investment continues to meet busi-*  
22 *ness needs as intended as well as alternatives to the invest-*  
23 *ment: Provided further, That the Secretary is authorized*  
24 *to use the services, facilities, and authorities (but not the*  
25 *funds) of the Commodity Credit Corporation to make pro-*

1 gram payments for all programs administered by the Agen-  
2 cy: Provided further, That other funds made available to  
3 the Agency for authorized activities may be advanced to and  
4 merged with this account: Provided further, That funds  
5 made available to county committees shall remain available  
6 until expended: Provided further, That none of the funds  
7 available to the Farm Service Agency shall be used to close  
8 Farm Service Agency county offices: Provided further, That  
9 none of the funds available to the Farm Service Agency  
10 shall be used to permanently relocate county based employ-  
11 ees that would result in an office with two or fewer employ-  
12 ees without prior notification and approval of the Commit-  
13 tees on Appropriations of both Houses of Congress.

14 STATE MEDIATION GRANTS

15 For grants pursuant to section 502(b) of the Agricul-  
16 tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),  
17 \$3,904,000.

18 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

19 For necessary expenses to carry out wellhead or  
20 groundwater protection activities under section 12400 of  
21 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),  
22 \$6,500,000, to remain available until expended.

1                    *DAIRY INDEMNITY PROGRAM*2                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For necessary expenses involved in making indemnity*  
4 *payments to dairy farmers and manufacturers of dairy*  
5 *products under a dairy indemnity program, such sums as*  
6 *may be necessary, to remain available until expended: Pro-*  
7 *vided, That such program is carried out by the Secretary*  
8 *in the same manner as the dairy indemnity program de-*  
9 *scribed in the Agriculture, Rural Development, Food and*  
10 *Drug Administration, and Related Agencies Appropria-*  
11 *tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–*  
12 *12).*

13                    *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*14                    *ACCOUNT*15                    *(INCLUDING TRANSFERS OF FUNDS)*

16            *For gross obligations for the principal amount of di-*  
17 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*  
18 *and operating (7 U.S.C. 1941 et seq.) loans, emergency*  
19 *loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition*  
20 *loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989),*  
21 *guaranteed conservation loans (7 U.S.C. 1924 et seq.), and*  
22 *Indian highly fractionated land loans (25 U.S.C. 488) to*  
23 *be available from funds in the Agricultural Credit Insur-*  
24 *ance Fund, as follows: \$2,750,000,000 for guaranteed farm*  
25 *ownership loans and \$1,500,000,000 for farm ownership di-*

1 *rect loans; \$1,960,000,000 for unsubsidized guaranteed op-*  
2 *erating loans and \$1,530,000,000 for direct operating loans;*  
3 *emergency loans, \$22,576,000; Indian tribe land acquisi-*  
4 *tion loans, \$20,000,000; guaranteed conservation loans,*  
5 *\$150,000,000; Indian highly fractionated land loans,*  
6 *\$10,000,000; and for boll weevil eradication program loans,*  
7 *\$60,000,000: Provided, That the Secretary shall deem the*  
8 *pink bollworm to be a boll weevil for the purpose of boll*  
9 *weevil eradication program loans.*

10 *For the cost of direct and guaranteed loans and grants,*  
11 *including the cost of modifying loans as defined in section*  
12 *502 of the Congressional Budget Act of 1974, as follows:*  
13 *farm operating loans, \$65,178,000 for direct operating*  
14 *loans, \$20,972,000 for unsubsidized guaranteed operating*  
15 *loans, emergency loans, \$1,262,000, to remain available*  
16 *until expended; and \$2,550,000 for Indian highly*  
17 *fractionated land loans.*

18 *In addition, for administrative expenses necessary to*  
19 *carry out the direct and guaranteed loan programs,*  
20 *\$317,068,000, of which \$306,998,000 shall be transferred to*  
21 *and merged with the appropriation for “Farm Service*  
22 *Agency, Salaries and Expenses”.*

23 *Funds appropriated by this Act to the Agricultural*  
24 *Credit Insurance Program Account for farm ownership, op-*  
25 *erating and conservation direct loans and guaranteed loans*

1 *may be transferred among these programs: Provided, That*  
2 *the Committees on Appropriations of both Houses of Con-*  
3 *gress are notified at least 15 days in advance of any trans-*  
4 *fer.*

5 *RISK MANAGEMENT AGENCY*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Risk Management Agen-*  
8 *cy, \$74,829,000: Provided, That not to exceed \$1,000 shall*  
9 *be available for official reception and representation ex-*  
10 *penses, as authorized by 7 U.S.C. 1506(i).*

11 *CORPORATIONS*

12 *The following corporations and agencies are hereby au-*  
13 *thorized to make expenditures, within the limits of funds*  
14 *and borrowing authority available to each such corporation*  
15 *or agency and in accord with law, and to make contracts*  
16 *and commitments without regard to fiscal year limitations*  
17 *as provided by section 104 of the Government Corporation*  
18 *Control Act as may be necessary in carrying out the pro-*  
19 *grams set forth in the budget for the current fiscal year for*  
20 *such corporation or agency, except as hereinafter provided.*

21 *FEDERAL CROP INSURANCE CORPORATION FUND*

22 *For payments as authorized by section 516 of the Fed-*  
23 *eral Crop Insurance Act (7 U.S.C. 1516), such sums as may*  
24 *be necessary, to remain available until expended.*

1            *COMMODITY CREDIT CORPORATION FUND*  
2            *REIMBURSEMENT FOR NET REALIZED LOSSES*  
3            *(INCLUDING TRANSFERS OF FUNDS)*

4            *For the current fiscal year, such sums as may be nec-*  
5 *essary to reimburse the Commodity Credit Corporation for*  
6 *net realized losses sustained, but not previously reimbursed,*  
7 *pursuant to section 2 of the Act of August 17, 1961 (15*  
8 *U.S.C. 713a-11): Provided, That of the funds available to*  
9 *the Commodity Credit Corporation under section 11 of the*  
10 *Commodity Credit Corporation Charter Act (15 U.S.C.*  
11 *714i) for the conduct of its business with the Foreign Agri-*  
12 *cultural Service, up to \$5,000,000 may be transferred to*  
13 *and used by the Foreign Agricultural Service for informa-*  
14 *tion resource management activities of the Foreign Agricul-*  
15 *tural Service that are not related to Commodity Credit Cor-*  
16 *poration business.*

17            *HAZARDOUS WASTE MANAGEMENT*  
18            *(LIMITATION ON EXPENSES)*

19            *For the current fiscal year, the Commodity Credit Cor-*  
20 *poration shall not expend more than \$5,000,000 for site in-*  
21 *vestigation and cleanup expenses, and operations and*  
22 *maintenance expenses to comply with the requirement of*  
23 *section 107(g) of the Comprehensive Environmental Re-*  
24 *sponse, Compensation, and Liability Act (42 U.S.C.*

1 9607(g)), and section 6001 of the Resource Conservation  
2 and Recovery Act (42 U.S.C. 6961).

3 *TITLE II*

4 *CONSERVATION PROGRAMS*

5 *OFFICE OF THE UNDER SECRETARY FOR NATURAL*  
6 *RESOURCES AND ENVIRONMENT*

7 *For necessary expenses of the Office of the Under Sec-*  
8 *retary for Natural Resources and Environment, \$901,000.*

9 *NATURAL RESOURCES CONSERVATION SERVICE*

10 *CONSERVATION OPERATIONS*

11 *For necessary expenses for carrying out the provisions*  
12 *of the Act of April 27, 1935 (16 U.S.C. 590a–f), including*  
13 *preparation of conservation plans and establishment of*  
14 *measures to conserve soil and water (including farm irriga-*  
15 *tion and land drainage and such special measures for soil*  
16 *and water management as may be necessary to prevent*  
17 *floods and the siltation of reservoirs and to control agricul-*  
18 *tural related pollutants); operation of conservation plant*  
19 *materials centers; classification and mapping of soil; dis-*  
20 *semination of information; acquisition of lands, water, and*  
21 *interests therein for use in the plant materials program by*  
22 *donation, exchange, or purchase at a nominal cost not to*  
23 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*  
24 *428a); purchase and erection or alteration or improvement*  
25 *of permanent and temporary buildings; and operation and*



1 maintenance of aircraft, \$864,474,000, to remain available  
2 until September 30, 2018: Provided, That appropriations  
3 hereunder shall be available pursuant to 7 U.S.C. 2250 for  
4 construction and improvement of buildings and public im-  
5 provements at plant materials centers, except that the cost  
6 of alterations and improvements to other buildings and  
7 other public improvements shall not exceed \$250,000: Pro-  
8 vided further, That when buildings or other structures are  
9 erected on non-Federal land, that the right to use such land  
10 is obtained as provided in 7 U.S.C. 2250a: Provided fur-  
11 ther, That of the amounts made available under this head-  
12 ing, \$5,600,000, shall remain available until expended for  
13 the authorities under 16 U.S.C. 1001–1005 and 1007–1009  
14 for authorized ongoing watershed projects with a primary  
15 purpose of providing water to rural communities.

16 WATERSHED AND FLOOD PREVENTION OPERATIONS

17 For necessary expenses to carry out preventive meas-  
18 ures, including but not limited to surveys and investiga-  
19 tions, engineering operations, works of improvement, and  
20 changes in use of land, in accordance with the Watershed  
21 Protection and Flood Prevention Act (16 U.S.C. 1001–1005  
22 and 1007–1009) and in accordance with the provisions of  
23 laws relating to the activities of the Department,  
24 \$150,000,000, to remain available until expended: Pro-  
25 vided, That of the amounts made available under this head-

1 *ing, \$50,000,000 shall be allocated to projects and activities*  
2 *that can commence promptly following enactment; that ad-*  
3 *dress regional priorities for flood prevention, agricultural*  
4 *water management, inefficient irrigation systems, fish and*  
5 *wildlife habitat, or watershed protection; or that address*  
6 *authorized ongoing projects under the authorities of section*  
7 *13 of the Flood Control Act of December 22, 1944 (Public*  
8 *Law 78–534) with a primary purpose of watershed protec-*  
9 *tion by preventing floodwater damage and stabilizing*  
10 *stream channels, tributaries, and banks to reduce erosion*  
11 *and sediment transport.*

12 *WATERSHED REHABILITATION PROGRAM*

13 *Under the authorities of section 14 of the Watershed*  
14 *Protection and Flood Prevention Act, \$12,000,000 is pro-*  
15 *vided.*

16 *TITLE III*

17 *RURAL DEVELOPMENT PROGRAMS*

18 *OFFICE OF THE UNDER SECRETARY FOR RURAL*

19 *DEVELOPMENT*

20 *For necessary expenses of the Office of the Under Sec-*  
21 *retary for Rural Development, \$896,000.*

1 *RURAL DEVELOPMENT*2 *SALARIES AND EXPENSES*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For necessary expenses for carrying out the adminis-*  
5 *tration and implementation of programs in the Rural De-*  
6 *velopment mission area, including activities with institu-*  
7 *tions concerning the development and operation of agricul-*  
8 *tural cooperatives; and for cooperative agreements;*  
9 *\$225,835,000: Provided, That notwithstanding any other*  
10 *provision of law, funds appropriated under this heading*  
11 *may be used for advertising and promotional activities that*  
12 *support the Rural Development mission area: Provided fur-*  
13 *ther, That any balances available from prior years for the*  
14 *Rural Utilities Service, Rural Housing Service, and the*  
15 *Rural Business—Cooperative Service salaries and expenses*  
16 *accounts shall be transferred to and merged with this appro-*  
17 *priation.*

18 *RURAL HOUSING SERVICE*19 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *For gross obligations for the principal amount of di-*  
22 *rect and guaranteed loans as authorized by title V of the*  
23 *Housing Act of 1949, to be available from funds in the rural*  
24 *housing insurance fund, as follows: \$1,000,000,000 shall be*  
25 *for direct loans and \$24,000,000,000 shall be for unsub-*

1 *sidized guaranteed loans; \$26,278,000 for section 504 hous-*  
2 *ing repair loans; \$35,000,000 for section 515 rental hous-*  
3 *ing; \$230,000,000 for section 538 guaranteed multi-family*  
4 *housing loans; \$10,000,000 for credit sales of single family*  
5 *housing acquired property; \$5,000,000 for section 523 self-*  
6 *help housing land development loans; and \$5,000,000 for*  
7 *section 524 site development loans.*

8 *For the cost of direct and guaranteed loans, including*  
9 *the cost of modifying loans, as defined in section 502 of*  
10 *the Congressional Budget Act of 1974, as follows: section*  
11 *502 loans, \$67,700,000 shall be for direct loans; section 504*  
12 *housing repair loans, \$3,663,000; section 523 self-help hous-*  
13 *ing land development loans, \$417,000; section 524 site de-*  
14 *velopment loans, \$111,000; and repair, rehabilitation, and*  
15 *new construction of section 515 rental housing,*  
16 *\$10,360,000: Provided, That to support the loan program*  
17 *level for section 538 guaranteed loans made available under*  
18 *this heading the Secretary may charge or adjust any fees*  
19 *to cover the projected cost of such loan guarantees pursuant*  
20 *to the provisions of the Credit Reform Act of 1990 (2 U.S.C.*  
21 *661 et seq.), and the interest on such loans may not be sub-*  
22 *sidized: Provided further, That applicants in communities*  
23 *that have a current rural area waiver under section 541*  
24 *of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treat-*  
25 *ed as living in a rural area for purposes of section 502*

1 *guaranteed loans provided under this heading: Provided*  
2 *further, That of the amounts available under this para-*  
3 *graph for section 502 direct loans, no less than \$5,000,000*  
4 *shall be available for direct loans for individuals whose*  
5 *homes will be built pursuant to a program funded with a*  
6 *mutual and self-help housing grant authorized by section*  
7 *523 of the Housing Act of 1949 until June 1, 2017: Pro-*  
8 *vided further, That the Secretary shall implement provi-*  
9 *sions to provide incentives to nonprofit organizations and*  
10 *public housing authorities to facilitate the acquisition of*  
11 *Rural Housing Service (RHS) multifamily housing prop-*  
12 *erties by such nonprofit organizations and public housing*  
13 *authorities that commit to keep such properties in the RHS*  
14 *multifamily housing program for a period of time as deter-*  
15 *mined by the Secretary, with such incentives to include, but*  
16 *not be limited to, the following: allow such nonprofit entities*  
17 *and public housing authorities to earn a Return on Invest-*  
18 *ment (ROI) on their own resources to include proceeds from*  
19 *low income housing tax credit syndication, own contribu-*  
20 *tions, grants, and developer loans at favorable rates and*  
21 *terms, invested in a deal; and allow reimbursement of orga-*  
22 *nizational costs associated with owner’s oversight of asset*  
23 *referred to as “Asset Management Fee” (AMF) of up to*  
24 *\$7,500 per property.*



1 *a one-year period: Provided further, That any unexpended*  
2 *balances remaining at the end of such one-year agreements*  
3 *may be transferred and used for purposes of any debt reduc-*  
4 *tion; maintenance, repair, or rehabilitation of any existing*  
5 *projects; preservation; and rental assistance activities au-*  
6 *thorized under title V of the Act: Provided further, That*  
7 *rental assistance provided under agreements entered into*  
8 *prior to fiscal year 2017 for a farm labor multi-family*  
9 *housing project financed under section 514 or 516 of the*  
10 *Act may not be recaptured for use in another project until*  
11 *such assistance has remained unused for a period of 12 con-*  
12 *secutive months, if such project has a waiting list of tenants*  
13 *seeking such assistance or the project has rental assistance*  
14 *eligible tenants who are not receiving such assistance: Pro-*  
15 *vided further, That such recaptured rental assistance shall,*  
16 *to the extent practicable, be applied to another farm labor*  
17 *multi-family housing project financed under section 514 or*  
18 *516 of the Act: Provided further, That except as provided*  
19 *in the third proviso under this heading and notwith-*  
20 *standing any other provision of the Act, the Secretary may*  
21 *recapture rental assistance provided under agreements en-*  
22 *tered into prior to fiscal year 2017 for a project that the*  
23 *Secretary determines no longer needs rental assistance and*  
24 *use such recaptured funds for current needs.*





1 *made available for vouchers in this or any other Act is not*  
2 *needed for vouchers, the Secretary may use such funds for*  
3 *the demonstration program for the preservation and revital-*  
4 *ization of multi-family rental housing properties described*  
5 *in this paragraph: Provided further, That of the funds made*  
6 *available under this heading, \$22,000,000 shall be available*  
7 *for a demonstration program for the preservation and revi-*  
8 *talization of the sections 514, 515, and 516 multi-family*  
9 *rental housing properties to restructure existing USDA*  
10 *multi-family housing loans, as the Secretary deems appro-*  
11 *priate, expressly for the purposes of ensuring the project has*  
12 *sufficient resources to preserve the project for the purpose*  
13 *of providing safe and affordable housing for low-income*  
14 *residents and farm laborers including reducing or elimi-*  
15 *nating interest; deferring loan payments, subordinating, re-*  
16 *ducing or reamortizing loan debt; and other financial as-*  
17 *sistance including advances, payments and incentives (in-*  
18 *cluding the ability of owners to obtain reasonable returns*  
19 *on investment) required by the Secretary: Provided further,*  
20 *That the Secretary shall as part of the preservation and*  
21 *revitalization agreement obtain a restrictive use agreement*  
22 *consistent with the terms of the restructuring: Provided fur-*  
23 *ther, That if the Secretary determines that additional funds*  
24 *for vouchers described in this paragraph are needed, funds*  
25 *for the preservation and revitalization demonstration pro-*

1 *gram may be used for such vouchers: Provided further, That*  
2 *if Congress enacts legislation to permanently authorize a*  
3 *multi-family rental housing loan restructuring program*  
4 *similar to the demonstration program described herein, the*  
5 *Secretary may use funds made available for the demonstra-*  
6 *tion program under this heading to carry out such legisla-*  
7 *tion with the prior approval of the Committees on Appro-*  
8 *priations of both Houses of Congress: Provided further, That*  
9 *in addition to any other available funds, the Secretary may*  
10 *expend not more than \$1,000,000 total, from the program*  
11 *funds made available under this heading, for administra-*  
12 *tive expenses for activities funded under this heading.*

13 *MUTUAL AND SELF-HELP HOUSING GRANTS*

14 *For grants and contracts pursuant to section*  
15 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*  
16 *\$30,000,000, to remain available until expended.*

17 *RURAL HOUSING ASSISTANCE GRANTS*

18 *For grants for very low-income housing repair and*  
19 *rural housing preservation made by the Rural Housing*  
20 *Service, as authorized by 42 U.S.C. 1474, and 1490m,*  
21 *\$33,701,000, to remain available until expended.*

22 *RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT*

23 *(INCLUDING TRANSFERS OF FUNDS)*

24 *For gross obligations for the principal amount of di-*  
25 *rect and guaranteed loans as authorized by section 306 and*

1 *described in section 381E(d)(1) of the Consolidated Farm*  
2 *and Rural Development Act, \$2,600,000,000 for direct loans*  
3 *and \$148,305,000 for guaranteed loans.*

4 *For the cost of guaranteed loans, including the cost of*  
5 *modifying loans, as defined in section 502 of the Congres-*  
6 *sional Budget Act of 1974, \$3,322,000, to remain available*  
7 *until expended.*

8 *For the cost of grants for rural community facilities*  
9 *programs as authorized by section 306 and described in sec-*  
10 *tion 381E(d)(1) of the Consolidated Farm and Rural Devel-*  
11 *opment Act, \$43,778,000, to remain available until ex-*  
12 *pended: Provided, That \$4,000,000 of the amount appro-*  
13 *priated under this heading shall be available for a Rural*  
14 *Community Development Initiative: Provided further, That*  
15 *such funds shall be used solely to develop the capacity and*  
16 *ability of private, nonprofit community-based housing and*  
17 *community development organizations, low-income rural*  
18 *communities, and Federally Recognized Native American*  
19 *Tribes to undertake projects to improve housing, community*  
20 *facilities, community and economic development projects in*  
21 *rural areas: Provided further, That such funds shall be*  
22 *made available to qualified private, nonprofit and public*  
23 *intermediary organizations proposing to carry out a pro-*  
24 *gram of financial and technical assistance: Provided fur-*  
25 *ther, That such intermediary organizations shall provide*

1 *matching funds from other sources, including Federal funds*  
2 *for related activities, in an amount not less than funds pro-*  
3 *vided: Provided further, That \$5,778,000 of the amount ap-*  
4 *propriated under this heading shall be to provide grants*  
5 *for facilities in rural communities with extreme unemploy-*  
6 *ment and severe economic depression (Public Law 106-*  
7 *387), with up to 5 percent for administration and capacity*  
8 *building in the State rural development offices: Provided*  
9 *further, That \$4,000,000 of the amount appropriated under*  
10 *this heading shall be available for community facilities*  
11 *grants to tribal colleges, as authorized by section 306(a)(19)*  
12 *of such Act: Provided further, That sections 381E–H and*  
13 *381N of the Consolidated Farm and Rural Development Act*  
14 *are not applicable to the funds made available under this*  
15 *heading.*

16 *RURAL BUSINESS—COOPERATIVE SERVICE*

17 *RURAL BUSINESS PROGRAM ACCOUNT*

18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For the cost of loan guarantees and grants, for the*  
20 *rural business development programs authorized by section*  
21 *310B and described in subsections (a), (c), (f) and (g) of*  
22 *section 310B of the Consolidated Farm and Rural Develop-*  
23 *ment Act, \$65,319,000, to remain available until expended:*  
24 *Provided, That of the amount appropriated under this*  
25 *heading, not to exceed \$500,000 shall be made available for*

1 *one grant to a qualified national organization to provide*  
2 *technical assistance for rural transportation in order to*  
3 *promote economic development and \$6,000,000 shall be for*  
4 *grants to the Delta Regional Authority (7 U.S.C. 2009aa*  
5 *et seq.) and the Appalachian Regional Commission (40*  
6 *U.S.C. 14101 et seq.) for any Rural Community Advance-*  
7 *ment Program purpose as described in section 381E(d) of*  
8 *the Consolidated Farm and Rural Development Act, of*  
9 *which not more than 5 percent may be used for administra-*  
10 *tive expenses: Provided further, That \$4,000,000 of the*  
11 *amount appropriated under this heading shall be for busi-*  
12 *ness grants to benefit Federally Recognized Native Amer-*  
13 *ican Tribes, including \$250,000 for a grant to a qualified*  
14 *national organization to provide technical assistance for*  
15 *rural transportation in order to promote economic develop-*  
16 *ment: Provided further, That sections 381E–H and 381N*  
17 *of the Consolidated Farm and Rural Development Act are*  
18 *not applicable to funds made available under this heading.*

19 *INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For the principal amount of direct loans, as authorized*  
22 *by the Intermediary Relending Program Fund Account (7*  
23 *U.S.C. 1936b), \$18,889,000.*

24 *For the cost of direct loans, \$5,476,000, as authorized*  
25 *by the Intermediary Relending Program Fund Account (7*

1 *U.S.C. 1936b), of which \$557,000 shall be available through*  
2 *June 30, 2017, for Federally Recognized Native American*  
3 *Tribes; and of which \$1,072,000 shall be available through*  
4 *June 30, 2017, for Mississippi Delta Region counties (as*  
5 *determined in accordance with Public Law 100–460): Pro-*  
6 *vided, That such costs, including the cost of modifying such*  
7 *loans, shall be as defined in section 502 of the Congressional*  
8 *Budget Act of 1974.*

9 *In addition, for administrative expenses to carry out*  
10 *the direct loan programs, \$4,468,000 shall be transferred*  
11 *to and merged with the appropriation for “Rural Develop-*  
12 *ment, Salaries and Expenses”.*

13 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*

14 *ACCOUNT*

15 *(INCLUDING RESCISSION OF FUNDS)*

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

20 *Of the funds derived from interest on the cushion of*  
21 *credit payments, as authorized by section 313 of the Rural*  
22 *Electrification Act of 1936, \$132,000,000 shall not be obli-*  
23 *gated and \$132,000,000 are rescinded.*

24 *The cost of grants authorized under section 313 of the*  
25 *Rural Electrification Act, for the purpose of promoting*

1 *rural economic development and job creation projects shall*  
2 *not exceed \$10,000,000.*

3 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

4 *For rural cooperative development grants authorized*  
5 *under section 310B(e) of the Consolidated Farm and Rural*  
6 *Development Act (7 U.S.C. 1932), \$26,550,000, of which*  
7 *\$2,750,000 shall be for cooperative agreements for the ap-*  
8 *propriate technology transfer for rural areas program: Pro-*  
9 *vided, That not to exceed \$3,000,000 shall be for grants for*  
10 *cooperative development centers, individual cooperatives, or*  
11 *groups of cooperatives that serve socially disadvantaged*  
12 *groups and a majority of the boards of directors or gov-*  
13 *erning boards of which are comprised of individuals who*  
14 *are members of socially disadvantaged groups; and of which*  
15 *\$15,000,000, to remain available until expended, shall be*  
16 *for value-added agricultural product market development*  
17 *grants, as authorized by section 231 of the Agricultural*  
18 *Risk Protection Act of 2000 (7 U.S.C. 1632a).*

19 *RURAL ENERGY FOR AMERICA PROGRAM*

20 *For the cost of a program of loan guarantees, under*  
21 *the same terms and conditions as authorized by section*  
22 *9007 of the Farm Security and Rural Investment Act of*  
23 *2002 (7 U.S.C. 8107), \$352,000: Provided, That the cost*  
24 *of loan guarantees, including the cost of modifying such*

1 *loans, shall be as defined in section 502 of the Congressional*  
2 *Budget Act of 1974.*

3 *RURAL UTILITIES SERVICE*

4 *RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For the cost of direct loans, loan guarantees, and*  
7 *grants for the rural water, waste water, waste disposal, and*  
8 *solid waste management programs authorized by sections*  
9 *306, 306A, 306C, 306D, 306E, and 310B and described in*  
10 *sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the*  
11 *Consolidated Farm and Rural Development Act,*  
12 *\$571,190,000, to remain available until expended, of which*  
13 *not to exceed \$1,000,000 shall be available for the rural util-*  
14 *ities program described in section 306(a)(2)(B) of such Act,*  
15 *and of which not to exceed \$993,000 shall be available for*  
16 *the rural utilities program described in section 306E of*  
17 *such Act: Provided, That not to exceed \$10,000,000 of the*  
18 *amount appropriated under this heading shall be for grants*  
19 *authorized by section 306A(i)(2) of the Consolidated Farm*  
20 *and Rural Development Act in addition to funding author-*  
21 *ized by section 306A(i)(1) of such Act: Provided further,*  
22 *That \$64,000,000 of the amount appropriated under this*  
23 *heading shall be for loans and grants including water and*  
24 *waste disposal systems grants authorized by section*  
25 *306C(a)(2)(B) and section 306D of the Consolidated Farm*



1 *and Rural Development Act, and Federally Recognized Na-*  
2 *tive American Tribes authorized by 306C(a)(1) of such Act:*  
3 *Provided further, That funding provided for section 306D*  
4 *of the Consolidated Farm and Rural Development Act may*  
5 *be provided to a consortium formed pursuant to section 325*  
6 *of Public Law 105–83: Provided further, That not more*  
7 *than 2 percent of the funding provided for section 306D*  
8 *of the Consolidated Farm and Rural Development Act may*  
9 *be used by the State of Alaska for training and technical*  
10 *assistance programs and not more than 2 percent of the*  
11 *funding provided for section 306D of the Consolidated*  
12 *Farm and Rural Development Act may be used by a consor-*  
13 *tium formed pursuant to section 325 of Public Law 105–*  
14 *83 for training and technical assistance programs: Pro-*  
15 *vided further, That not to exceed \$20,000,000 of the amount*  
16 *appropriated under this heading shall be for technical as-*  
17 *sistance grants for rural water and waste systems pursuant*  
18 *to section 306(a)(14) of such Act, unless the Secretary*  
19 *makes a determination of extreme need, of which \$6,500,000*  
20 *shall be made available for a grant to a qualified nonprofit*  
21 *multi-State regional technical assistance organization, with*  
22 *experience in working with small communities on water*  
23 *and waste water problems, the principal purpose of such*  
24 *grant shall be to assist rural communities with populations*  
25 *of 3,300 or less, in improving the planning, financing, de-*

1 *velopment, operation, and management of water and waste*  
2 *water systems, and of which not less than \$800,000 shall*  
3 *be for a qualified national Native American organization*  
4 *to provide technical assistance for rural water systems for*  
5 *tribal communities: Provided further, That not to exceed*  
6 *\$16,897,000 of the amount appropriated under this heading*  
7 *shall be for contracting with qualified national organiza-*  
8 *tions for a circuit rider program to provide technical assist-*  
9 *ance for rural water systems: Provided further, That not*  
10 *to exceed \$4,000,000 shall be for solid waste management*  
11 *grants: Provided further, That \$10,000,000 of the amount*  
12 *appropriated under this heading shall be transferred to, and*  
13 *merged with, the Rural Utilities Service, High Energy Cost*  
14 *Grants Account to provide grants authorized under section*  
15 *19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a):*  
16 *Provided further, That any prior year balances for high-*  
17 *energy cost grants authorized by section 19 of the Rural*  
18 *Electrification Act of 1936 (7 U.S.C. 918a) shall be trans-*  
19 *ferred to and merged with the Rural Utilities Service, High*  
20 *Energy Cost Grants Account: Provided further, That sec-*  
21 *tions 381E–H and 381N of the Consolidated Farm and*  
22 *Rural Development Act are not applicable to the funds*  
23 *made available under this heading.*



1 *the appropriation for “Rural Development, Salaries and*  
2 *Expenses”.*

3 *DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND*  
4 *PROGRAM*

5 *For the principal amount of broadband telecommuni-*  
6 *cation loans, \$27,043,000.*

7 *For grants for telemedicine and distance learning serv-*  
8 *ices in rural areas, as authorized by 7 U.S.C. 950aaa et*  
9 *seq., \$26,600,000, to remain available until expended: Pro-*  
10 *vided, That \$3,000,000 shall be made available for grants*  
11 *authorized by 379G of the Consolidated Farm and Rural*  
12 *Development Act: Provided further, That funding provided*  
13 *under this heading for grants under 379G of the Consoli-*  
14 *dated Farm and Rural Development Act may only be pro-*  
15 *vided to entities that meet all of the eligibility criteria for*  
16 *a consortium as established by this section.*

17 *For the cost of broadband loans, as authorized by sec-*  
18 *tion 601 of the Rural Electrification Act, \$4,500,000, to re-*  
19 *main available until expended: Provided, That the cost of*  
20 *direct loans shall be as defined in section 502 of the Con-*  
21 *gressional Budget Act of 1974.*

22 *In addition, \$34,500,000, to remain available until ex-*  
23 *pended, for a grant program to finance broadband trans-*  
24 *mission in rural areas eligible for Distance Learning and*

1 *Telemedicine Program benefits authorized by 7 U.S.C.*  
2 *950aaa.*

3 **TITLE IV**

4 **DOMESTIC FOOD PROGRAMS**

5 **OFFICE OF THE UNDER SECRETARY FOR FOOD,**

6 **NUTRITION, AND CONSUMER SERVICES**

7 *For necessary expenses of the Office of the Under Sec-*  
8 *retary for Food, Nutrition, and Consumer Services,*  
9 *\$814,000.*

10 **FOOD AND NUTRITION SERVICE**

11 **CHILD NUTRITION PROGRAMS**

12 **(INCLUDING TRANSFERS OF FUNDS)**

13 *For necessary expenses to carry out the Richard B.*  
14 *Russell National School Lunch Act (42 U.S.C. 1751 et seq.),*  
15 *except section 21, and the Child Nutrition Act of 1966 (42*  
16 *U.S.C. 1771 et seq.), except sections 17 and 21;*  
17 *\$22,793,982,000 to remain available through September 30,*  
18 *2018, of which such sums as are made available under sec-*  
19 *tion 14222(b)(1) of the Food, Conservation, and Energy Act*  
20 *of 2008 (Public Law 110–246), as amended by this Act,*  
21 *shall be merged with and available for the same time period*  
22 *and purposes as provided herein: Provided, That of the total*  
23 *amount available, \$17,004,000 shall be available to carry*  
24 *out section 19 of the Child Nutrition Act of 1966 (42 U.S.C.*  
25 *1771 et seq.): Provided further, That of the total amount*

1 available, \$25,000,000 shall be available to provide competi-  
2 tive grants to State agencies for subgrants to local edu-  
3 cational agencies and schools to purchase the equipment  
4 needed to serve healthier meals, improve food safety, and  
5 to help support the establishment, maintenance, or expan-  
6 sion of the school breakfast program: Provided further, That  
7 of the total amount available, \$23,000,000 shall remain  
8 available until expended to carry out section 749(g) of the  
9 Agriculture Appropriations Act of 2010 (Public Law 111-  
10 80): Provided further, That section 26(d) of the Richard B.  
11 Russell National School Lunch Act (42 U.S.C. 1769g(d))  
12 is amended in the first sentence by striking “2010 through  
13 2016” and inserting “2010 through 2017”: Provided fur-  
14 ther, That section 9(h)(3) of the Richard B. Russell Na-  
15 tional School Lunch Act (42 U.S.C. 1758(h)(3)) is amended  
16 in the first sentence by striking “for each of fiscal years  
17 2011 through 2015” and inserting “for fiscal year 2017”:  
18 Provided further, That section 9(h)(4) of the Richard B.  
19 Russell National School Lunch Act (42 U.S.C. 1758(h)(4))  
20 is amended in the first sentence by striking “for each of  
21 fiscal years 2011 through 2015” and inserting “for fiscal  
22 year 2017”.

1        *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*  
2                    *WOMEN, INFANTS, AND CHILDREN (WIC)*

3        *For necessary expenses to carry out the special supple-*  
4 *mental nutrition program as authorized by section 17 of*  
5 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*  
6 *\$6,350,000,000, to remain available through September 30,*  
7 *2018: Provided, That notwithstanding section 17(h)(10) of*  
8 *the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)),*  
9 *not less than \$60,000,000 shall be used for breastfeeding*  
10 *peer counselors and other related activities, and*  
11 *\$13,600,000 shall be used for infrastructure: Provided fur-*  
12 *ther, That none of the funds provided in this account shall*  
13 *be available for the purchase of infant formula except in*  
14 *accordance with the cost containment and competitive bid-*  
15 *ding requirements specified in section 17 of such Act: Pro-*  
16 *vided further, That none of the funds provided shall be*  
17 *available for activities that are not fully reimbursed by*  
18 *other Federal Government departments or agencies unless*  
19 *authorized by section 17 of such Act: Provided further, That*  
20 *upon termination of a federally mandated vendor morato-*  
21 *rium and subject to terms and conditions established by the*  
22 *Secretary, the Secretary may waive the requirement at 7*  
23 *CFR 246.12(g)(6) at the request of a State agency.*

1           *SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM*

2           *For necessary expenses to carry out the Food and Nu-*  
3 *trition Act of 2008 (7 U.S.C. 2011 et seq.), \$78,480,694,000,*  
4 *of which \$3,000,000,000, to remain available through De-*  
5 *cember 31, 2018, shall be placed in reserve for use only in*  
6 *such amounts and at such times as may become necessary*  
7 *to carry out program operations: Provided, That funds pro-*  
8 *vided herein shall be expended in accordance with section*  
9 *16 of the Food and Nutrition Act of 2008: Provided further,*  
10 *That of the funds made available under this heading,*  
11 *\$998,000 may be used to provide nutrition education serv-*  
12 *ices to State agencies and Federally Recognized Tribes par-*  
13 *ticipating in the Food Distribution Program on Indian*  
14 *Reservations: Provided further, That this appropriation*  
15 *shall be subject to any work registration or workfare re-*  
16 *quirements as may be required by law: Provided further,*  
17 *That funds made available for Employment and Training*  
18 *under this heading shall remain available through Sep-*  
19 *tember 30, 2018: Provided further, That funds made avail-*  
20 *able under this heading for section 28(d)(1), section 4(b),*  
21 *and section 27(a) of the Food and Nutrition Act of 2008*  
22 *shall remain available through September 30, 2018: Pro-*  
23 *vided further, That none of the funds made available under*  
24 *this heading may be obligated or expended in contravention*  
25 *of section 213A of the Immigration and Nationality Act*



1 *(8 U.S.C. 1183A): Provided further, That funds made avail-*  
2 *able under this heading may be used to enter into contracts*  
3 *and employ staff to conduct studies, evaluations, or to con-*  
4 *duct activities related to program integrity provided that*  
5 *such activities are authorized by the Food and Nutrition*  
6 *Act of 2008.*

7 *COMMODITY ASSISTANCE PROGRAM*

8 *For necessary expenses to carry out disaster assistance*  
9 *and the Commodity Supplemental Food Program as au-*  
10 *thorized by section 4(a) of the Agriculture and Consumer*  
11 *Protection Act of 1973 (7 U.S.C. 612c note); the Emergency*  
12 *Food Assistance Act of 1983; special assistance for the nu-*  
13 *clear affected islands, as authorized by section 103(f)(2) of*  
14 *the Compact of Free Association Amendments Act of 2003*  
15 *(Public Law 108–188); and the Farmers’ Market Nutrition*  
16 *Program, as authorized by section 17(m) of the Child Nutri-*  
17 *tion Act of 1966, \$315,139,000, to remain available through*  
18 *September 30, 2018: Provided, That none of these funds*  
19 *shall be available to reimburse the Commodity Credit Cor-*  
20 *poration for commodities donated to the program: Provided*  
21 *further, That notwithstanding any other provision of law,*  
22 *effective with funds made available in fiscal year 2017 to*  
23 *support the Seniors Farmers’ Market Nutrition Program,*  
24 *as authorized by section 4402 of the Farm Security and*  
25 *Rural Investment Act of 2002, such funds shall remain*

1 *available through September 30, 2018: Provided further,*  
2 *That of the funds made available under section 27(a) of*  
3 *the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)),*  
4 *the Secretary may use up to 10 percent for costs associated*  
5 *with the distribution of commodities.*

6 *NUTRITION PROGRAMS ADMINISTRATION*

7 *For necessary administrative expenses of the Food and*  
8 *Nutrition Service for carrying out any domestic nutrition*  
9 *assistance program, \$170,716,000: Provided, That of the*  
10 *funds provided herein, \$17,700,000 shall be available until*  
11 *expended for relocation expenses and for the alteration and*  
12 *repair of buildings and improvements pursuant to 7 U.S.C.*  
13 *2250: Provided further, That of the funds provided herein,*  
14 *\$2,000,000 shall be used for the purposes of section 4404*  
15 *of Public Law 107–171, as amended by section 4401 of Pub-*  
16 *lic Law 110–246: Provided further, That of the funds pro-*  
17 *vided herein, \$1,000,000 shall be used to contract for an*  
18 *independent study to identify the best means of consoli-*  
19 *dating and coordinating reporting requirements under*  
20 *Child Nutrition Programs to eliminate redundancy, in-*  
21 *crease efficiency, and reduce the reporting burden on school*  
22 *food authorities and State agencies.*



1 *FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR*  
2 *PROGRESS PROGRAM ACCOUNT*  
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For administrative expenses to carry out the credit*  
5 *program of title I, Food for Peace Act (Public Law 83–*  
6 *480) and the Food for Progress Act of 1985, \$149,000, shall*  
7 *be transferred to and merged with the appropriation for*  
8 *“Farm Service Agency, Salaries and Expenses”.*

9 *FOOD FOR PEACE TITLE II GRANTS*

10 *For expenses during the current fiscal year, not other-*  
11 *wise recoverable, and unrecovered prior years’ costs, includ-*  
12 *ing interest thereon, under the Food for Peace Act (Public*  
13 *Law 83–480), for commodities supplied in connection with*  
14 *dispositions abroad under title II of said Act,*  
15 *\$1,466,000,000, to remain available until expended: Pro-*  
16 *vided, That the Administrator of the United States Agency*  
17 *for International Development shall in each instance notify*  
18 *in writing the Committees on Appropriations of both*  
19 *Houses of Congress, the Committee on Agriculture of the*  
20 *House, and the Committee on Agriculture, Nutrition, and*  
21 *Forestry of the Senate and make publicly available online*  
22 *the amount and use of authority in section 202(a) of the*  
23 *Food for Peace Act (7 U.S.C. 1722(a)) to notwithstanding the*  
24 *minimum level of nonemergency assistance required by sec-*  
25 *tion 412(e)(2) of the Food for Peace Act (7 U.S.C.*

1 1736f(e)(2)) not later than 15 days after the date of such  
2 action.

3 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION  
4 AND CHILD NUTRITION PROGRAM GRANTS

5 For necessary expenses to carry out the provisions of  
6 section 3107 of the Farm Security and Rural Investment  
7 Act of 2002 (7 U.S.C. 1736o-1), \$201,626,000, to remain  
8 available until expended: Provided, That the Commodity  
9 Credit Corporation is authorized to provide the services, fa-  
10 cilities, and authorities for the purpose of implementing  
11 such section, subject to reimbursement from amounts pro-  
12 vided herein: Provided further, That of the amount made  
13 available under this heading, \$5,000,000, shall remain  
14 available until expended for necessary expenses to carry out  
15 the provisions of section 3207 of the Agricultural Act of  
16 2014 (7 U.S.C. 1726c).

17 COMMODITY CREDIT CORPORATION EXPORT (LOANS)

18 CREDIT GUARANTEE PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For administrative expenses to carry out the Com-  
21 modity Credit Corporation's Export Guarantee Program,  
22 GSM 102 and GSM 103, \$8,537,000; to cover common over-  
23 head expenses as permitted by section 11 of the Commodity  
24 Credit Corporation Charter Act and in conformity with the  
25 Federal Credit Reform Act of 1990, of which \$6,074,000

1 *shall be transferred to and merged with the appropriation*  
2 *for “Foreign Agricultural Service, Salaries and Expenses”,*  
3 *and of which \$2,463,000 shall be transferred to and merged*  
4 *with the appropriation for “Farm Service Agency, Salaries*  
5 *and Expenses”.*

6

*TITLE VI*

7

*RELATED AGENCY AND FOOD AND DRUG*

8

*ADMINISTRATION*

9

*DEPARTMENT OF HEALTH AND HUMAN SERVICES*

10

*FOOD AND DRUG ADMINISTRATION*

11

*SALARIES AND EXPENSES*

12

*For necessary expenses of the Food and Drug Adminis-*

13

*tration, including hire and purchase of passenger motor ve-*

14

*hicles; for payment of space rental and related costs pursu-*

15

*ant to Public Law 92–313 for programs and activities of*

16

*the Food and Drug Administration which are included in*

17

*this Act; for rental of special purpose space in the District*

18

*of Columbia or elsewhere; for miscellaneous and emergency*

19

*expenses of enforcement activities, authorized and approved*

20

*by the Secretary and to be accounted for solely on the Sec-*

21

*retary’s certificate, not to exceed \$25,000; and notwith-*

22

*standing section 521 of Public Law 107–188;*

23

*\$4,655,089,000: Provided, That of the amount provided*

24

*under this heading, \$754,524,000 shall be derived from pre-*

25

*scription drug user fees authorized by 21 U.S.C. 379h, and*

1 *shall be credited to this account and remain available until*  
2 *expended; \$126,083,000 shall be derived from medical device*  
3 *user fees authorized by 21 U.S.C. 379j, and shall be credited*  
4 *to this account and remain available until expended;*  
5 *\$323,011,000 shall be derived from human generic drug*  
6 *user fees authorized by 21 U.S.C. 379j-42, and shall be*  
7 *credited to this account and remain available until ex-*  
8 *pended; \$22,079,000 shall be derived from biosimilar bio-*  
9 *logical product user fees authorized by 21 U.S.C. 379j-52,*  
10 *and shall be credited to this account and remain available*  
11 *until expended; \$23,673,000 shall be derived from animal*  
12 *drug user fees authorized by 21 U.S.C. 379j-12, and shall*  
13 *be credited to this account and remain available until ex-*  
14 *pended; \$11,341,000 shall be derived from animal generic*  
15 *drug user fees authorized by 21 U.S.C. 379j-21, and shall*  
16 *be credited to this account and remain available until ex-*  
17 *pended; \$635,000,000 shall be derived from tobacco product*  
18 *user fees authorized by 21 U.S.C. 387s, and shall be credited*  
19 *to this account and remain available until expended: Pro-*  
20 *vided further, That in addition to and notwithstanding any*  
21 *other provision under this heading, amounts collected for*  
22 *prescription drug user fees, medical device user fees, human*  
23 *generic drug user fees, biosimilar biological product user*  
24 *fees, animal drug user fees, and animal generic drug user*  
25 *fees that exceed the respective fiscal year 2017 limitations*

1 are appropriated and shall be credited to this account and  
2 remain available until expended: Provided further, That  
3 fees derived from prescription drug, medical device, human  
4 generic drug, biosimilar biological product, animal drug,  
5 and animal generic drug assessments for fiscal year 2017,  
6 including any such fees collected prior to fiscal year 2017  
7 but credited for fiscal year 2017, shall be subject to the fiscal  
8 year 2017 limitations: Provided further, That the Secretary  
9 may accept payment during fiscal year 2017 of user fees  
10 specified under this heading and authorized for fiscal year  
11 2018, prior to the due date for such fees, and that amounts  
12 of such fees assessed for fiscal year 2018 for which the Sec-  
13 retary accepts payment in fiscal year 2017 shall not be in-  
14 cluded in amounts under this heading: Provided further,  
15 That none of these funds shall be used to develop, establish,  
16 or operate any program of user fees authorized by 31 U.S.C.  
17 9701: Provided further, That of the total amount appro-  
18 priated: (1) \$1,025,503,000 shall be for the Center for Food  
19 Safety and Applied Nutrition and related field activities  
20 in the Office of Regulatory Affairs; (2) \$1,329,328,000 shall  
21 be for the Center for Drug Evaluation and Research and  
22 related field activities in the Office of Regulatory Affairs;  
23 (3) \$339,618,000 shall be for the Center for Biologics Eval-  
24 uation and Research and for related field activities in the  
25 Office of Regulatory Affairs; (4) \$194,252,000 shall be for



1 *the Center for Veterinary Medicine and for related field ac-*  
2 *tivities in the Office of Regulatory Affairs; (5) \$427,928,000*  
3 *shall be for the Center for Devices and Radiological Health*  
4 *and for related field activities in the Office of Regulatory*  
5 *Affairs; (6) \$63,331,000 shall be for the National Center for*  
6 *Toxicological Research; (7) \$596,338,000 shall be for the*  
7 *Center for Tobacco Products and for related field activities*  
8 *in the Office of Regulatory Affairs; (8) not to exceed*  
9 *\$163,507,000 shall be for Rent and Related activities, of*  
10 *which \$46,856,000 is for White Oak Consolidation, other*  
11 *than the amounts paid to the General Services Administra-*  
12 *tion for rent; (9) not to exceed \$231,293,000 shall be for*  
13 *payments to the General Services Administration for rent;*  
14 *and (10) \$283,991,000 shall be for other activities, includ-*  
15 *ing the Office of the Commissioner of Food and Drugs, the*  
16 *Office of Foods and Veterinary Medicine, the Office of Med-*  
17 *ical and Tobacco Products, the Office of Global and Regu-*  
18 *latory Policy, the Office of Operations, the Office of the*  
19 *Chief Scientist, and central services for these offices: Pro-*  
20 *vided further, That not to exceed \$25,000 of this amount*  
21 *shall be for official reception and representation expenses,*  
22 *not otherwise provided for, as determined by the Commis-*  
23 *sioner: Provided further, That any transfer of funds pursu-*  
24 *ant to section 770(n) of the Federal Food, Drug, and Cos-*  
25 *metic Act (21 U.S.C. 379dd(n)) shall only be from amounts*

1 *made available under this heading for other activities: Pro-*  
2 *vided further, That of the amounts that are made available*  
3 *under this heading for “other activities”, and that are not*  
4 *derived from user fees, \$1,500,000 shall be transferred to*  
5 *and merged with the appropriation for “Department of*  
6 *Health and Human Services—Office of Inspector General”*  
7 *for oversight of the programs and operations of the Food*  
8 *and Drug Administration and shall be in addition to funds*  
9 *otherwise made available for oversight of the Food and Drug*  
10 *Administration: Provided further, That of the total amount*  
11 *made available under this heading, \$3,000,000 shall be used*  
12 *by the Commissioner of Food and Drugs, in coordination*  
13 *with the Secretary of Agriculture, for consumer outreach*  
14 *and education regarding agricultural biotechnology and*  
15 *biotechnology-derived food products and animal feed, in-*  
16 *cluding through publication and distribution of science-*  
17 *based educational information on the environmental, nutri-*  
18 *tional, food safety, economic, and humanitarian impacts of*  
19 *such biotechnology, food products, and feed: Provided fur-*  
20 *ther, That funds may be transferred from one specified ac-*  
21 *tivity to another with the prior approval of the Committees*  
22 *on Appropriations of both Houses of Congress.*

23 *In addition, mammography user fees authorized by 42*  
24 *U.S.C. 263b, export certification user fees authorized by 21*  
25 *U.S.C. 381, priority review user fees authorized by 21*

1 *U.S.C. 360n and 360ff, food and feed recall fees, food rein-*  
2 *spection fees, and voluntary qualified importer program*  
3 *fees authorized by 21 U.S.C. 379j–31, outsourcing facility*  
4 *fees authorized by 21 U.S.C. 379j–62, prescription drug*  
5 *wholesale distributor licensing and inspection fees author-*  
6 *ized by 21 U.S.C. 353(e)(3), third-party logistics provider*  
7 *licensing and inspection fees authorized by 21 U.S.C.*  
8 *360eee–3(c)(1), third-party auditor fees authorized by 21*  
9 *U.S.C. 384d(c)(8), and medical countermeasure priority re-*  
10 *view voucher user fees authorized by 21 U.S.C. 360bbb–4a,*  
11 *shall be credited to this account, to remain available until*  
12 *expended.*

13 *BUILDINGS AND FACILITIES*

14 *For plans, construction, repair, improvement, exten-*  
15 *sion, alteration, demolition, and purchase of fixed equip-*  
16 *ment or facilities of or used by the Food and Drug Adminis-*  
17 *tration, where not otherwise provided, \$11,788,000, to re-*  
18 *main available until expended.*

19 *INDEPENDENT AGENCY*

20 *FARM CREDIT ADMINISTRATION*

21 *LIMITATION ON ADMINISTRATIVE EXPENSES*

22 *Not to exceed \$68,600,000 (from assessments collected*  
23 *from farm credit institutions, including the Federal Agri-*  
24 *cultural Mortgage Corporation) shall be obligated during*  
25 *the current fiscal year for administrative expenses as au-*

1 *thorized under 12 U.S.C. 2249: Provided, That this limita-*  
2 *tion shall not apply to expenses associated with receiver-*  
3 *ships: Provided further, That the agency may exceed this*  
4 *limitation by up to 10 percent with notification to the Com-*  
5 *mittees on Appropriations of both Houses of Congress.*

6 *TITLE VII*

7 *GENERAL PROVISIONS*

8 *(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)*

9 *SEC. 701. Within the unit limit of cost fixed by law,*  
10 *appropriations and authorizations made for the Depart-*  
11 *ment of Agriculture for the current fiscal year under this*  
12 *Act shall be available for the purchase, in addition to those*  
13 *specifically provided for, of not to exceed 52 passenger*  
14 *motor vehicles of which 52 shall be for replacement only,*  
15 *and for the hire of such vehicles: Provided, That notwith-*  
16 *standing this section, the only purchase of new passenger*  
17 *vehicles shall be for those determined by the Secretary to*  
18 *be necessary for transportation safety, to reduce operational*  
19 *costs, and for the protection of life, property, and public*  
20 *safety.*

21 *SEC. 702. Notwithstanding any other provision of this*  
22 *Act, the Secretary of Agriculture may transfer unobligated*  
23 *balances of discretionary funds appropriated by this Act*  
24 *or any other available unobligated discretionary balances*  
25 *that are remaining available of the Department of Agri-*

1 *culture to the Working Capital Fund for the acquisition of*  
2 *plant and capital equipment necessary for the delivery of*  
3 *financial, administrative, and information technology serv-*  
4 *ices of primary benefit to the agencies of the Department*  
5 *of Agriculture, such transferred funds to remain available*  
6 *until expended: Provided, That none of the funds made*  
7 *available by this Act or any other Act shall be transferred*  
8 *to the Working Capital Fund without the prior approval*  
9 *of the agency administrator: Provided further, That none*  
10 *of the funds transferred to the Working Capital Fund pur-*  
11 *suant to this section shall be available for obligation with-*  
12 *out written notification to and the prior approval of the*  
13 *Committees on Appropriations of both Houses of Congress:*  
14 *Provided further, That none of the funds appropriated by*  
15 *this Act or made available to the Department's Working*  
16 *Capital Fund shall be available for obligation or expendi-*  
17 *ture to make any changes to the Department's National Fi-*  
18 *nance Center without written notification to and prior ap-*  
19 *proval of the Committees on Appropriations of both Houses*  
20 *of Congress as required by section 717 of this Act: Provided*  
21 *further, That of annual income amounts in the Working*  
22 *Capital Fund of the Department of Agriculture allocated*  
23 *for the National Finance Center, the Secretary may reserve*  
24 *not more than 4 percent for the replacement or acquisition*  
25 *of capital equipment, including equipment for the improve-*

1 *ment and implementation of a financial management plan,*  
2 *information technology, and other systems of the National*  
3 *Finance Center or to pay any unforeseen, extraordinary*  
4 *cost of the National Finance Center: Provided further, That*  
5 *none of the amounts reserved shall be available for obliga-*  
6 *tion unless the Secretary submits written notification of the*  
7 *obligation to the Committees on Appropriations of both*  
8 *Houses of Congress: Provided further, That in addition to*  
9 *the funds appropriated or made available in this Act for*  
10 *the National Finance Center the Secretary shall make*  
11 *available \$8,608,000 from unobligated balances of the Work-*  
12 *ing Capital Fund and unobligated balances and reserves*  
13 *of the National Finance Center for travel, information tech-*  
14 *nology, financial management systems, and related ex-*  
15 *penses incurred as a result of a February 2017 tornado:*  
16 *Provided further, That the limitations on the obligation of*  
17 *funds pending notification to Congressional Committees*  
18 *shall not apply to any obligation that, as determined by*  
19 *the Secretary, is necessary to respond to a declared state*  
20 *of emergency that significantly impacts the operations of*  
21 *the National Finance Center; or to evacuate employees of*  
22 *the National Finance Center to a safe haven to continue*  
23 *operations of the National Finance Center.*

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

4       *SEC. 704. No funds appropriated by this Act may be*  
5 *used to pay negotiated indirect cost rates on cooperative*  
6 *agreements or similar arrangements between the United*  
7 *States Department of Agriculture and nonprofit institu-*  
8 *tions in excess of 10 percent of the total direct cost of the*  
9 *agreement when the purpose of such cooperative arrange-*  
10 *ments is to carry out programs of mutual interest between*  
11 *the two parties. This does not preclude appropriate pay-*  
12 *ment of indirect costs on grants and contracts with such*  
13 *institutions when such indirect costs are computed on a*  
14 *similar basis for all agencies for which appropriations are*  
15 *provided in this Act.*

16       *SEC. 705. Appropriations to the Department of Agri-*  
17 *culture for the cost of direct and guaranteed loans made*  
18 *available in the current fiscal year shall remain available*  
19 *until expended to disburse obligations made in the current*  
20 *fiscal year for the following accounts: the Rural Develop-*  
21 *ment Loan Fund program account, the Rural Electrifica-*  
22 *tion and Telecommunication Loans program account, and*  
23 *the Rural Housing Insurance Fund program account.*

24       *SEC. 706. None of the funds made available to the De-*  
25 *partment of Agriculture by this Act may be used to acquire*

1 *new information technology systems or significant up-*  
2 *grades, as determined by the Office of the Chief Information*  
3 *Officer, without the approval of the Chief Information Offi-*  
4 *cer and the concurrence of the Executive Information Tech-*  
5 *nology Investment Review Board: Provided, That notwith-*  
6 *standing any other provision of law, none of the funds ap-*  
7 *propriated or otherwise made available by this Act may be*  
8 *transferred to the Office of the Chief Information Officer*  
9 *without written notification to and the prior approval of*  
10 *the Committees on Appropriations of both Houses of Con-*  
11 *gress: Provided further, That, notwithstanding section*  
12 *11319 of title 40, United States Code, none of the funds*  
13 *available to the Department of Agriculture for information*  
14 *technology shall be obligated for projects, contracts, or other*  
15 *agreements over \$25,000 prior to receipt of written ap-*  
16 *proval by the Chief Information Officer: Provided further,*  
17 *That the Chief Information Officer may authorize an agen-*  
18 *cy to obligate funds without written approval from the*  
19 *Chief Information Officer for projects, contracts, or other*  
20 *agreements up to \$250,000 based upon the performance of*  
21 *an agency measured against the performance plan require-*  
22 *ments described in the explanatory statement accom-*  
23 *panying Public Law 113–235.*

24 *SEC. 707. Funds made available under section 524(b)*  
25 *of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in*



1 *the current fiscal year shall remain available until ex-*  
2 *pended to disburse obligations made in the current fiscal*  
3 *year.*

4       *SEC. 708. Notwithstanding any other provision of law,*  
5 *any former RUS borrower that has repaid or prepaid an*  
6 *insured, direct or guaranteed loan under the Rural Elec-*  
7 *trification Act of 1936, or any not-for-profit utility that*  
8 *is eligible to receive an insured or direct loan under such*  
9 *Act, shall be eligible for assistance under section*  
10 *313(b)(2)(B) of such Act in the same manner as a borrower*  
11 *under such Act.*

12       *SEC. 709. Except as otherwise specifically provided by*  
13 *law, not more than \$20,000,000 in unobligated balances*  
14 *from appropriations made available for salaries and ex-*  
15 *penses in this Act for the Farm Service Agency shall remain*  
16 *available through September 30, 2018, for information tech-*  
17 *nology expenses: Provided, That except as otherwise specifi-*  
18 *cally provided by law, unobligated balances from appro-*  
19 *priations made available for salaries and expenses in this*  
20 *Act for the Rural Development mission area shall remain*  
21 *available through September 30, 2018, for information tech-*  
22 *nology expenses.*

23       *SEC. 710. None of the funds appropriated or otherwise*  
24 *made available by this Act may be used for first-class travel*  
25 *by the employees of agencies funded by this Act in con-*

1 *travention of sections 301–10.122 through 301–10.124 of*  
2 *title 41, Code of Federal Regulations.*

3 *SEC. 711. In the case of each program established or*  
4 *amended by the Agricultural Act of 2014 (Public Law 113–*  
5 *79), other than by title I or subtitle A of title III of such*  
6 *Act, or programs for which indefinite amounts were pro-*  
7 *vided in that Act, that is authorized or required to be car-*  
8 *ried out using funds of the Commodity Credit Corpora-*  
9 *tion—*

10 *(1) such funds shall be available for salaries and*  
11 *related administrative expenses, including technical*  
12 *assistance, associated with the implementation of the*  
13 *program, without regard to the limitation on the total*  
14 *amount of allotments and fund transfers contained in*  
15 *section 11 of the Commodity Credit Corporation*  
16 *Charter Act (15 U.S.C. 714i); and*

17 *(2) the use of such funds for such purpose shall*  
18 *not be considered to be a fund transfer or allotment*  
19 *for purposes of applying the limitation on the total*  
20 *amount of allotments and fund transfers contained in*  
21 *such section.*

22 *SEC. 712. Of the funds made available by this Act, not*  
23 *more than \$2,000,000 shall be used to cover necessary ex-*  
24 *penses of activities related to all advisory committees, pan-*  
25 *els, commissions, and task forces of the Department of Agri-*

1 *culture, except for panels used to comply with negotiated*  
2 *rule makings and panels used to evaluate competitively*  
3 *awarded grants.*

4       *SEC. 713. None of the funds in this Act shall be avail-*  
5 *able to pay indirect costs charged against any agricultural*  
6 *research, education, or extension grant awards issued by the*  
7 *National Institute of Food and Agriculture that exceed 30*  
8 *percent of total Federal funds provided under each award:*  
9 *Provided, That notwithstanding section 1462 of the Na-*  
10 *tional Agricultural Research, Extension, and Teaching Pol-*  
11 *icy Act of 1977 (7 U.S.C. 3310), funds provided by this*  
12 *Act for grants awarded competitively by the National Insti-*  
13 *tute of Food and Agriculture shall be available to pay full*  
14 *allowable indirect costs for each grant awarded under sec-*  
15 *tion 9 of the Small Business Act (15 U.S.C. 638).*

16       *SEC. 714. None of the funds appropriated or otherwise*  
17 *made available by this or any other Act shall be used to*  
18 *pay the salaries and expenses of personnel to carry out the*  
19 *following:*

20               *(1) The Watershed Rehabilitation program au-*  
21 *thorized by section 14(h)(1) of the Watershed Protec-*  
22 *tion and Flood Prevention Act (16 U.S.C. 1012(h)(1))*  
23 *in excess of \$9,000,000;*

24               *(2) The Environmental Quality Incentives Pro-*  
25 *gram as authorized by sections 1240-1240H of the*

1 *Food Security Act of 1985 (16 U.S.C. 3839aa–*  
2 *3839aa–8) in excess of \$1,357,000,000: Provided,*  
3 *That this limitation shall apply only to funds pro-*  
4 *vided by section 1241(a)(5)(D) of the Food Security*  
5 *Act of 1985 (16 U.S.C. 3841(a)(5)(D));*

6 (3) *The Biomass Crop Assistance Program au-*  
7 *thorized by section 9011 of the Farm Security and*  
8 *Rural Investment Act of 2002 (7 U.S.C. 8111) in ex-*  
9 *cess of \$3,000,000 in new obligational authority;*

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

17 (5) *A program authorized by section 524(b) of*  
18 *the Federal Crop Insurance Act, as amended (7*  
19 *U.S.C. 1524(b)) in excess of \$7,000,000 for fiscal year*  
20 *2017: Provided, That notwithstanding section*  
21 *524(b)(4)(C)(i) and 524(b)(4)(C)(iii) this limitation*  
22 *shall not apply to funds provided by section*  
23 *524(b)(4)(C)(ii).*

24 *SEC. 715. Notwithstanding subsection (b) of section*  
25 *14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this*

1 *section referred to as “section 14222”), none of the funds*  
2 *appropriated or otherwise made available by this or any*  
3 *other Act shall be used to pay the salaries and expenses of*  
4 *personnel to carry out a program under section 32 of the*  
5 *Act of August 24, 1935 (7 U.S.C. 612c; in this section re-*  
6 *ferred to as “section 32”) in excess of \$886,000,000 (exclu-*  
7 *sive of carryover appropriations from prior fiscal years),*  
8 *as follows: Child Nutrition Programs Entitlement Commod-*  
9 *ities—\$465,000,000; State Option Contracts— \$5,000,000;*  
10 *Removal of Defective Commodities—\$2,500,000; Adminis-*  
11 *tration of Section 32 Commodity Purchases—\$35,440,000:*  
12 *Provided, That of the total funds made available in the mat-*  
13 *ter preceding this proviso that remain unobligated on Octo-*  
14 *ber 1, 2017, such unobligated balances shall carryover into*  
15 *the next fiscal year and shall remain available until ex-*  
16 *pended for any of the three stated purposes of section 32,*  
17 *except that any such carryover funds used in accordance*  
18 *with clause (3) of section 32 may not exceed \$75,000,000*  
19 *and may not be obligated until the Secretary of Agriculture*  
20 *provides written notification of the expenditures to the*  
21 *Committees on Appropriations of both Houses of Congress*  
22 *at least two weeks in advance: Provided further, That none*  
23 *of the funds made available in this Act or any other Act*  
24 *shall be used for salaries and expenses to carry out in this*  
25 *fiscal year sub-section (i)(1)(E) of section 19 of the Richard*

1 *B. Russell National School Lunch Act (42 U.S.C. 1769a),*  
2 *except in an amount that excludes the transfer of*  
3 *\$125,000,000 of the funds to be transferred under subsection*  
4 *(c) of section 14222, until October 1, 2017: Provided fur-*  
5 *ther, That \$125,000,000 made available on October 1, 2017,*  
6 *to carry out such section 19 shall be excluded from the limi-*  
7 *tation described in subsection (b)(2)(A)(x) of section 14222:*  
8 *Provided further, That, with the exception of any available*  
9 *carryover funds authorized in the first proviso of this sec-*  
10 *tion to be used for the purposes of clause (3) of section 32,*  
11 *none of the funds appropriated or otherwise made available*  
12 *by this or any other Act shall be used to pay the salaries*  
13 *or expenses of any employee of the Department of Agri-*  
14 *culture or officer of the Commodity Credit Corporation to*  
15 *carry out clause (3) of section 32, or for any surplus re-*  
16 *moval activities or price support activities under section*  
17 *5 of the Commodity Credit Corporation Charter Act (15*  
18 *U.S.C. 714c): Provided further, That the available unobli-*  
19 *gated balances under (b)(2)(A)(ix) of section 14222 in ex-*  
20 *cess of the limitation set forth in this section, excluding the*  
21 *carryover amounts authorized in the first proviso of this*  
22 *section for section 32 and the amounts to be transferred*  
23 *pursuant to the second proviso of this section, are hereby*  
24 *permanently rescinded.*

1        *SEC. 716. None of the funds appropriated by this or*  
2 *any other Act shall be used to pay the salaries and expenses*  
3 *of personnel who prepare or submit appropriations lan-*  
4 *guage as part of the President's budget submission to the*  
5 *Congress for programs under the jurisdiction of the Appro-*  
6 *priations Subcommittees on Agriculture, Rural Develop-*  
7 *ment, Food and Drug Administration, and Related Agen-*  
8 *cies that assumes revenues or reflects a reduction from the*  
9 *previous year due to user fees proposals that have not been*  
10 *enacted into law prior to the submission of the budget unless*  
11 *such budget submission identifies which additional spend-*  
12 *ing reductions should occur in the event the user fees pro-*  
13 *posals are not enacted prior to the date of the convening*  
14 *of a committee of conference for the fiscal year 2018 appro-*  
15 *priations Act.*

16        *SEC. 717. (a) None of the funds provided by this Act,*  
17 *or provided by previous appropriations Acts to the agencies*  
18 *funded by this Act that remain available for obligation or*  
19 *expenditure in the current fiscal year, or provided from any*  
20 *accounts in the Treasury derived by the collection of fees*  
21 *available to the agencies funded by this Act, shall be avail-*  
22 *able for obligation or expenditure through a reprogram-*  
23 *ming, transfer of funds, or reimbursements as authorized*  
24 *by the Economy Act, or in the case of the Department of*  
25 *Agriculture, through use of the authority provided by sec-*

1 *tion 702(b) of the Department of Agriculture Organic Act*  
2 *of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–*  
3 *106 (7 U.S.C. 2263), that—*

4 *(1) creates new programs;*

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

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

9 *(4) relocates an office or employees;*

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

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

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

19 *(b) None of the funds provided by this Act, or provided*  
20 *by previous Appropriations Acts to the agencies funded by*  
21 *this Act that remain available for obligation or expenditure*  
22 *in the current fiscal year, or provided from any accounts*  
23 *in the Treasury derived by the collection of fees available*  
24 *to the agencies funded by this Act, shall be available for*  
25 *obligation or expenditure for activities, programs, or*



1 *projects through a reprogramming or use of the authorities*  
2 *referred to in subsection (a) involving funds in excess of*  
3 *\$500,000 or 10 percent, whichever is less, that—*

4 *(1) augments existing programs, projects, or ac-*  
5 *tivities;*

6 *(2) reduces by 10 percent funding for any exist-*  
7 *ing program, project, or activity, or numbers of per-*  
8 *sonnel by 10 percent as approved by Congress; or*

9 *(3) results from any general savings from a re-*  
10 *duction in personnel which would result in a change*  
11 *in existing programs, activities, or projects as ap-*  
12 *proved by Congress; unless the Secretary of Agri-*  
13 *culture or the Secretary of Health and Human Serv-*  
14 *ices (as the case may be) notifies in writing and re-*  
15 *ceives approval from the Committees on Appropria-*  
16 *tions of both Houses of Congress at least 30 days in*  
17 *advance of the reprogramming or transfer of such*  
18 *funds or the use of such authority.*

19 *(c) The Secretary of Agriculture or the Secretary of*  
20 *Health and Human Services shall notify in writing and*  
21 *receive approval from the Committees on Appropriations of*  
22 *both Houses of Congress before implementing any program*  
23 *or activity not carried out during the previous fiscal year*  
24 *unless the program or activity is funded by this Act or spe-*  
25 *cifically funded by any other Act.*

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

7           (1) *modifying major capital investments funding*  
8 *levels, including information technology systems, that*  
9 *involves increasing or decreasing funds in the current*  
10 *fiscal year for the individual investment in excess of*  
11 *\$500,000 or 10 percent of the total cost, whichever is*  
12 *less;*

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

17           (3) *carrying out activities or functions that were*  
18 *not described in the budget request; unless the agencies*  
19 *funded by this Act notify, in writing, the Committees*  
20 *on Appropriations of both Houses of Congress at least*  
21 *30 days in advance of using the funds for these pur-*  
22 *poses.*

23       (e) *As described in this section, no funds may be used*  
24 *for any activities unless the Secretary of Agriculture or the*  
25 *Secretary of Health and Human Services receives from the*

1 *Committee on Appropriations of both Houses of Congress*  
2 *written or electronic mail confirmation of receipt of the no-*  
3 *tification as required in this section.*

4 *SEC. 718. Notwithstanding section 310B(g)(5) of the*  
5 *Consolidated Farm and Rural Development Act (7 U.S.C.*  
6 *1932(g)(5)), the Secretary may assess a one-time fee for any*  
7 *guaranteed business and industry loan in an amount that*  
8 *does not exceed 3 percent of the guaranteed principal por-*  
9 *tion of the loan.*

10 *SEC. 719. None of the funds appropriated or otherwise*  
11 *made available to the Department of Agriculture, the Food*  
12 *and Drug Administration, or the Farm Credit Administra-*  
13 *tion shall be used to transmit or otherwise make available*  
14 *reports, questions, or responses to questions that are a result*  
15 *of information requested for the appropriations hearing*  
16 *process to any non-Department of Agriculture, non-Depart-*  
17 *ment of Health and Human Services, or non-Farm Credit*  
18 *Administration employee.*

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

1 *prepackaged news story was prepared or funded by that ex-*  
2 *ecutive branch agency.*

3       *SEC. 721. No employee of the Department of Agri-*  
4 *culture may be detailed or assigned from an agency or office*  
5 *funded by this Act or any other Act to any other agency*  
6 *or office of the Department for more than 60 days in a*  
7 *fiscal year unless the individual's employing agency or of-*  
8 *fice is fully reimbursed by the receiving agency or office*  
9 *for the salary and expenses of the employee for the period*  
10 *of assignment.*

11       *SEC. 722. In addition to amounts otherwise made*  
12 *available by this Act and notwithstanding the last sentence*  
13 *of 16 U.S.C. 1310, there is appropriated \$4,000,000, to re-*  
14 *main available until expended, to implement non-renewable*  
15 *agreements on eligible lands, including flooded agricultural*  
16 *lands, as determined by the Secretary, under the Water*  
17 *Bank Act (16 U.S.C. 1301–1311).*

18       *SEC. 723. Not later than 30 days after the date of en-*  
19 *actment of this Act, the Secretary of Agriculture, the Com-*  
20 *missioner of the Food and Drug Administration, and the*  
21 *Chairman of the Farm Credit Administration shall submit*  
22 *to the Committees on Appropriations of both Houses of Con-*  
23 *gress a detailed spending plan by program, project, and ac-*  
24 *tivity for all the funds made available under this Act in-*  
25 *cluding appropriated user fees, as defined in the explana-*

1 tory statement described in section 4 (in the matter pre-  
2 ceding division A of this consolidated Act).

3       *SEC. 724. Funds made available under title II of the*  
4 *Food for Peace Act (7 U.S.C. 1721 et seq.) may only be*  
5 *used to provide assistance to recipient nations if adequate*  
6 *monitoring and controls, as determined by the Secretary,*  
7 *are in place to ensure that emergency food aid is received*  
8 *by the intended beneficiaries in areas affected by food short-*  
9 *ages and not diverted for unauthorized or inappropriate*  
10 *purposes.*

11       *SEC. 725. The Secretary shall establish an inter-*  
12 *mediary loan packaging program based on the pilot pro-*  
13 *gram in effect for fiscal year 2013 for packaging and re-*  
14 *viewing section 502 single family direct loans. The Sec-*  
15 *retary shall enter into agreements with current inter-*  
16 *mediary organizations and with additional qualified inter-*  
17 *mediary organizations. The Secretary shall work with these*  
18 *organizations to increase effectiveness of the section 502 sin-*  
19 *gle family direct loan program in rural communities and*  
20 *shall set aside and make available from the national reserve*  
21 *section 502 loans an amount necessary to support the work*  
22 *of such intermediaries and provide a priority for review*  
23 *of such loans.*

24       *SEC. 726. For loans and loan guarantees that do not*  
25 *require budget authority and the program level has been*

1 *established in this Act, the Secretary of Agriculture may*  
2 *increase the program level for such loans and loan guaran-*  
3 *tees by not more than 25 percent: Provided, That prior to*  
4 *the Secretary implementing such an increase, the Secretary*  
5 *notifies, in writing, the Committees on Appropriations of*  
6 *both Houses of Congress at least 15 days in advance.*

7       *SEC. 727. None of the credit card refunds or rebates*  
8 *transferred to the Working Capital Fund pursuant to sec-*  
9 *tion 729 of the Agriculture, Rural Development, Food and*  
10 *Drug Administration, and Related Agencies Appropria-*  
11 *tions Act, 2002 (7 U.S.C. 2235a; Public Law 107-76) shall*  
12 *be available for obligation without written notification to,*  
13 *and the prior approval of, the Committees on Appropria-*  
14 *tions of both Houses of Congress: Provided, That the refunds*  
15 *or rebates so transferred shall be available for obligation*  
16 *only for the acquisition of plant and capital equipment nec-*  
17 *essary for the delivery of financial, administrative, and in-*  
18 *formation technology services of primary benefit to the*  
19 *agencies of the Department of Agriculture.*

20       *SEC. 728. None of the funds made available by this*  
21 *Act may be used to procure processed poultry products im-*  
22 *ported into the United States from the People's Republic*  
23 *of China for use in the school lunch program under the*  
24 *Richard B. Russell National School Lunch Act (42 U.S.C.*  
25 *1751 et seq.), the Child and Adult Care Food Program*

1 *under section 17 of such Act (42 U.S.C. 1766), the Summer*  
2 *Food Service Program for Children under section 13 of such*  
3 *Act (42 U.S.C. 1761), or the school breakfast program under*  
4 *the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).*

5 *SEC. 729. In response to an eligible community where*  
6 *the drinking water supplies are inadequate due to a natural*  
7 *disaster, as determined by the Secretary, including drought*  
8 *or severe weather, the Secretary may provide potable water*  
9 *through the Emergency Community Water Assistance*  
10 *Grant Program for an additional period of time not to ex-*  
11 *ceed 120 days beyond the established period provided under*  
12 *the Program in order to protect public health.*

13 *SEC. 730. Funds provided by this or any prior Appro-*  
14 *priations Act for the Agriculture and Food Research Initia-*  
15 *tive under 7 U.S.C. 450i(b) shall be made available without*  
16 *regard to section 7128 of the Agricultural Act of 2014 (7*  
17 *U.S.C. 3371 note), under the matching requirements in*  
18 *laws in effect on the date before the date of enactment of*  
19 *such section: Provided, That the requirements of 7 U.S.C.*  
20 *450i(b)(9) shall continue to apply.*

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

23 *SEC. 732. None of the funds made available by this*  
24 *Act may be used by the Secretary of Agriculture, acting*  
25 *through the Food and Nutrition Service, to commence any*

1 *new research and evaluation projects until the Secretary*  
2 *submits to the Committees on Appropriations of both*  
3 *Houses of Congress a research and evaluation plan for fiscal*  
4 *year 2017, prepared in coordination with the Research,*  
5 *Education, and Economics mission area of the Department*  
6 *of Agriculture, and a period of 30 days beginning on the*  
7 *date of the submission of the plan expires to permit Con-*  
8 *gressional review of the plan.*

9       *SEC. 733. In carrying out subsection (h) of section 502*  
10 *of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary*  
11 *of Agriculture shall have the same authority with respect*  
12 *to loans guaranteed under such section and eligible lenders*  
13 *for such loans as the Secretary has under subsections (h)*  
14 *and (j) of section 538 of such Act (42 U.S.C. 1490p-2) with*  
15 *respect to loans guaranteed under such section 538 and eli-*  
16 *gible lenders for such loans.*

17       *SEC. 734. None of the funds made available by this*  
18 *Act may be used to propose, promulgate, or implement any*  
19 *rule, or take any other action with respect to, allowing or*  
20 *requiring information intended for a prescribing health*  
21 *care professional, in the case of a drug or biological product*  
22 *subject to section 503(b)(1) of the Federal Food, Drug, and*  
23 *Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to*  
24 *such professional electronically (in lieu of in paper form)*



1 *unless and until a Federal law is enacted to allow or re-*  
2 *quire such distribution.*

3       *SEC. 735. Any amounts transferred pursuant to sec-*  
4 *tion 149 of the Continuing Appropriations Act, 2017 (divi-*  
5 *sion C of Public Law 114–223), as amended by the Further*  
6 *Continuing and Security Assistance Appropriations Act,*  
7 *2017 (Public Law 114–254), that the Secretary of Agri-*  
8 *culture determines are not necessary for the cost of direct*  
9 *telecommunications loans authorized by section 305 of the*  
10 *Rural Electrification Act of 1936 (7 U.S.C. 935) shall be*  
11 *transferred back to the accounts to which they were origi-*  
12 *nally appropriated and shall be available for the same pur-*  
13 *poses as originally appropriated.*

14       *SEC. 736. None of the funds made available by this*  
15 *Act may be used to notify a sponsor or otherwise acknowl-*  
16 *edge receipt of a submission for an exemption for investiga-*  
17 *tional use of a drug or biological product under section*  
18 *505(i) of the Federal Food, Drug, and Cosmetic Act (21*  
19 *U.S.C. 355(i)) or section 351(a)(3) of the Public Health*  
20 *Service Act (42 U.S.C. 262(a)(3)) in research in which a*  
21 *human embryo is intentionally created or modified to in-*  
22 *clude a heritable genetic modification. Any such submission*  
23 *shall be deemed to have not been received by the Secretary,*  
24 *and the exemption may not go into effect.*

1        *SEC. 737. None of the funds made available by this*  
2 *or any other Act may be used to carry out the final rule*  
3 *promulgated by the Food and Drug Administration and*  
4 *put into effect November 16, 2015, in regards to the hazard*  
5 *analysis and risk-based preventive control requirements of*  
6 *the current good manufacturing practice, hazard analysis,*  
7 *and risk-based preventive controls for food for animals rule*  
8 *with respect to the regulation of the production, distribu-*  
9 *tion, sale, or receipt of dried spent grain byproducts of the*  
10 *alcoholic beverage production process.*

11        *SEC. 738. (a) The Secretary of Agriculture shall—*

12                *(1) conduct audits in a manner that evaluates*  
13 *the following factors in the country or region being*  
14 *audited, as applicable—*

15                        *(A) veterinary control and oversight;*

16                        *(B) disease history and vaccination prac-*  
17 *tices;*

18                        *(C) livestock demographics and traceability;*

19                        *(D) epidemiological separation from poten-*  
20 *tial sources of infection;*

21                        *(E) surveillance practices;*

22                        *(F) diagnostic laboratory capabilities; and*

23                        *(G) emergency preparedness and response;*

24                        *and*

1           (2) promptly make publicly available the final  
2       reports of any audits or reviews conducted pursuant  
3       to subsection (1).

4       (b) This section shall be applied in a manner con-  
5       sistent with United States obligations under its inter-  
6       national trade agreements.

7       SEC. 739. None of the funds made available by this  
8       Act may be used to carry out any activities or incur any  
9       expense related to the issuance of licenses under section 3  
10      of the Animal Welfare Act (7 U.S.C. 2133), or the renewal  
11      of such licenses, to class B dealers who sell dogs and cats  
12      for use in research, experiments, teaching, or testing.

13      SEC. 740. No partially hydrogenated oils as defined  
14      in the order published by the Food and Drug Administra-  
15      tion in the Federal Register on June 17, 2015 (80 Fed. Reg.  
16      34650 et seq.) shall be deemed unsafe within the meaning  
17      of section 409(a) of the Federal Food, Drug, and Cosmetic  
18      Act (21 U.S.C. 348(a)) and no food that is introduced or  
19      delivered for introduction into interstate commerce that  
20      bears or contains a partially hydrogenated oil shall be  
21      deemed adulterated under sections 402(a)(1) or  
22      402(a)(2)(C)(i) of this Act by virtue of bearing or con-  
23      taining a partially hydrogenated oil until the compliance  
24      date as specified in such order (June 18, 2018).

1        *SEC. 741. The Secretary may charge a fee for lenders*  
2 *to access Department loan guarantee systems in connection*  
3 *with such lenders' participation in loan guarantee pro-*  
4 *grams of the Rural Housing Service: Provided, That the*  
5 *funds collected from such fees shall be made available to*  
6 *the Secretary without further appropriation and such funds*  
7 *shall be deposited into the Rural Development Salaries and*  
8 *Expense Account and shall remain available until expended*  
9 *for obligation and expenditure by the Secretary for admin-*  
10 *istrative expenses of the Rural Housing Service Loan Guar-*  
11 *antee Program in addition to other available funds: Pro-*  
12 *vided further, That such fees collected shall not exceed \$50*  
13 *per loan.*

14        *SEC. 742. (a) None of the funds made available in this*  
15 *Act may be used to maintain or establish a computer net-*  
16 *work unless such network blocks the viewing, downloading,*  
17 *and exchanging of pornography.*

18        *(b) Nothing in subsection (a) shall limit the use of*  
19 *funds necessary for any Federal, State, tribal, or local law*  
20 *enforcement agency or any other entity carrying out crimi-*  
21 *nal investigations, prosecution, or adjudication activities.*

22        *SEC. 743. In addition to amounts otherwise made*  
23 *available by this Act under the heading "Animal and Plant*  
24 *Health Inspection Service—Buildings and Facilities",*

1 *there is appropriated \$47,000,000, to remain available*  
2 *until expended, for fruit fly rearing facilities.*

3 *SEC. 744. Beginning on the date of enactment of this*  
4 *Act, in fiscal year 2017 and each fiscal year hereafter, not-*  
5 *withstanding any other provision of law, a household cer-*  
6 *tified to participate in the Supplemental Nutrition Assist-*  
7 *ance Program is required to report in a manner prescribed*  
8 *by the Secretary if the household no longer resides in the*  
9 *State in which it is certified.*

10 *SEC. 745. Of the unobligated balances from amounts*  
11 *made available for the special supplemental nutrition pro-*  
12 *gram as authorized by section 17 of the Child Nutrition*  
13 *Act of 1966 (42 U.S.C. 1786), \$850,000,000 are rescinded.*

14 *SEC. 746. (a)(1) No Federal funds made available for*  
15 *this fiscal year for the rural water, waste water, waste dis-*  
16 *posal, and solid waste management programs authorized by*  
17 *sections 306, 306A, 306C, 306D, 306E, and 310B of the*  
18 *Consolidated Farm and Rural Development Act (7 U.S.C.*  
19 *1926 et seq.) shall be used for a project for the construction,*  
20 *alteration, maintenance, or repair of a public water or*  
21 *wastewater system unless all of the iron and steel products*  
22 *used in the project are produced in the United States.*

23 *(2) In this section, the term “iron and steel products”*  
24 *means the following products made primarily of iron or*  
25 *steel: lined or unlined pipes and fittings, manhole covers*

1 *and other municipal castings, hydrants, tanks, flanges, pipe*  
2 *clamps and restraints, valves, structural steel, reinforced*  
3 *precast concrete, and construction materials.*

4 *(b) Subsection (a) shall not apply in any case or cat-*  
5 *egory of cases in which the Secretary of Agriculture (in this*  
6 *section referred to as the “Secretary”) or the designee of*  
7 *the Secretary finds that—*

8 *(1) applying subsection (a) would be inconsistent*  
9 *with the public interest;*

10 *(2) iron and steel products are not produced in*  
11 *the United States in sufficient and reasonably avail-*  
12 *able quantities or of a satisfactory quality; or*

13 *(3) inclusion of iron and steel products produced*  
14 *in the United States will increase the cost of the over-*  
15 *all project by more than 25 percent.*

16 *(c) If the Secretary or the designee receives a request*  
17 *for a waiver under this section, the Secretary or the designee*  
18 *shall make available to the public on an informal basis a*  
19 *copy of the request and information available to the Sec-*  
20 *retary or the designee concerning the request, and shall*  
21 *allow for informal public input on the request for at least*  
22 *15 days prior to making a finding based on the request.*  
23 *The Secretary or the designee shall make the request and*  
24 *accompanying information available by electronic means,*

1 *including on the official public Internet Web site of the De-*  
2 *partment.*

3 *(d) This section shall be applied in a manner con-*  
4 *sistent with United States obligations under international*  
5 *agreements.*

6 *(e) The Secretary may retain up to 0.25 percent of*  
7 *the funds appropriated in this Act for “Rural Utilities*  
8 *Service—Rural Water and Waste Disposal Program Ac-*  
9 *count” for carrying out the provisions described in sub-*  
10 *section (a)(1) for management and oversight of the require-*  
11 *ments of this section.*

12 *(f) Subsection (a) shall not apply with respect to a*  
13 *project for which the engineering plans and specifications*  
14 *include use of iron and steel products otherwise prohibited*  
15 *by such subsection if the plans and specifications have re-*  
16 *ceived required approvals from State agencies prior to the*  
17 *date of enactment of this Act.*

18 *(g) For purposes of this section, the terms “United*  
19 *States” and “State” shall include each of the several States,*  
20 *the District of Columbia, and each federally recognized In-*  
21 *dian tribe.*

22 *SEC. 747. (a) For the period beginning on the date*  
23 *of enactment of this Act through school year 2017–2018,*  
24 *with respect to the school lunch program established under*  
25 *the Richard B. Russell National School Lunch Act (42*

1 *U.S.C. 1751 et seq.) or the school breakfast program estab-*  
2 *lished under the Child Nutrition Act of 1966 (42 U.S.C.*  
3 *1771 et seq.) and final regulations published by the Depart-*  
4 *ment of Agriculture in the Federal Register on January 26,*  
5 *2012 (77 Fed. Reg. 4088 et seq.), the Secretary of Agri-*  
6 *culture shall allow States to grant an exemption from the*  
7 *whole grain requirements that took effect on or after July*  
8 *1, 2014, and the States shall establish a process for evalu-*  
9 *ating and responding, in a reasonable amount of time, to*  
10 *requests for an exemption: Provided, That school food au-*  
11 *thorities demonstrate hardship, including financial hard-*  
12 *ship, in procuring specific whole grain products which are*  
13 *acceptable to the students and compliant with the whole*  
14 *grain-rich requirements: Provided further, That school food*  
15 *authorities shall comply with the applicable grain compo-*  
16 *nent or standard with respect to the school lunch or school*  
17 *breakfast program that was in effect prior to July 1, 2014.*

18       **(b)** *For the period beginning on the date of enactment*  
19 *of this Act through school year 2017–2018, none of the funds*  
20 *appropriated or otherwise made available by this or any*  
21 *other Act shall be used to pay the salaries and expenses of*  
22 *personnel to implement any regulations under the Richard*  
23 *B. Russell National School Lunch Act (42 U.S.C. 1751 et*  
24 *seq.), the Child Nutrition Act of 1966 (42 U.S.C. 1771 et*  
25 *seq.), the Healthy, Hunger-Free Kids Act of 2010 (Public*



1 *Law 111–296), or any other law that would require a re-*  
2 *duction in the quantity of sodium contained in federally*  
3 *reimbursed meals, foods, and snacks sold in schools below*  
4 *Target 1 (as described in section 220.8(f)(3) of title 7, Code*  
5 *of Federal Regulations (or successor regulations)).*

6 *(c) For the period beginning on the date of enactment*  
7 *of this Act through school year 2017-2018, notwithstanding*  
8 *any other provision of law, the Secretary shall allow States*  
9 *to grant special exemptions for the service of flavored, low-*  
10 *fat fluid milk in the school lunch program established under*  
11 *the Richard B. Russell National School Lunch Act (42*  
12 *U.S.C. 1751 et seq.) and the school breakfast program estab-*  
13 *lished under the Child Nutrition Act of 1966 (42 U.S.C.*  
14 *1771 et seq.), and as a competitive food available on cam-*  
15 *pus during the school day, to schools which demonstrate a*  
16 *reduction in student milk consumption or an increase in*  
17 *school milk waste.*

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

23 *SEC. 749. (a) Subject to subsection (b), the Secretary*  
24 *of Agriculture may conduct a pilot program in accordance*  
25 *with this section that authorizes not more than*

1 \$600,000,000 in funds from rural electrification loans made  
2 by the Federal Financing Bank that are guaranteed under  
3 section 306 of the Rural Electrification Act of 1936 to be  
4 used for refinancing debt pursuant to section 306C of such  
5 Act (including any associated prepayment penalties and  
6 prepayment or refinance premium), notwithstanding sub-  
7 sections (b) and (c)(4) of section 306C of such Act.

8 (b) The Secretary of Agriculture may not provide an  
9 authorization under subsection (a) to a borrower unless the  
10 Secretary determines that the refinancing involved will ben-  
11 efit the ratepayers of the borrower.

12 (c) The Federal Financing Bank shall make a new  
13 loan to each borrower refinancing a loan pursuant to this  
14 section and section 306 of the Rural Electrification Act of  
15 1936, for the purpose of providing funds for the refinancing,  
16 which loan shall be obligated from amounts made available  
17 for rural electrification loans, and the Secretary of Agri-  
18 culture shall guarantee the new loan pursuant to section  
19 306 of the Rural Electrification Act of 1936.

20 (d) For the cost of refinancing a loan pursuant to this  
21 section for any borrower identified by the Federal Financ-  
22 ing Bank as having opted since origination of the loan to  
23 pay an interest rate premium for the eligibility to prepay  
24 at par, including a borrower paying an interest rate pre-  
25 mium in the near-term for the right to prepay at par start-

1 *ing in 2020, \$13,800,000, to remain available until ex-*  
2 *pendent: Provided, That these funds shall also be available*  
3 *for refinancing a loan pursuant to any extension or expan-*  
4 *sion of this pilot program that is enacted subsequent to this*  
5 *Act for those same borrowers.*

6 *(e) The authority for the pilot program provided by*  
7 *this section shall remain in effect through September 30,*  
8 *2019.*

9 *SEC. 750. Of the total amounts made available by this*  
10 *Act for direct loans and grants in the following headings:*  
11 *“Rural Housing Service—Rural Housing Insurance Fund*  
12 *Program Account”; “Rural Housing Service—Mutual and*  
13 *Self-Help Housing Grants”; “Rural Housing Service—*  
14 *Rural Housing Assistance Grants”; “Rural Housing Serv-*  
15 *ice—Rural Community Facilities Program Account”;*  
16 *“Rural Business-Cooperative Service—Rural Business Pro-*  
17 *gram Account”; “Rural Business-Cooperative Service—*  
18 *Rural Economic Development Loans Program Account”;*  
19 *“Rural Business- Cooperative Service—Rural Cooperative*  
20 *Development Grants”; “Rural Utilities Service—Rural*  
21 *Water and Waste Disposal Program Account”; “Rural Util-*  
22 *ities Service—Rural Electrification and Telecommuni-*  
23 *cations Loans Program Account”; and “Rural Utilities*  
24 *Service—Distance Learning, Telemedicine, and Broadband*  
25 *Program”, to the maximum extent feasible, at least 10 per-*

1 *cent of the new unobligated balances remaining upon enact-*  
2 *ment shall be allocated for assistance in persistent poverty*  
3 *counties under this section: Provided, That for purposes of*  
4 *this section, the term “persistent poverty counties” means*  
5 *any county that has had 20 percent or more of its popu-*  
6 *lation living in poverty over the past 30 years, as measured*  
7 *by the 1980, 1990, and 2000 decennial censuses, and 2007–*  
8 *2011 American Community Survey 5-year average: Pro-*  
9 *vided further, That with respect to specific activities for*  
10 *which program levels have been made available by this Act*  
11 *that are not supported by budget authority, the require-*  
12 *ments of this section shall be applied to such program level.*

13 *SEC. 751. For the purposes of determining eligibility*  
14 *or level of program assistance for Rural Development mis-*  
15 *sion area programs the Secretary shall not include incar-*  
16 *cerated prison populations.*

17 *SEC. 752. For an additional amount for “Food and*  
18 *Drug Administration—Salaries and Expenses” to prevent,*  
19 *prepare for, and respond to emerging health threats, includ-*  
20 *ing the Ebola and Zika viruses, domestically and inter-*  
21 *nationally and to develop necessary medical counter-*  
22 *measures and vaccines, including the review, regulation,*  
23 *and post market surveillance of vaccines and therapies, and*  
24 *for related administrative activities, \$10,000,000, to remain*  
25 *available until expended.*

1        *SEC. 753. There is hereby appropriated for the “Emer-*  
2 *gency Conservation Program”, \$28,651,000, to remain*  
3 *available until expended for emergencies not declared as a*  
4 *major disaster or emergency under the Robert T. Stafford*  
5 *Disaster Relief and Emergency Assistance Act (42 U.S.C.*  
6 *5121 et seq.).*

7        *SEC. 754. None of the funds appropriated by this Act*  
8 *may be used in any way, directly or indirectly, to influence*  
9 *congressional action on any legislation or appropriation*  
10 *matters pending before Congress, other than to commu-*  
11 *nicate to Members of Congress as described in 18 U.S.C.*  
12 *1913.*

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

20        *SEC. 756. The Secretary of Health and Human Serv-*  
21 *ices, acting through the Commissioner of Food and Drugs,*  
22 *shall issue final regulations revising the Federal drug regu-*  
23 *lations (as defined in section 1112(c) of such Act (21 U.S.C.*  
24 *360dd note)) with respect to medical gases not later than*  
25 *July 15, 2017.*

1        *SEC. 757. For an additional amount for “Animal and*  
2 *Plant Health Inspection Service—Salaries and Expenses”,*  
3 *\$5,500,000, to remain available until September 30, 2018,*  
4 *for one-time control and management and associated activi-*  
5 *ties directly related to the multiple-agency response to citrus*  
6 *greening.*

7        *SEC. 758. The following unobligated balances identi-*  
8 *fied by the following Treasury Appropriation Fund Sym-*  
9 *bols are hereby rescinded: 12X1951, \$632,928.89; 12X1953,*  
10 *\$2,420,129.91; 12X1902, \$352,323.31; 12X1900,*  
11 *\$16,452.44; and 12X1232, \$529,310.95: Provided, That no*  
12 *amounts may be rescinded from amounts that were des-*  
13 *ignated by the Congress as an emergency or disaster relief*  
14 *requirement pursuant to a concurrent resolution on the*  
15 *budget or the Balanced Budget and Emergency Deficit Con-*  
16 *trol Act of 1985.*

17        *SEC. 759. The unobligated balances resulting from off-*  
18 *setting collections identified by Treasury Appropriation*  
19 *Fund Symbols 12X1951, 12X2002, 12X2006, 12X1902,*  
20 *12X1900, 12X1232, and 12X1980, respectively, are hereby*  
21 *rescinded: Provided, that no amounts may be rescinded*  
22 *from amounts that were designated by the Congress as an*  
23 *emergency or disaster relief requirement pursuant to a con-*  
24 *current resolution on the budget or the Balanced Budget*  
25 *and Emergency Deficit Control Act of 1985.*

1        *SEC. 760. There is hereby appropriated \$5,000,000, to*  
2 *remain available until September 30, 2018, for a pilot pro-*  
3 *gram for the National Institute of Food and Agriculture*  
4 *to provide grants to nonprofit organizations for programs*  
5 *and services to establish and enhance farming and ranching*  
6 *opportunities for military veterans.*

7        *SEC. 761. During fiscal year 2017, the Food and Drug*  
8 *Administration (FDA) shall not allow the introduction or*  
9 *delivery for introduction into interstate commerce of any*  
10 *food that contains genetically engineered salmon until FDA*  
11 *publishes final labeling guidelines for informing consumers*  
12 *of such content.*

13        *SEC. 762. None of the funds made available in this*  
14 *Act may be used to pay the salary or expenses of per-*  
15 *sonnel—*

16            *(1) to inspect horses under section 3 of the Fed-*  
17 *eral Meat Inspection Act (21 U.S.C. 603);*

18            *(2) to inspect horses under section 903 of the*  
19 *Federal Agriculture Improvement and Reform Act of*  
20 *1996 (7 U.S.C. 1901 note; Public Law 104–127); or*

21            *(3) to implement or enforce section 352.19 of*  
22 *title 9, Code of Federal Regulations (or a successor*  
23 *regulation).*

24        *SEC. 763. The Secretary shall set aside for Rural Eco-*  
25 *nomic Area Partnership (REAP) Zones, until August 15,*

1 2017, an amount of funds made available in title III under  
2 the headings of Rural Housing Insurance Fund Program  
3 Account, Mutual and Self-Help Housing Grants, Rural  
4 Housing Assistance Grants, Rural Community Facilities  
5 Program Account, Rural Business Program Account, Rural  
6 Development Loan Fund Program Account, and Rural  
7 Water and Waste Disposal Program Account, equal to the  
8 amount obligated in REAP Zones with respect to funds  
9 provided under such headings in the most recent fiscal year  
10 any such funds were obligated under such headings for  
11 REAP Zones.

12       SEC. 764. There is hereby appropriated \$600,000 for  
13 the purposes of section 727 of division A of Public Law  
14 112–55.

15       SEC. 765. None of the funds made available by this  
16 Act may be used to implement, administer, or enforce the  
17 “variety” requirements of the final rule entitled “Enhanc-  
18 ing Retailer Standards in the Supplemental Nutrition As-  
19 sistance Program (SNAP)” published by the Department  
20 of Agriculture in the Federal Register on December 15, 2016  
21 (81 Fed. Reg. 90675) until the Secretary of Agriculture  
22 amends the definition of the term “variety” as de fined in  
23 section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regula-  
24 tions, and “variety” as applied in the definition of the term  
25 “staple food” as defined in section 271.2 of title 7, Code



1 *of Federal Regulations, to increase the number of items that*  
2 *qualify as acceptable varieties in each staple food category*  
3 *so that the total number of such items in each staple food*  
4 *category exceeds the number of such items in each staple*  
5 *food category included in the final rule as published on De-*  
6 *cember 15, 2016: Provided, That until the Secretary pro-*  
7 *mulgates such regulatory amendments, the Secretary shall*  
8 *apply the requirements regarding acceptable varieties and*  
9 *breadth of stock to Supplemental Nutrition Assistance Pro-*  
10 *gram retailers that were in effect on the day before the date*  
11 *of the enactment of the Agricultural Act of 2014 (Public*  
12 *Law 113–79).*

13 *SEC. 766. None of the funds made available by this*  
14 *Act may be used by the Food and Drug Administration to*  
15 *develop, issue, promote, or advance any regulations appli-*  
16 *cable to food manufacturers for population-wide sodium re-*  
17 *duction actions or to develop, issue, promote or advance*  
18 *final guidance applicable to food manufacturers for long*  
19 *term population-wide sodium reduction actions until the*  
20 *date on which a dietary reference intake report with respect*  
21 *to sodium is completed.*

22 *SEC. 767. There is hereby appropriated \$1,000,000, to*  
23 *remain available until September 30, 2018, for the cost of*  
24 *loans and grants that is consistent with section 4206 of the*  
25 *Agricultural Act of 2014, for necessary expenses of the Sec-*

1 *retary to support projects that provide access to healthy food*  
2 *in underserved areas, to create and preserve quality jobs,*  
3 *and to revitalize low-income communities.*

4 *SEC. 768. In addition to funds appropriated in this*  
5 *Act, there is hereby appropriated \$500,000, to remain*  
6 *available until September 30, 2018, under the heading*  
7 *“Rural Development, Salaries and Expenses”, for develop-*  
8 *ment of an implementation plan for increasing access to*  
9 *education in the fields of science, technology, engineering,*  
10 *and mathematics in rural communities through the Dis-*  
11 *tance Learning and Telemedicine program.*

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

16 *SEC. 770. (a) Of the unobligated balances from*  
17 *amounts made available in fiscal year 2016 for the Com-*  
18 *prehensive Loan Accounting System under the heading*  
19 *“Rural Development, Salaries and Expenses”, \$8,900,000*  
20 *are hereby rescinded.*

21 *(b) For an additional amount for “Rural Develop-*  
22 *ment, Salaries and Expenses”, \$8,900,000, to remain avail-*  
23 *able until September 30, 2018, is provided for Information*  
24 *Technology modernization activities.*

1        *SEC. 771. The Secretary shall modify the pilot pro-*  
2 *gram initiated March 1, 2017, designed to preserve afford-*  
3 *able rental housing through non-profit transfer or acquisi-*  
4 *tion of Section 515 properties with expiring mortgages. The*  
5 *program will study effective means to transfer Section 515*  
6 *properties exiting the program due to mortgage maturity*  
7 *to qualified nonprofit organizations to preserve the prop-*  
8 *erties in the Rural Housing Service multi-family program.*  
9 *The Secretary shall—*

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

13            (2) *Track the results and identify ways or incen-*  
14 *tives to create additional opportunities for nonprofits*  
15 *to participate in the preservation of properties;*

16            (3) *Work collaboratively with third-parties to*  
17 *address concerns identified on the Department issued*  
18 *guidance issued September 16, 2016 titled, “March 1,*  
19 *2017, Pilot Program to Promote Non-Profit Partici-*  
20 *pation in Transactions to Retain the Section 515*  
21 *Portfolio” to maximize research benefits and potential*  
22 *application; and*

23            (4) *Conduct research for two years after the date*  
24 *of the enactment of this Act and report the findings*

1        *to the Committees on Appropriations of both Houses*  
2        *of Congress:*

3        *Provided, That there is hereby appropriated \$1,000,000, to*  
4        *remain available until September 30, 2018, to provide*  
5        *grants to qualified non-profit organizations and public*  
6        *housing authorities to provide technical assistance, includ-*  
7        *ing financial and legal services, to RHS multi-family hous-*  
8        *ing borrowers to facilitate the acquisition of RHS multi-*  
9        *family housing properties in areas where the Secretary de-*  
10       *termines a risk of loss of affordable housing.*

11       *SEC. 772. (a) The Secretary of Agriculture (referred*  
12       *to in this section as the “Secretary”) shall carry out a pilot*  
13       *program during fiscal year 2017 with respect to the 2016*  
14       *crop year for county-level agriculture risk coverage pay-*  
15       *ments under section 1117(b)(1) of the Agricultural Act of*  
16       *2014 (7 U.S.C. 9017(b)(1)), that provides all or some of*  
17       *the State Farm Service Agency offices in each State the op-*  
18       *portunity to provide agricultural producers in the State a*  
19       *supplemental payment described in subsection (c) based on*  
20       *the alternate calculation method described in subsection (b)*  
21       *for 1 or more counties in a State if the office for that State*  
22       *determines that the alternate calculation method is nec-*  
23       *essary to ensure that, to the maximum extent practicable,*  
24       *there are not significant yield calculation disparities be-*  
25       *tween comparable counties in the State.*

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

6           **(1)** *county data of the National Agricultural*  
7 *Statistics Service (referred to in this section as*  
8 *“NASS data”) is used for the calculations;*

9           **(2)** *if there is insufficient NASS data for a coun-*  
10 *ty (as determined under standards of the Secretary in*  
11 *effect as of the date of enactment of this Act) or the*  
12 *available NASS data produces a substantially dis-*  
13 *parate result, the calculation of the county yield is de-*  
14 *termined using comparable contiguous county NASS*  
15 *data as determined by the Farm Service Agency office*  
16 *in the applicable State; and*

17           **(3)** *if there is insufficient NASS data for a com-*  
18 *parable contiguous county (as determined under*  
19 *standards of the Secretary in effect as of the date of*  
20 *enactment of this Act), the calculation of the county*  
21 *yield is determined using reliable yield data from*  
22 *other sources, such as Risk Management Agency data,*  
23 *National Agricultural Statistics Service district data,*  
24 *National Agricultural Statistics Service State yield*

1        *data, or other data as determined by the Farm Serv-*  
2        *ice Agency office in the applicable State.*

3        *(c)(1) A supplemental payment made under the pilot*  
4        *program established under this section may be made to an*  
5        *agricultural producer who is subject to the alternate cal-*  
6        *culatation method described in subsection (b) if that agricul-*  
7        *tural producer would otherwise receive a county-level agri-*  
8        *culture risk coverage payment for the 2016 crop year in*  
9        *an amount that is less than the payment that the agricul-*  
10       *tural producer would receive under the alternate calculation*  
11       *method.*

12       *(2) The amount of a supplemental payment to an agri-*  
13       *cultural producer under this section may not exceed the dif-*  
14       *ference between—*

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

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

20        *(d)(1) There is appropriated to the Secretary, out of*  
21        *funds of the Treasury not otherwise appropriated,*  
22        *\$5,000,000, to remain available until September 30, 2018,*  
23        *to carry out the pilot program described in this section.*

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

4       (e)(1) *To the maximum extent practicable, the Sec-*  
5 *retary shall select States to participate in the pilot program*  
6 *under this section so the cost of the pilot program equals*  
7 *the amount provided under subsection (d).*

8       (2) *To the extent that the cost of the pilot program*  
9 *exceeds the amount made available, the Secretary shall re-*  
10 *duce all payments under the pilot program on a pro rata*  
11 *basis.*

12       (f) *Nothing in this section affects the calculation of ac-*  
13 *tual yield for purposes of county-level agriculture risk cov-*  
14 *erage payments under section 1117(b)(1) of the Agricultural*  
15 *Act of 2014 (7 U.S.C. 9017(b)(1)) other than payments*  
16 *made in accordance with the pilot program under this sec-*  
17 *tion.*

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

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





1 *the purpose of promoting exports of United States firms,*  
2 *without regard to sections 3702 and 3703 of title 44, United*  
3 *States Code; full medical coverage for dependent members*  
4 *of immediate families of employees stationed overseas and*  
5 *employees temporarily posted overseas; travel and transpor-*  
6 *tation of employees of the International Trade Administra-*  
7 *tion between two points abroad, without regard to section*  
8 *40118 of title 49, United States Code; employment of citi-*  
9 *zens of the United States and aliens by contract for services;*  
10 *rental of space abroad for periods not exceeding 10 years,*  
11 *and expenses of alteration, repair, or improvement; pur-*  
12 *chase or construction of temporary demountable exhibition*  
13 *structures for use abroad; payment of tort claims, in the*  
14 *manner authorized in the first paragraph of section 2672*  
15 *of title 28, United States Code, when such claims arise in*  
16 *foreign countries; not to exceed \$294,300 for official rep-*  
17 *resentation expenses abroad; purchase of passenger motor*  
18 *vehicles for official use abroad, not to exceed \$45,000 per*  
19 *vehicle; obtaining insurance on official motor vehicles; and*  
20 *rental of tie lines, \$495,000,000, to remain available until*  
21 *September 30, 2018, of which \$12,000,000 is to be derived*  
22 *from fees to be retained and used by the International Trade*  
23 *Administration, notwithstanding section 3302 of title 31,*  
24 *United States Code: Provided, That, of amounts provided*  
25 *under this heading, not less than \$16,400,000 shall be for*

1 *China antidumping and countervailing duty enforcement*  
2 *and compliance activities: Provided further, That the provi-*  
3 *sions of the first sentence of section 105(f) and all of section*  
4 *108(c) of the Mutual Educational and Cultural Exchange*  
5 *Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply*  
6 *in carrying out these activities; and that for the purpose*  
7 *of this Act, contributions under the provisions of the Mutual*  
8 *Educational and Cultural Exchange Act of 1961 shall in-*  
9 *clude payment for assessments for services provided as part*  
10 *of these activities.*

11 *BUREAU OF INDUSTRY AND SECURITY*

12 *OPERATIONS AND ADMINISTRATION*

13 *For necessary expenses for export administration and*  
14 *national security activities of the Department of Commerce,*  
15 *including costs associated with the performance of export*  
16 *administration field activities both domestically and*  
17 *abroad; full medical coverage for dependent members of im-*  
18 *mediate families of employees stationed overseas; employ-*  
19 *ment of citizens of the United States and aliens by contract*  
20 *for services abroad; payment of tort claims, in the manner*  
21 *authorized in the first paragraph of section 2672 of title*  
22 *28, United States Code, when such claims arise in foreign*  
23 *countries; not to exceed \$13,500 for official representation*  
24 *expenses abroad; awards of compensation to informers*  
25 *under the Export Administration Act of 1979, and as au-*

1 *thorized by section 1(b) of the Act of June 15, 1917 (40*  
2 *Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger*  
3 *motor vehicles for official use and motor vehicles for law*  
4 *enforcement use with special requirement vehicles eligible*  
5 *for purchase without regard to any price limitation other-*  
6 *wise established by law, \$112,500,000, to remain available*  
7 *until expended: Provided, That the provisions of the first*  
8 *sentence of section 105(f) and all of section 108(c) of the*  
9 *Mutual Educational and Cultural Exchange Act of 1961*  
10 *(22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying*  
11 *out these activities: Provided further, That payments and*  
12 *contributions collected and accepted for materials or serv-*  
13 *ices provided as part of such activities may be retained for*  
14 *use in covering the cost of such activities, and for providing*  
15 *information to the public with respect to the export admin-*  
16 *istration and national security activities of the Department*  
17 *of Commerce and other export control programs of the*  
18 *United States and other governments.*

19 *ECONOMIC DEVELOPMENT ADMINISTRATION*

20 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

21 *For grants for economic development assistance as pro-*  
22 *vided by the Public Works and Economic Development Act*  
23 *of 1965, for trade adjustment assistance, and for grants au-*  
24 *thorized by section 27 of the Stevenson-Wydler Technology*  
25 *Innovation Act of 1980 (15 U.S.C. 3722), \$237,000,000, to*

1 *remain available until expended, of which \$17,000,000 shall*  
2 *be for grants under such section 27.*

3 *SALARIES AND EXPENSES*

4 *For necessary expenses of administering the economic*  
5 *development assistance programs as provided for by law,*  
6 *\$39,000,000: Provided, That these funds may be used to*  
7 *monitor projects approved pursuant to title I of the Public*  
8 *Works Employment Act of 1976, title II of the Trade Act*  
9 *of 1974, section 27 of the Stevenson-Wydler Technology In-*  
10 *novation Act of 1980 (15 U.S.C. 3722), and the Community*  
11 *Emergency Drought Relief Act of 1977.*

12 *MINORITY BUSINESS DEVELOPMENT AGENCY*

13 *MINORITY BUSINESS DEVELOPMENT*

14 *For necessary expenses of the Department of Commerce*  
15 *in fostering, promoting, and developing minority business*  
16 *enterprise, including expenses of grants, contracts, and*  
17 *other agreements with public or private organizations,*  
18 *\$34,000,000.*

19 *ECONOMIC AND STATISTICAL ANALYSIS*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses, as authorized by law, of eco-*  
22 *nomical and statistical analysis programs of the Department*  
23 *of Commerce, \$107,300,000, to remain available until Sep-*  
24 *tember 30, 2018.*

1 *BUREAU OF THE CENSUS*2 *CURRENT SURVEYS AND PROGRAMS*

3 *For necessary expenses for collecting, compiling, ana-*  
4 *lyzing, preparing and publishing statistics, provided for by*  
5 *law, \$270,000,000: Provided, That, from amounts provided*  
6 *herein, funds may be used for promotion, outreach, and*  
7 *marketing activities: Provided further, That the Bureau of*  
8 *the Census shall collect and analyze data for the Annual*  
9 *Social and Economic Supplement to the Current Popu-*  
10 *lation Survey using the same health insurance questions in-*  
11 *cluded in previous years, in addition to the revised ques-*  
12 *tions implemented in the Current Population Survey begin-*  
13 *ning in February 2014.*

14 *PERIODIC CENSUSES AND PROGRAMS*15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For necessary expenses for collecting, compiling, ana-*  
17 *lyzing, preparing and publishing statistics for periodic cen-*  
18 *suses and programs provided for by law, \$1,200,000,000,*  
19 *to remain available until September 30, 2018: Provided,*  
20 *That, from amounts provided herein, funds may be used*  
21 *for promotion, outreach, and marketing activities: Provided*  
22 *further, That within the amounts appropriated, \$2,580,000*  
23 *shall be transferred to the “Office of Inspector General” ac-*  
24 *count for activities associated with carrying out investiga-*  
25 *tions and audits related to the Bureau of the Census: Pro-*

1 *vided further, That not more than 50 percent of the amounts*  
2 *made available under this heading for information tech-*  
3 *nology related to 2020 census delivery, including the Census*  
4 *Enterprise Data Collection and Processing (CEDCaP) pro-*  
5 *gram, may be obligated until the Secretary submits to the*  
6 *Committees on Appropriations of the House of Representa-*  
7 *tives and the Senate a plan for expenditure that: (1) identi-*  
8 *fies for each CEDCaP project/investment over \$25,000: (A)*  
9 *the functional and performance capabilities to be delivered*  
10 *and the mission benefits to be realized; (B) the estimated*  
11 *lifecycle cost, including estimates for development as well*  
12 *as maintenance and operations; and (C) key milestones to*  
13 *be met; (2) details for each project/investment: (A) reasons*  
14 *for any cost and schedule variances; and (B) top risks and*  
15 *mitigation strategies; and (3) has been submitted to the*  
16 *Government Accountability Office.*

17 *NATIONAL TELECOMMUNICATIONS AND INFORMATION*

18 *ADMINISTRATION*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses, as provided for by law, of the*  
21 *National Telecommunications and Information Adminis-*  
22 *tration (NTIA), \$32,000,000, to remain available until*  
23 *September 30, 2018: Provided, That, notwithstanding 31*  
24 *U.S.C. 1535(d), the Secretary of Commerce shall charge*  
25 *Federal agencies for costs incurred in spectrum manage-*

1 *ment, analysis, operations, and related services, and such*  
2 *fees shall be retained and used as offsetting collections for*  
3 *costs of such spectrum services, to remain available until*  
4 *expended: Provided further, That the Secretary of Com-*  
5 *merce is authorized to retain and use as offsetting collec-*  
6 *tions all funds transferred, or previously transferred, from*  
7 *other Government agencies for all costs incurred in tele-*  
8 *communications research, engineering, and related activi-*  
9 *ties by the Institute for Telecommunication Sciences of*  
10 *NTIA, in furtherance of its assigned functions under this*  
11 *paragraph, and such funds received from other Government*  
12 *agencies shall remain available until expended.*

13 *PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND*  
14 *CONSTRUCTION*

15 *For the administration of prior-year grants, recoveries*  
16 *and unobligated balances of funds previously appropriated*  
17 *are available for the administration of all open grants until*  
18 *their expiration.*

19 *UNITED STATES PATENT AND TRADEMARK OFFICE*  
20 *SALARIES AND EXPENSES*  
21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For necessary expenses of the United States Patent and*  
23 *Trademark Office (USPTO) provided for by law, including*  
24 *defense of suits instituted against the Under Secretary of*  
25 *Commerce for Intellectual Property and Director of the*

1 USPTO, \$3,230,000,000, to remain available until ex-  
2 pended: Provided, That the sum herein appropriated from  
3 the general fund shall be reduced as offsetting collections  
4 of fees and surcharges assessed and collected by the USPTO  
5 under any law are received during fiscal year 2017, so as  
6 to result in a fiscal year 2017 appropriation from the gen-  
7 eral fund estimated at \$0: Provided further, That during  
8 fiscal year 2017, should the total amount of such offsetting  
9 collections be less than \$3,230,000,000 this amount shall be  
10 reduced accordingly: Provided further, That any amount re-  
11 ceived in excess of \$3,230,000,000 in fiscal year 2017 and  
12 deposited in the Patent and Trademark Fee Reserve Fund  
13 shall remain available until expended: Provided further,  
14 That the Director of USPTO shall submit a spending plan  
15 to the Committees on Appropriations of the House of Rep-  
16 resentatives and the Senate for any amounts made available  
17 by the preceding proviso and such spending plan shall be  
18 treated as a reprogramming under section 505 of this Act  
19 and shall not be available for obligation or expenditure ex-  
20 cept in compliance with the procedures set forth in that sec-  
21 tion: Provided further, That any amounts reprogrammed  
22 in accordance with the preceding proviso shall be trans-  
23 ferred to the United States Patent and Trademark Office  
24 “Salaries and Expenses” account: Provided further, That  
25 from amounts provided herein, not to exceed \$900 shall be



1 *made available in fiscal year 2017 for official reception and*  
2 *representation expenses: Provided further, That in fiscal*  
3 *year 2017 from the amounts made available for “Salaries*  
4 *and Expenses” for the USPTO, the amounts necessary to*  
5 *pay (1) the difference between the percentage of basic pay*  
6 *contributed by the USPTO and employees under section*  
7 *8334(a) of title 5, United States Code, and the normal cost*  
8 *percentage (as defined by section 8331(17) of that title) as*  
9 *provided by the Office of Personnel Management (OPM) for*  
10 *USPTO’s specific use, of basic pay, of employees subject to*  
11 *subchapter III of chapter 83 of that title, and (2) the present*  
12 *value of the otherwise unfunded accruing costs, as deter-*  
13 *mined by OPM for USPTO’s specific use of post-retirement*  
14 *life insurance and post-retirement health benefits coverage*  
15 *for all USPTO employees who are enrolled in Federal Em-*  
16 *ployees Health Benefits (FEHB) and Federal Employees*  
17 *Group Life Insurance (FEGLI), shall be transferred to the*  
18 *Civil Service Retirement and Disability Fund, the FEGLI*  
19 *Fund, and the FEHB Fund, as appropriate, and shall be*  
20 *available for the authorized purposes of those accounts: Pro-*  
21 *vided further, That any differences between the present*  
22 *value factors published in OPM’s yearly 300 series benefit*  
23 *letters and the factors that OPM provides for USPTO’s spe-*  
24 *cific use shall be recognized as an imputed cost on USPTO’s*  
25 *financial statements, where applicable: Provided further,*

1 *That, notwithstanding any other provision of law, all fees*  
2 *and surcharges assessed and collected by USPTO are avail-*  
3 *able for USPTO only pursuant to section 42(c) of title 35,*  
4 *United States Code, as amended by section 22 of the Leahy-*  
5 *Smith America Invents Act (Public Law 112–29): Provided*  
6 *further, That within the amounts appropriated, \$2,000,000*  
7 *shall be transferred to the “Office of Inspector General” ac-*  
8 *count for activities associated with carrying out investiga-*  
9 *tions and audits related to the USPTO.*

10 *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*

11 *SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For necessary expenses of the National Institute of*  
14 *Standards and Technology (NIST), \$690,000,000, to re-*  
15 *main available until expended, of which not to exceed*  
16 *\$9,000,000 may be transferred to the “Working Capital*  
17 *Fund”:* *Provided, That not to exceed \$5,000 shall be for offi-*  
18 *cial reception and representation expenses: Provided fur-*  
19 *ther, That NIST may provide local transportation for sum-*  
20 *mer undergraduate research fellowship program partici-*  
21 *pants.*

22 *INDUSTRIAL TECHNOLOGY SERVICES*

23 *For necessary expenses for industrial technology serv-*  
24 *ices, \$155,000,000, to remain available until expended, of*  
25 *which \$130,000,000 shall be for the Hollings Manufacturing*

1 *Extension Partnership, and of which \$25,000,000 shall be*  
2 *for the National Network for Manufacturing Innovation:*  
3 *Provided, That of the amount provided under this heading,*  
4 *\$2,000,000 shall be derived from recoveries of prior year*  
5 *obligations.*

6 *CONSTRUCTION OF RESEARCH FACILITIES*

7 *For construction of new research facilities, including*  
8 *architectural and engineering design, and for renovation*  
9 *and maintenance of existing facilities, not otherwise pro-*  
10 *vided for the National Institute of Standards and Tech-*  
11 *nology, as authorized by sections 13 through 15 of the Na-*  
12 *tional Institute of Standards and Technology Act (15*  
13 *U.S.C. 278c–278e), \$109,000,000, to remain available until*  
14 *expended: Provided, That the Secretary of Commerce shall*  
15 *include in the budget justification materials that the Sec-*  
16 *retary submits to Congress in support of the Department*  
17 *of Commerce budget (as submitted with the budget of the*  
18 *President under section 1105(a) of title 31, United States*  
19 *Code) an estimate for each National Institute of Standards*  
20 *and Technology construction project having a total multi-*  
21 *year program cost of more than \$5,000,000, and simulta-*  
22 *neously the budget justification materials shall include an*  
23 *estimate of the budgetary requirements for each such project*  
24 *for each of the 5 subsequent fiscal years.*

1 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
2 OPERATIONS, RESEARCH, AND FACILITIES  
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of activities authorized by law  
5 for the National Oceanic and Atmospheric Administration,  
6 including maintenance, operation, and hire of aircraft and  
7 vessels; grants, contracts, or other payments to nonprofit  
8 organizations for the purposes of conducting activities pur-  
9 suant to cooperative agreements; and relocation of facilities,  
10 \$3,367,875,000, to remain available until September 30,  
11 2018, except that funds provided for cooperative enforce-  
12 ment shall remain available until September 30, 2019: Pro-  
13 vided, That fees and donations received by the National  
14 Ocean Service for the management of national marine sanc-  
15 tuaries may be retained and used for the salaries and ex-  
16 penses associated with those activities, notwithstanding sec-  
17 tion 3302 of title 31, United States Code: Provided further,  
18 That in addition, \$130,164,000 shall be derived by transfer  
19 from the fund entitled “Promote and Develop Fishery Prod-  
20 ucts and Research Pertaining to American Fisheries”,  
21 which shall only be used for fishery activities related to the  
22 Saltonstall-Kennedy Grant Program, Cooperative Research,  
23 Annual Stock Assessments, Survey and Monitoring  
24 Projects, Interjurisdictional Fisheries Grants, and Fish In-  
25 formation Networks: Provided further, That of the

1 \$3,515,539,000 provided for in direct obligations under this  
2 heading, \$3,367,875,000 is appropriated from the general  
3 fund, \$130,164,000 is provided by transfer and \$17,500,000  
4 is derived from recoveries of prior year obligations: Pro-  
5 vided further, That the total amount available for National  
6 Oceanic and Atmospheric Administration corporate services  
7 administrative support costs shall not exceed \$228,440,000:  
8 Provided further, That any deviation from the amounts des-  
9 ignated for specific activities in the explanatory statement  
10 described in section 4 (in the matter preceding division A  
11 of this consolidated Act), or any use of deobligated balances  
12 of funds provided under this heading in previous years,  
13 shall be subject to the procedures set forth in section 505  
14 of this Act: Provided further, That in addition, for nec-  
15 essary retired pay expenses under the Retired Serviceman's  
16 Family Protection and Survivor Benefits Plan, and for  
17 payments for the medical care of retired personnel and their  
18 dependents under the Dependents' Medical Care Act (10  
19 U.S.C. ch. 55), such sums as may be necessary.

20           *PROCUREMENT, ACQUISITION AND CONSTRUCTION*

21                           *(INCLUDING TRANSFER OF FUNDS)*

22           *For procurement, acquisition and construction of cap-*  
23 *ital assets, including alteration and modification costs, of*  
24 *the National Oceanic and Atmospheric Administration,*  
25 *\$2,242,610,000, to remain available until September 30,*

1 2019, except that funds provided for acquisition and con-  
2 struction of vessels and construction of facilities shall re-  
3 main available until expended: Provided, That of the  
4 \$2,255,610,000 provided for in direct obligations under this  
5 heading, \$2,242,610,000 is appropriated from the general  
6 fund and \$13,000,000 is provided from recoveries of prior  
7 year obligations: Provided further, That any deviation from  
8 the amounts designated for specific activities in the explan-  
9 atory statement described in section 4 (in the matter pre-  
10 ceding division A of this consolidated Act), or any use of  
11 deobligated balances of funds provided under this heading  
12 in previous years, shall be subject to the procedures set forth  
13 in section 505 of this Act: Provided further, That the Sec-  
14 retary of Commerce shall include in budget justification  
15 materials that the Secretary submits to Congress in support  
16 of the Department of Commerce budget (as submitted with  
17 the budget of the President under section 1105(a) of title  
18 31, United States Code) an estimate for each National Oce-  
19 anic and Atmospheric Administration procurement, acqui-  
20 sition or construction project having a total of more than  
21 \$5,000,000 and simultaneously the budget justification  
22 shall include an estimate of the budgetary requirements for  
23 each such project for each of the 5 subsequent fiscal years:  
24 Provided further, That, within the amounts appropriated,  
25 \$1,302,000 shall be transferred to the “Office of Inspector

1 *General” account for activities associated with carrying out*  
2 *investigations and audits related to satellite procurement,*  
3 *acquisition and construction.*

4 *PACIFIC COASTAL SALMON RECOVERY*

5 *For necessary expenses associated with the restoration*  
6 *of Pacific salmon populations, \$65,000,000, to remain*  
7 *available until September 30, 2018: Provided, That, of the*  
8 *funds provided herein, the Secretary of Commerce may*  
9 *issue grants to the States of Washington, Oregon, Idaho,*  
10 *Nevada, California, and Alaska, and to the Federally recog-*  
11 *nized tribes of the Columbia River and Pacific Coast (in-*  
12 *cluding Alaska), for projects necessary for conservation of*  
13 *salmon and steelhead populations that are listed as threat-*  
14 *ened or endangered, or that are identified by a State as*  
15 *at-risk to be so listed, for maintaining populations nec-*  
16 *essary for exercise of tribal treaty fishing rights or native*  
17 *subsistence fishing, or for conservation of Pacific coastal*  
18 *salmon and steelhead habitat, based on guidelines to be de-*  
19 *veloped by the Secretary of Commerce: Provided further,*  
20 *That all funds shall be allocated based on scientific and*  
21 *other merit principles and shall not be available for mar-*  
22 *keting activities: Provided further, That funds disbursed to*  
23 *States shall be subject to a matching requirement of funds*  
24 *or documented in-kind contributions of at least 33 percent*  
25 *of the Federal funds.*

1 *FISHERMEN'S CONTINGENCY FUND*

2 *For carrying out the provisions of title IV of Public*  
3 *Law 95-372, not to exceed \$350,000, to be derived from re-*  
4 *ceipts collected pursuant to that Act, to remain available*  
5 *until expended.*

6 *FISHERIES FINANCE PROGRAM ACCOUNT*

7 *Subject to section 502 of the Congressional Budget Act*  
8 *of 1974, during fiscal year 2017, obligations of direct loans*  
9 *may not exceed \$24,000,000 for Individual Fishing Quota*  
10 *loans and not to exceed \$100,000,000 for traditional direct*  
11 *loans as authorized by the Merchant Marine Act of 1936.*

12 *DEPARTMENTAL MANAGEMENT*13 *SALARIES AND EXPENSES*

14 *For necessary expenses for the management of the De-*  
15 *partment of Commerce provided for by law, including not*  
16 *to exceed \$4,500 for official reception and representation,*  
17 *\$58,000,000: Provided, That within amounts provided, the*  
18 *Secretary of Commerce may use up to \$2,500,000 to engage*  
19 *in activities to provide businesses and communities with*  
20 *information about and referrals to relevant Federal, State,*  
21 *and local government programs.*

22 *RENOVATION AND MODERNIZATION*23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For necessary expenses for the renovation and mod-*  
25 *ernization of the Herbert C. Hoover Building, including se-*



1 *curity-related costs, \$4,000,000, to remain available until*  
2 *expended: Provided, That the Secretary of Commerce may*  
3 *transfer up to \$8,224,000 to this account from funds avail-*  
4 *able to the Department of Commerce: Provided further, That*  
5 *the transfer authority provided in the first proviso is in*  
6 *addition to any other transfer authority contained in this*  
7 *Act: Provided further, That any transfer pursuant to the*  
8 *authority provided under this heading shall be treated as*  
9 *a reprogramming under section 505 of this Act and shall*  
10 *not be available for obligation or expenditure except in com-*  
11 *pliance with the procedures set forth in that section.*

12 *OFFICE OF INSPECTOR GENERAL*

13 *For necessary expenses of the Office of Inspector Gen-*  
14 *eral in carrying out the provisions of the Inspector General*  
15 *Act of 1978 (5 U.S.C. App.), \$32,744,000.*

16 *GENERAL PROVISIONS—DEPARTMENT OF COMMERCE*  
17 *(INCLUDING TRANSFER OF FUNDS)*

18 *SEC. 101. During the current fiscal year, applicable*  
19 *appropriations and funds made available to the Depart-*  
20 *ment of Commerce by this Act shall be available for the*  
21 *activities specified in the Act of October 26, 1949 (15 U.S.C.*  
22 *1514), to the extent and in the manner prescribed by the*  
23 *Act, and, notwithstanding 31 U.S.C. 3324, may be used for*  
24 *advanced payments not otherwise authorized only upon the*

1 *certification of officials designated by the Secretary of Com-*  
2 *merce that such payments are in the public interest.*

3       *SEC. 102. During the current fiscal year, appropria-*  
4 *tions made available to the Department of Commerce by*  
5 *this Act for salaries and expenses shall be available for hire*  
6 *of passenger motor vehicles as authorized by 31 U.S.C. 1343*  
7 *and 1344; services as authorized by 5 U.S.C. 3109; and uni-*  
8 *forms or allowances therefor, as authorized by law (5 U.S.C.*  
9 *5901–5902).*

10       *SEC. 103. Not to exceed 5 percent of any appropriation*  
11 *made available for the current fiscal year for the Depart-*  
12 *ment of Commerce in this Act may be transferred between*  
13 *such appropriations, but no such appropriation shall be in-*  
14 *creased by more than 10 percent by any such transfers: Pro-*  
15 *vided, That any transfer pursuant to this section shall be*  
16 *treated as a reprogramming of funds under section 505 of*  
17 *this Act and shall not be available for obligation or expendi-*  
18 *ture except in compliance with the procedures set forth in*  
19 *that section: Provided further, That the Secretary of Com-*  
20 *merce shall notify the Committees on Appropriations at*  
21 *least 15 days in advance of the acquisition or disposal of*  
22 *any capital asset (including land, structures, and equip-*  
23 *ment) not specifically provided for in this Act or any other*  
24 *law appropriating funds for the Department of Commerce.*

1        *SEC. 104. The requirements set forth by section 105*  
2 *of the Commerce, Justice, Science, and Related Agencies*  
3 *Appropriations Act, 2012 (Public Law 112–55), as amend-*  
4 *ed by section 105 of title I of division B of Public Law*  
5 *113–6, are hereby adopted by reference and made applicable*  
6 *with respect to fiscal year 2017: Provided, That the life*  
7 *cycle cost for the Joint Polar Satellite System is*  
8 *\$11,322,125,000 and the life cycle cost for the Geostationary*  
9 *Operational Environmental Satellite R-Series Program is*  
10 *\$10,828,059,000.*

11        *SEC. 105. Notwithstanding any other provision of law,*  
12 *the Secretary may furnish services (including but not lim-*  
13 *ited to utilities, telecommunications, and security services)*  
14 *necessary to support the operation, maintenance, and im-*  
15 *provement of space that persons, firms, or organizations are*  
16 *authorized, pursuant to the Public Buildings Cooperative*  
17 *Use Act of 1976 or other authority, to use or occupy in*  
18 *the Herbert C. Hoover Building, Washington, DC, or other*  
19 *buildings, the maintenance, operation, and protection of*  
20 *which has been delegated to the Secretary from the Adminis-*  
21 *trator of General Services pursuant to the Federal Property*  
22 *and Administrative Services Act of 1949 on a reimbursable*  
23 *or non-reimbursable basis. Amounts received as reimburse-*  
24 *ment for services provided under this section or the author-*  
25 *ity under which the use or occupancy of the space is author-*

1 ized, up to \$200,000, shall be credited to the appropriation  
2 or fund which initially bears the costs of such services.

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

7       *SEC. 107. The Administrator of the National Oceanic*  
8 *and Atmospheric Administration is authorized to use, with*  
9 *their consent, with reimbursement and subject to the limits*  
10 *of available appropriations, the land, services, equipment,*  
11 *personnel, and facilities of any department, agency, or in-*  
12 *strumentality of the United States, or of any State, local*  
13 *government, Indian tribal government, Territory, or posses-*  
14 *sion, or of any political subdivision thereof, or of any for-*  
15 *ign government or international organization, for purposes*  
16 *related to carrying out the responsibilities of any statute*  
17 *administered by the National Oceanic and Atmospheric Ad-*  
18 *ministration.*

19       *SEC. 108. The National Technical Information Service*  
20 *shall not charge any customer for a copy of any report or*  
21 *document generated by the Legislative Branch unless the*  
22 *Service has provided information to the customer on how*  
23 *an electronic copy of such report or document may be*  
24 *accessed and downloaded for free online. Should a customer*  
25 *still require the Service to provide a printed or digital copy*

1 *of the report or document, the charge shall be limited to*  
2 *recovering the Service's cost of processing, reproducing, and*  
3 *delivering such report or document.*

4 *SEC. 109. The Secretary of Commerce may waive the*  
5 *requirement for bonds under 40 U.S.C. 3131 with respect*  
6 *to contracts for the construction, alteration, or repair of ves-*  
7 *sels, regardless of the terms of the contracts as to payment*  
8 *or title, when the contract is made under the Coast and*  
9 *Geodetic Survey Act of 1947 (33 U.S.C. 883a et seq.).*

10 *SEC. 110. None of the funds appropriated or otherwise*  
11 *made available in this or any other Act, with respect to*  
12 *any fiscal year, may be used in contravention of section*  
13 *110 of the Commerce, Justice, Science, and Related Agencies*  
14 *Appropriations Act, 2016 (Public Law 114–113).*

15 *SEC. 111. To carry out the responsibilities of the Na-*  
16 *tional Oceanic and Atmospheric Administration (NOAA),*  
17 *the Administrator of NOAA is authorized to: (1) enter into*  
18 *grants and cooperative agreements with; (2) use on a non-*  
19 *reimbursable basis land, services, equipment, personnel, and*  
20 *facilities provided by; and (3) receive and expend funds*  
21 *made available on a consensual basis from: a Federal agen-*  
22 *cy, State or subdivision thereof, local government, tribal*  
23 *government, territory, or possession or any subdivisions*  
24 *thereof: Provided, That funds received for permitting and*  
25 *related regulatory activities pursuant to this section shall*

1 *be deposited under the heading “National Oceanic and At-*  
2 *mospheric Administration—Operations, Research, and Fa-*  
3 *cilities” and shall remain available until September 30,*  
4 *2019, for such purposes: Provided further, That all funds*  
5 *within this section and their corresponding uses are subject*  
6 *to section 505 of this Act.*

7       *SEC. 112. Amounts provided by this Act or by any*  
8 *prior appropriations Act that remain available for obliga-*  
9 *tion, for necessary expenses of the programs of the Econom-*  
10 *ics and Statistics Administration of the Department of*  
11 *Commerce, including amounts provided for programs of the*  
12 *Bureau of Economic Analysis and the U.S. Census Bureau,*  
13 *shall be available for expenses of cooperative agreements*  
14 *with appropriate entities, including any Federal, State, or*  
15 *local governmental unit, or institution of higher education,*  
16 *to aid and promote statistical, research, and methodology*  
17 *activities which further the purposes for which such*  
18 *amounts have been made available.*

19       *SEC. 113. For fiscal year 2017 and each fiscal year*  
20 *thereafter, no person shall conduct any research, explo-*  
21 *ration, salvage, or other activity that would physically alter*  
22 *or disturb the wreck or wreck site of the RMS Titanic unless*  
23 *authorized by the Secretary of Commerce per the provisions*  
24 *of the Agreement Concerning the Shipwrecked Vessel RMS*  
25 *Titanic. The Secretary of Commerce shall take appropriate*

1 *actions to carry out this section consistent with the Agree-*  
2 *ment.*

3 *This title may be cited as the “Department of Com-*  
4 *merce Appropriations Act, 2017”.*

5 *TITLE II*

6 *DEPARTMENT OF JUSTICE*

7 *GENERAL ADMINISTRATION*

8 *SALARIES AND EXPENSES*

9 *For expenses necessary for the administration of the*  
10 *Department of Justice, \$114,124,000, of which not to exceed*  
11 *\$4,000,000 for security and construction of Department of*  
12 *Justice facilities shall remain available until expended.*

13 *JUSTICE INFORMATION SHARING TECHNOLOGY*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For necessary expenses for information sharing tech-*  
16 *nology, including planning, development, deployment and*  
17 *departmental direction, \$31,000,000, to remain available*  
18 *until expended: Provided, That the Attorney General may*  
19 *transfer up to \$35,400,000 to this account, from funds*  
20 *available to the Department of Justice for information tech-*  
21 *nology, to remain available until expended, for enterprise-*  
22 *wide information technology initiatives: Provided further,*  
23 *That the transfer authority in the preceding proviso is in*  
24 *addition to any other transfer authority contained in this*  
25 *Act: Provided further, That any transfer pursuant to the*

1 *first proviso shall be treated as a reprogramming under sec-*  
2 *tion 505 of this Act and shall not be available for obligation*  
3 *or expenditure except in compliance with the procedures set*  
4 *forth in that section.*

5 *EXECUTIVE OFFICE FOR IMMIGRATION REVIEW*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For expenses necessary for the administration of immi-*  
8 *gration-related activities of the Executive Office for Immi-*  
9 *gration Review, \$440,000,000, of which \$4,000,000 shall be*  
10 *derived by transfer from the Executive Office for Immigra-*  
11 *tion Review fees deposited in the “Immigration Examina-*  
12 *tions Fee” account: Provided, That not to exceed*  
13 *\$15,000,000 of the total amount made available under this*  
14 *heading shall remain available until expended: Provided*  
15 *further, That any unobligated balances available from funds*  
16 *appropriated for the Executive Office for Immigration Re-*  
17 *view under the heading “General Administration, Adminis-*  
18 *trative Review and Appeals” shall be transferred to and*  
19 *merged with the appropriation under this heading.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *For necessary expenses of the Office of Inspector Gen-*  
22 *eral, \$95,583,000, including not to exceed \$10,000 to meet*  
23 *unforeseen emergencies of a confidential character.*



1                    *UNITED STATES PAROLE COMMISSION*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses of the United States Parole*  
4 *Commission as authorized, \$13,308,000: Provided, That,*  
5 *notwithstanding any other provision of law, upon the expi-*  
6 *ration of a term of office of a Commissioner, the Commis-*  
7 *sioner may continue to act until a successor has been ap-*  
8 *pointed.*

9                    *LEGAL ACTIVITIES*10            *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

11            *For expenses necessary for the legal activities of the*  
12 *Department of Justice, not otherwise provided for, includ-*  
13 *ing not to exceed \$20,000 for expenses of collecting evidence,*  
14 *to be expended under the direction of, and to be accounted*  
15 *for solely under the certificate of, the Attorney General; the*  
16 *administration of pardon and clemency petitions; and rent*  
17 *of private or Government-owned space in the District of Co-*  
18 *lumbia, \$897,500,000, of which not to exceed \$20,000,000*  
19 *for litigation support contracts shall remain available until*  
20 *expended: Provided, That of the amount provided for*  
21 *INTERPOL Washington dues payments, not to exceed*  
22 *\$685,000 shall remain available until expended: Provided*  
23 *further, That of the total amount appropriated, not to ex-*  
24 *ceed \$9,000 shall be available to INTERPOL Washington*  
25 *for official reception and representation expenses: Provided*

1 *further, That notwithstanding section 205 of this Act, upon*  
2 *a determination by the Attorney General that emergent cir-*  
3 *cumstances require additional funding for litigation activi-*  
4 *ties of the Civil Division, the Attorney General may trans-*  
5 *fer such amounts to “Salaries and Expenses, General Legal*  
6 *Activities” from available appropriations for the current*  
7 *fiscal year for the Department of Justice, as may be nec-*  
8 *essary to respond to such circumstances: Provided further,*  
9 *That any transfer pursuant to the preceding proviso shall*  
10 *be treated as a reprogramming under section 505 of this*  
11 *Act and shall not be available for obligation or expenditure*  
12 *except in compliance with the procedures set forth in that*  
13 *section: Provided further, That of the amount appropriated,*  
14 *such sums as may be necessary shall be available to the*  
15 *Civil Rights Division for salaries and expenses associated*  
16 *with the election monitoring program under section 8 of*  
17 *the Voting Rights Act of 1965 (52 U.S.C. 10305) and to*  
18 *reimburse the Office of Personnel Management for such sal-*  
19 *aries and expenses: Provided further, That of the amounts*  
20 *provided under this heading for the election monitoring*  
21 *program, \$3,390,000 shall remain available until expended.*

22 *In addition, for reimbursement of expenses of the De-*  
23 *partment of Justice associated with processing cases under*  
24 *the National Childhood Vaccine Injury Act of 1986, not to*

1 *exceed \$10,000,000, to be appropriated from the Vaccine In-*  
2 *jury Compensation Trust Fund.*

3 *SALARIES AND EXPENSES, ANTITRUST DIVISION*

4 *For expenses necessary for the enforcement of antitrust*  
5 *and kindred laws, \$164,977,000, to remain available until*  
6 *expended: Provided, That notwithstanding any other provi-*  
7 *sion of law, fees collected for premerger notification filings*  
8 *under the Hart-Scott-Rodino Antitrust Improvements Act*  
9 *of 1976 (15 U.S.C. 18a), regardless of the year of collection*  
10 *(and estimated to be \$125,000,000 in fiscal year 2017),*  
11 *shall be retained and used for necessary expenses in this*  
12 *appropriation, and shall remain available until expended:*  
13 *Provided further, That the sum herein appropriated from*  
14 *the general fund shall be reduced as such offsetting collec-*  
15 *tions are received during fiscal year 2017, so as to result*  
16 *in a final fiscal year 2017 appropriation from the general*  
17 *fund estimated at \$39,977,000.*

18 *SALARIES AND EXPENSES, UNITED STATES ATTORNEYS*

19 *For necessary expenses of the Offices of the United*  
20 *States Attorneys, including inter-governmental and cooper-*  
21 *ative agreements, \$2,035,000,000: Provided, That of the*  
22 *total amount appropriated, not to exceed \$7,200 shall be*  
23 *available for official reception and representation expenses:*  
24 *Provided further, That not to exceed \$25,000,000 shall re-*  
25 *main available until expended: Provided further, That each*

1 *United States Attorney shall establish or participate in a*  
2 *task force on human trafficking.*

3 *UNITED STATES TRUSTEE SYSTEM FUND*

4 *For necessary expenses of the United States Trustee*  
5 *Program, as authorized, \$225,908,000, to remain available*  
6 *until expended: Provided, That, notwithstanding any other*  
7 *provision of law, deposits to the United States Trustee Sys-*  
8 *tem Fund and amounts herein appropriated shall be avail-*  
9 *able in such amounts as may be necessary to pay refunds*  
10 *due depositors: Provided further, That, notwithstanding*  
11 *any other provision of law, fees collected pursuant to section*  
12 *589a(b) of title 28, United States Code, shall be retained*  
13 *and used for necessary expenses in this appropriation and*  
14 *shall remain available until expended: Provided further,*  
15 *That to the extent that fees collected in fiscal year 2017,*  
16 *net of amounts necessary to pay refunds due depositors, ex-*  
17 *ceed \$225,908,000, those excess amounts shall be available*  
18 *in future fiscal years only to the extent provided in advance*  
19 *in appropriations Acts: Provided further, That the sum*  
20 *herein appropriated from the general fund shall be reduced*  
21 *(1) as such fees are received during fiscal year 2017, net*  
22 *of amounts necessary to pay refunds due depositors, (esti-*  
23 *mated at \$163,000,000) and (2) to the extent that any re-*  
24 *maining general fund appropriations can be derived from*  
25 *amounts deposited in the Fund in previous fiscal years that*

1 *are not otherwise appropriated, so as to result in a final*  
2 *fiscal year 2017 appropriation from the general fund esti-*  
3 *mated at \$62,908,000.*

4 *SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT*  
5 *COMMISSION*

6 *For expenses necessary to carry out the activities of*  
7 *the Foreign Claims Settlement Commission, including serv-*  
8 *ices as authorized by section 3109 of title 5, United States*  
9 *Code, \$2,374,000.*

10 *FEES AND EXPENSES OF WITNESSES*

11 *For fees and expenses of witnesses, for expenses of con-*  
12 *tracts for the procurement and supervision of expert wit-*  
13 *nesses, for private counsel expenses, including advances,*  
14 *and for expenses of foreign counsel, \$270,000,000, to remain*  
15 *available until expended, of which not to exceed \$16,000,000*  
16 *is for construction of buildings for protected witness*  
17 *safesites; not to exceed \$3,000,000 is for the purchase and*  
18 *maintenance of armored and other vehicles for witness secu-*  
19 *rity caravans; and not to exceed \$13,000,000 is for the pur-*  
20 *chase, installation, maintenance, and upgrade of secure*  
21 *telecommunications equipment and a secure automated in-*  
22 *formation network to store and retrieve the identities and*  
23 *locations of protected witnesses: Provided, That amounts*  
24 *made available under this heading may not be transferred*  
25 *pursuant to section 205 of this Act.*

1 SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE  
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses of the Community Relations  
4 Service, \$15,500,000: Provided, That notwithstanding sec-  
5 tion 205 of this Act, upon a determination by the Attorney  
6 General that emergent circumstances require additional  
7 funding for conflict resolution and violence prevention ac-  
8 tivities of the Community Relations Service, the Attorney  
9 General may transfer such amounts to the Community Re-  
10 lations Service, from available appropriations for the cur-  
11 rent fiscal year for the Department of Justice, as may be  
12 necessary to respond to such circumstances: Provided fur-  
13 ther, That any transfer pursuant to the preceding proviso  
14 shall be treated as a reprogramming under section 505 of  
15 this Act and shall not be available for obligation or expendi-  
16 ture except in compliance with the procedures set forth in  
17 that section.

18 ASSETS FORFEITURE FUND

19 For expenses authorized by subparagraphs (B), (F),  
20 and (G) of section 524(c)(1) of title 28, United States Code,  
21 \$20,514,000, to be derived from the Department of Justice  
22 Assets Forfeiture Fund.

1 *UNITED STATES MARSHALS SERVICE*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the United States Marshals*  
4 *Service, \$1,249,040,000, of which not to exceed \$6,000 shall*  
5 *be available for official reception and representation ex-*  
6 *penses, and not to exceed \$15,000,000 shall remain avail-*  
7 *able until expended.*

8 *CONSTRUCTION*

9 *For construction in space controlled, occupied or uti-*  
10 *lized by the United States Marshals Service for prisoner*  
11 *holding and related support, \$10,000,000, to remain avail-*  
12 *able until expended.*

13 *FEDERAL PRISONER DETENTION*14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For necessary expenses related to United States pris-*  
16 *oners in the custody of the United States Marshals Service*  
17 *as authorized by section 4013 of title 18, United States*  
18 *Code, \$1,454,414,000, to remain available until expended:*  
19 *Provided, That not to exceed \$20,000,000 shall be considered*  
20 *“funds appropriated for State and local law enforcement*  
21 *assistance” pursuant to section 4013(b) of title 18, United*  
22 *States Code: Provided further, That the United States Mar-*  
23 *shals Service shall be responsible for managing the Justice*  
24 *Prisoner and Alien Transportation System: Provided fur-*  
25 *ther, That any unobligated balances available from funds*

1 *appropriated under the heading “General Administration,*  
2 *Detention Trustee” shall be transferred to and merged with*  
3 *the appropriation under this heading.*

4 *NATIONAL SECURITY DIVISION*

5 *SALARIES AND EXPENSES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For expenses necessary to carry out the activities of*  
8 *the National Security Division, \$96,000,000, of which not*  
9 *to exceed \$5,000,000 for information technology systems*  
10 *shall remain available until expended: Provided, That not-*  
11 *withstanding section 205 of this Act, upon a determination*  
12 *by the Attorney General that emergent circumstances re-*  
13 *quire additional funding for the activities of the National*  
14 *Security Division, the Attorney General may transfer such*  
15 *amounts to this heading from available appropriations for*  
16 *the current fiscal year for the Department of Justice, as*  
17 *may be necessary to respond to such circumstances: Pro-*  
18 *vided further, That any transfer pursuant to the preceding*  
19 *proviso shall be treated as a reprogramming under section*  
20 *505 of this Act and shall not be available for obligation*  
21 *or expenditure except in compliance with the procedures set*  
22 *forth in that section.*



1 *INTERAGENCY LAW ENFORCEMENT*2 *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

3 *For necessary expenses for the identification, inves-*  
4 *tigation, and prosecution of individuals associated with the*  
5 *most significant drug trafficking organizations,*  
6 *transnational organized crime, and money laundering or-*  
7 *ganizations not otherwise provided for, to include inter-gov-*  
8 *ernmental agreements with State and local law enforcement*  
9 *agencies engaged in the investigation and prosecution of in-*  
10 *dividuals involved in transnational organized crime and*  
11 *drug trafficking, \$517,000,000, of which \$50,000,000 shall*  
12 *remain available until expended: Provided, That any*  
13 *amounts obligated from appropriations under this heading*  
14 *may be used under authorities available to the organiza-*  
15 *tions reimbursed from this appropriation.*

16 *FEDERAL BUREAU OF INVESTIGATION*17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Federal Bureau of Inves-*  
19 *tigation for detection, investigation, and prosecution of*  
20 *crimes against the United States, \$8,767,201,000, of which*  
21 *not to exceed \$285,882,000 shall remain available until ex-*  
22 *pended: Provided, That not to exceed \$184,500 shall be*  
23 *available for official reception and representation expenses:*  
24 *Provided further, That in addition to other funds provided*  
25 *for Construction projects, the Federal Bureau of Investiga-*

1 *tion may use up to \$68,982,000 under this heading for all*  
2 *costs related to construction, conversion, modification and*  
3 *extension of federally owned and leased space; preliminary*  
4 *planning and design of projects; and operation and mainte-*  
5 *nance of secure work environment facilities and secure net-*  
6 *working capabilities.*

7 *CONSTRUCTION*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For necessary expenses, to include the cost of equip-*  
10 *ment, furniture, and information technology requirements,*  
11 *related to construction or acquisition of buildings, facilities*  
12 *and sites by purchase, or as otherwise authorized by law;*  
13 *conversion, modification and extension of federally owned*  
14 *buildings; preliminary planning and design of projects; and*  
15 *operation and maintenance of secure work environment fa-*  
16 *cilities and secure networking capabilities; \$420,178,000, to*  
17 *remain available until expended, of which \$181,000,000*  
18 *shall be derived by transfer from the Department of Jus-*  
19 *tice's Working Capital Fund: Provided, That \$323,000,000*  
20 *shall be for the new Federal Bureau of Investigation consoli-*  
21 *dated headquarters facility in the National Capital Region.*

22 *DRUG ENFORCEMENT ADMINISTRATION*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Drug Enforcement Ad-*  
25 *ministration, including not to exceed \$70,000 to meet un-*

1 *foreseen emergencies of a confidential character pursuant*  
2 *to section 530C of title 28, United States Code; and expenses*  
3 *for conducting drug education and training programs, in-*  
4 *cluding travel and related expenses for participants in such*  
5 *programs and the distribution of items of token value that*  
6 *promote the goals of such programs, \$2,102,976,000, of*  
7 *which not to exceed \$75,000,000 shall remain available*  
8 *until expended and not to exceed \$90,000 shall be available*  
9 *for official reception and representation expenses.*

10 *BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND*

11 *EXPLOSIVES*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Bureau of Alcohol, To-*  
14 *bacco, Firearms and Explosives, for training of State and*  
15 *local law enforcement agencies with or without reimburse-*  
16 *ment, including training in connection with the training*  
17 *and acquisition of canines for explosives and fire*  
18 *accelerants detection; and for provision of laboratory assist-*  
19 *ance to State and local law enforcement agencies, with or*  
20 *without reimbursement, \$1,258,600,000, of which not to ex-*  
21 *ceed \$36,000 shall be for official reception and representa-*  
22 *tion expenses, not to exceed \$1,000,000 shall be available*  
23 *for the payment of attorneys' fees as provided by section*  
24 *924(d)(2) of title 18, United States Code, and not to exceed*  
25 *\$20,000,000 shall remain available until expended: Pro-*

1 *vided, That none of the funds appropriated herein shall be*  
2 *available to investigate or act upon applications for relief*  
3 *from Federal firearms disabilities under section 925(c) of*  
4 *title 18, United States Code: Provided further, That such*  
5 *funds shall be available to investigate and act upon appli-*  
6 *cations filed by corporations for relief from Federal fire-*  
7 *arms disabilities under section 925(c) of title 18, United*  
8 *States Code: Provided further, That no funds made avail-*  
9 *able by this or any other Act may be used to transfer the*  
10 *functions, missions, or activities of the Bureau of Alcohol,*  
11 *Tobacco, Firearms and Explosives to other agencies or De-*  
12 *partments.*

13 *FEDERAL PRISON SYSTEM*

14 *SALARIES AND EXPENSES*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For necessary expenses of the Federal Prison System*  
17 *for the administration, operation, and maintenance of Fed-*  
18 *eral penal and correctional institutions, and for the provi-*  
19 *sion of technical assistance and advice on corrections re-*  
20 *lated issues to foreign governments, \$7,008,800,000: Pro-*  
21 *vided, That the Attorney General may transfer to the De-*  
22 *partment of Health and Human Services such amounts as*  
23 *may be necessary for direct expenditures by that Depart-*  
24 *ment for medical relief for inmates of Federal penal and*  
25 *correctional institutions: Provided further, That the Direc-*

1 *tor of the Federal Prison System, where necessary, may*  
2 *enter into contracts with a fiscal agent or fiscal inter-*  
3 *mediary claims processor to determine the amounts payable*  
4 *to persons who, on behalf of the Federal Prison System, fur-*  
5 *nish health services to individuals committed to the custody*  
6 *of the Federal Prison System: Provided further, That not*  
7 *to exceed \$5,400 shall be available for official reception and*  
8 *representation expenses: Provided further, That not to ex-*  
9 *ceed \$50,000,000 shall remain available for necessary oper-*  
10 *ations until September 30, 2018: Provided further, That,*  
11 *of the amounts provided for contract confinement, not to*  
12 *exceed \$20,000,000 shall remain available until expended*  
13 *to make payments in advance for grants, contracts and re-*  
14 *imbursable agreements, and other expenses: Provided fur-*  
15 *ther, That the Director of the Federal Prison System may*  
16 *accept donated property and services relating to the oper-*  
17 *ation of the prison card program from a not-for-profit enti-*  
18 *ty which has operated such program in the past, notwith-*  
19 *standing the fact that such not-for-profit entity furnishes*  
20 *services under contracts to the Federal Prison System relat-*  
21 *ing to the operation of pre-release services, halfway houses,*  
22 *or other custodial facilities.*

23 *BUILDINGS AND FACILITIES*

24 *For planning, acquisition of sites and construction of*  
25 *new facilities; purchase and acquisition of facilities and re-*

1 *modeling, and equipping of such facilities for penal and*  
2 *correctional use, including all necessary expenses incident*  
3 *thereto, by contract or force account; and constructing, re-*  
4 *modeling, and equipping necessary buildings and facilities*  
5 *at existing penal and correctional institutions, including*  
6 *all necessary expenses incident thereto, by contract or force*  
7 *account, \$130,000,000, to remain available until expended,*  
8 *of which \$50,000,000 shall be available only for costs related*  
9 *to construction of new facilities: Provided, That labor of*  
10 *United States prisoners may be used for work performed*  
11 *under this appropriation.*

12 *FEDERAL PRISON INDUSTRIES, INCORPORATED*

13 *The Federal Prison Industries, Incorporated, is hereby*  
14 *authorized to make such expenditures within the limits of*  
15 *funds and borrowing authority available, and in accord*  
16 *with the law, and to make such contracts and commitments*  
17 *without regard to fiscal year limitations as provided by sec-*  
18 *tion 9104 of title 31, United States Code, as may be nec-*  
19 *essary in carrying out the program set forth in the budget*  
20 *for the current fiscal year for such corporation.*

21 *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*

22 *PRISON INDUSTRIES, INCORPORATED*

23 *Not to exceed \$2,700,000 of the funds of the Federal*  
24 *Prison Industries, Incorporated, shall be available for its*  
25 *administrative expenses, and for services as authorized by*

1 *section 3109 of title 5, United States Code, to be computed*  
2 *on an accrual basis to be determined in accordance with*  
3 *the corporation's current prescribed accounting system, and*  
4 *such amounts shall be exclusive of depreciation, payment*  
5 *of claims, and expenditures which such accounting system*  
6 *requires to be capitalized or charged to cost of commodities*  
7 *acquired or produced, including selling and shipping ex-*  
8 *penses, and expenses in connection with acquisition, con-*  
9 *struction, operation, maintenance, improvement, protec-*  
10 *tion, or disposition of facilities and other property belong-*  
11 *ing to the corporation or in which it has an interest.*

12 *STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES*

13 *OFFICE ON VIOLENCE AGAINST WOMEN*

14 *VIOLENCE AGAINST WOMEN PREVENTION AND*

15 *PROSECUTION PROGRAMS*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For grants, contracts, cooperative agreements, and*  
18 *other assistance for the prevention and prosecution of vio-*  
19 *lence against women, as authorized by the Omnibus Crime*  
20 *Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et*  
21 *seq.) ("the 1968 Act"); the Violent Crime Control and Law*  
22 *Enforcement Act of 1994 (Public Law 103-322) ("the 1994*  
23 *Act"); the Victims of Child Abuse Act of 1990 (Public Law*  
24 *101-647) ("the 1990 Act"); the Prosecutorial Remedies and*  
25 *Other Tools to end the Exploitation of Children Today Act*

1 of 2003 (Public Law 108–21); the Juvenile Justice and De-  
2 linquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.)  
3 (“the 1974 Act”); the Victims of Trafficking and Violence  
4 Protection Act of 2000 (Public Law 106–386) (“the 2000  
5 Act”); the Violence Against Women and Department of Jus-  
6 tice Reauthorization Act of 2005 (Public Law 109–162)  
7 (“the 2005 Act”); the Violence Against Women Reauthoriza-  
8 tion Act of 2013 (Public Law 113–4) (“the 2013 Act”); and  
9 the Rape Survivor Child Custody Act of 2015 (Public Law  
10 114–22) (“the 2015 Act”); and for related victims services,  
11 \$481,500,000, to remain available until expended, of which  
12 \$326,000,000 shall be derived by transfer from amounts  
13 available for obligation in this Act from the Fund estab-  
14 lished by section 1402 of chapter XIV of title II of Public  
15 Law 98–473 (42 U.S.C. 10601), notwithstanding section  
16 1402(d) of such Act of 1984, and merged with the amounts  
17 otherwise made available under this heading: Provided,  
18 That except as otherwise provided by law, not to exceed 5  
19 percent of funds made available under this heading may  
20 be used for expenses related to evaluation, training, and  
21 technical assistance: Provided further, That of the amount  
22 provided—

23           (1) \$215,000,000 is for grants to combat violence  
24           against women, as authorized by part T of the 1968  
25           Act;



1           (2) \$30,000,000 is for transitional housing as-  
2           sistance grants for victims of domestic violence, dat-  
3           ing violence, stalking, or sexual assault as authorized  
4           by section 40299 of the 1994 Act;

5           (3) \$3,000,000 is for the National Institute of  
6           Justice for research and evaluation of violence against  
7           women and related issues addressed by grant pro-  
8           grams of the Office on Violence Against Women,  
9           which shall be transferred to “Research, Evaluation  
10          and Statistics” for administration by the Office of  
11          Justice Programs;

12          (4) \$11,000,000 is for a grant program to pro-  
13          vide services to advocate for and respond to youth vic-  
14          tims of domestic violence, dating violence, sexual as-  
15          sault, and stalking; assistance to children and youth  
16          exposed to such violence; programs to engage men and  
17          youth in preventing such violence; and assistance to  
18          middle and high school students through education  
19          and other services related to such violence: Provided,  
20          That unobligated balances available for the programs  
21          authorized by sections 41201, 41204, 41303, and  
22          41305 of the 1994 Act, prior to its amendment by the  
23          2013 Act, shall be available for this program: Pro-  
24          vided further, That 10 percent of the total amount  
25          available for this grant program shall be available for

1        *grants under the program authorized by section 2015*  
2        *of the 1968 Act: Provided further, That the definitions*  
3        *and grant conditions in section 40002 of the 1994 Act*  
4        *shall apply to this program;*

5            (5) *\$53,000,000 is for grants to encourage arrest*  
6        *policies as authorized by part U of the 1968 Act, of*  
7        *which \$4,000,000 is for a homicide reduction initia-*  
8        *tive;*

9            (6) *\$35,000,000 is for sexual assault victims as-*  
10        *sistance, as authorized by section 41601 of the 1994*  
11        *Act;*

12           (7) *\$35,000,000 is for rural domestic violence*  
13        *and child abuse enforcement assistance grants, as au-*  
14        *thorized by section 40295 of the 1994 Act;*

15           (8) *\$20,000,000 is for grants to reduce violent*  
16        *crimes against women on campus, as authorized by*  
17        *section 304 of the 2005 Act;*

18           (9) *\$45,000,000 is for legal assistance for vic-*  
19        *tims, as authorized by section 1201 of the 2000 Act;*

20           (10) *\$5,000,000 is for enhanced training and*  
21        *services to end violence against and abuse of women*  
22        *in later life, as authorized by section 40802 of the*  
23        *1994 Act;*

24           (11) *\$16,000,000 is for grants to support fami-*  
25        *lies in the justice system, as authorized by section*

1        *1301 of the 2000 Act: Provided, That unobligated bal-*  
2        *ances available for the programs authorized by section*  
3        *1301 of the 2000 Act and section 41002 of the 1994*  
4        *Act, prior to their amendment by the 2013 Act, shall*  
5        *be available for this program;*

6            *(12) \$6,000,000 is for education and training to*  
7        *end violence against and abuse of women with dis-*  
8        *abilities, as authorized by section 1402 of the 2000*  
9        *Act;*

10           *(13) \$500,000 is for the National Resource Cen-*  
11        *ter on Workplace Responses to assist victims of do-*  
12        *mestic violence, as authorized by section 41501 of the*  
13        *1994 Act;*

14           *(14) \$1,000,000 is for analysis and research on*  
15        *violence against Indian women, including as author-*  
16        *ized by section 904 of the 2005 Act: Provided, That*  
17        *such funds may be transferred to “Research, Evalua-*  
18        *tion and Statistics” for administration by the Office*  
19        *of Justice Programs;*

20           *(15) \$500,000 is for a national clearinghouse*  
21        *that provides training and technical assistance on*  
22        *issues relating to sexual assault of American Indian*  
23        *and Alaska Native women;*

24           *(16) \$4,000,000 is for grants to assist tribal gov-*  
25        *ernments in exercising special domestic violence*

1 *criminal jurisdiction, as authorized by section 904 of*  
2 *the 2013 Act: Provided, That the grant conditions in*  
3 *section 40002(b) of the 1994 Act shall apply to this*  
4 *program; and*

5 *(17) \$1,500,000 for the purposes authorized*  
6 *under the 2015 Act.*

7 *OFFICE OF JUSTICE PROGRAMS*

8 *RESEARCH, EVALUATION AND STATISTICS*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For grants, contracts, cooperative agreements, and*  
11 *other assistance authorized by title I of the Omnibus Crime*  
12 *Control and Safe Streets Act of 1968 (“the 1968 Act”); the*  
13 *Juvenile Justice and Delinquency Prevention Act of 1974*  
14 *(“the 1974 Act”); the Missing Children’s Assistance Act (42*  
15 *U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other*  
16 *Tools to end the Exploitation of Children Today Act of 2003*  
17 *(Public Law 108–21); the Justice for All Act of 2004 (Pub-*  
18 *lic Law 108–405); the Violence Against Women and De-*  
19 *partment of Justice Reauthorization Act of 2005 (Public*  
20 *Law 109–162) (“the 2005 Act”); the Victims of Child Abuse*  
21 *Act of 1990 (Public Law 101–647); the Second Chance Act*  
22 *of 2007 (Public Law 110–199); the Victims of Crime Act*  
23 *of 1984 (Public Law 98–473); the Adam Walsh Child Pro-*  
24 *tection and Safety Act of 2006 (Public Law 109–248) (“the*  
25 *Adam Walsh Act”); the PROTECT Our Children Act of*

1 2008 (Public Law 110–401); subtitle D of title II of the  
2 Homeland Security Act of 2002 (Public Law 107–296)  
3 (“the 2002 Act”); the NICS Improvement Amendments Act  
4 of 2007 (Public Law 110–180); the Violence Against Women  
5 Reauthorization Act of 2013 (Public Law 113–4) (“the  
6 2013 Act”); and other programs, \$89,000,000, to remain  
7 available until expended, of which—

8           (1) \$45,500,000 is for criminal justice statistics  
9           programs, and other activities, as authorized by part  
10          C of title I of the 1968 Act, of which \$5,000,000 is  
11          for a nationwide incident-based crime statistics pro-  
12          gram;

13           (2) \$39,500,000 is for research, development, and  
14          evaluation programs, and other activities as author-  
15          ized by part B of title I of the 1968 Act and subtitle  
16          D of title II of the 2002 Act, of which \$4,000,000 is  
17          for research targeted toward developing a better un-  
18          derstanding of the domestic radicalization phe-  
19          nomenon, and advancing evidence-based strategies for  
20          effective intervention and prevention; and

21           (3) \$4,000,000 is for activities to strengthen and  
22          enhance the practice of forensic sciences, of which  
23          \$3,000,000 is for transfer to the National Institute of  
24          Standards and Technology to support Scientific Area  
25          Committees.



1 *the Violence Against Women Reauthorization Act of 2013*  
2 *(Public Law 113–4) (“the 2013 Act”); the Comprehensive*  
3 *Addiction and Recovery Act of 2016 (Public Law 114–198)*  
4 *(“CARA”); and other programs, \$1,258,500,000, to remain*  
5 *available until expended as follows—*

6           (1) *\$396,000,000 for the Edward Byrne Memo-*  
7 *rial Justice Assistance Grant program as authorized*  
8 *by subpart 1 of part E of title I of the 1968 Act (ex-*  
9 *cept that section 1001(c), and the special rules for*  
10 *Puerto Rico under section 505(g) of title I of the 1968*  
11 *Act shall not apply for purposes of this Act), of*  
12 *which, notwithstanding such subpart 1, \$7,500,000 is*  
13 *for the Officer Robert Wilson III Memorial Initiative*  
14 *on Preventing Violence Against Law Enforcement Of-*  
15 *ficer Resilience and Survivability (VALOR),*  
16 *\$5,000,000 is for an initiative to support evidence-*  
17 *based policing, \$2,500,000 is for an initiative to en-*  
18 *hance prosecutorial decision-making, \$2,400,000 is for*  
19 *the operationalization, maintenance and expansion of*  
20 *the National Missing and Unidentified Persons Sys-*  
21 *tem, \$2,500,000 is for a national training initiative*  
22 *to improve police-based responses to people with men-*  
23 *tal illness or developmental disabilities, \$6,500,000 is*  
24 *for competitive and evidence-based programs to reduce*  
25 *gun crime and gang violence, \$2,000,000 is for a stu-*

1        *dent loan repayment assistance program pursuant to*  
2        *section 952 of Public Law 110–315, \$2,500,000 is for*  
3        *the Capital Litigation Improvement Grant Program,*  
4        *as authorized by section 426 of Public Law 108–405,*  
5        *and for grants for wrongful conviction review,*  
6        *\$10,500,000 is for prison rape prevention and pros-*  
7        *ecution grants to States and units of local govern-*  
8        *ment, and other programs, as authorized by the Pris-*  
9        *on Rape Elimination Act of 2003 (Public Law 108–*  
10       *79), and \$20,000,000 is for the sole purpose of pro-*  
11       *viding reimbursement of extraordinary law enforce-*  
12       *ment and related costs directly associated with protec-*  
13       *tion of the President-elect incurred from November 9,*  
14       *2016 until the inauguration of the President-elect as*  
15       *President: Provided, That reimbursement under the*  
16       *foregoing shall be provided only for costs that a State*  
17       *or local agency can document as being over and above*  
18       *normal law enforcement operations and directly at-*  
19       *tributable to the provision of protection described*  
20       *herein: Provided further, That section 154 of the Con-*  
21       *tinuing Appropriations Act, 2017 (division C of Pub-*  
22       *lic Law 114–223), as amended by the Further Con-*  
23       *tinuing and Security Assistance Appropriations Act,*  
24       *2017 (Public Law 114–254), is amended by inserting*



1     *after “\$7,000,000” the following: “, to remain avail-*  
2     *able until September 30, 2017,”;*

3             (2) *\$210,000,000 for the State Criminal Alien*  
4     *Assistance Program, as authorized by section*  
5     *241(i)(5) of the Immigration and Nationality Act (8*  
6     *U.S.C. 1231(i)(5)): Provided, That no jurisdiction*  
7     *shall request compensation for any cost greater than*  
8     *the actual cost for Federal immigration and other de-*  
9     *tainees housed in State and local detention facilities;*

10            (3) *\$45,000,000 for victim services programs for*  
11     *victims of trafficking, as authorized by section*  
12     *107(b)(2) of Public Law 106–386, for programs au-*  
13     *thorized under Public Law 109–164, or programs au-*  
14     *thorized under Public Law 113–4;*

15            (4) *\$13,000,000 for economic, high technology,*  
16     *white collar and Internet crime prevention grants, in-*  
17     *cluding as authorized by section 401 of Public Law*  
18     *110–403;*

19            (5) *\$20,000,000 for sex offender management as-*  
20     *sistance, as authorized by the Adam Walsh Act, and*  
21     *related activities;*

22            (6) *\$22,500,000 for the matching grant program*  
23     *for law enforcement armor vests, as authorized by sec-*  
24     *tion 2501 of title I of the 1968 Act: Provided, That*  
25     *\$1,500,000 is transferred directly to the National In-*

1        *stitute of Standards and Technology’s Office of Law*  
2        *Enforcement Standards for research, testing and eval-*  
3        *uation programs;*

4            (7) *\$1,000,000 for the National Sex Offender*  
5        *Public Website;*

6            (8) *\$73,000,000 for grants to States to upgrade*  
7        *criminal and mental health records for the National*  
8        *Instant Criminal Background Check System, of which*  
9        *no less than \$25,000,000 shall be for grants made*  
10       *under the authorities of the NICS Improvement*  
11       *Amendments Act of 2007 (Public Law 110–180);*

12           (9) *\$13,000,000 for Paul Coverdell Forensic*  
13       *Sciences Improvement Grants under part BB of title*  
14       *I of the 1968 Act;*

15           (10) *\$125,000,000 for DNA-related and forensic*  
16       *programs and activities, of which—*

17            (A) *\$117,000,000 is for a DNA analysis*  
18       *and capacity enhancement program and for*  
19       *other local, State, and Federal forensic activities,*  
20       *including the purposes authorized under section*  
21       *2 of the DNA Analysis Backlog Elimination Act*  
22       *of 2000 (Public Law 106–546) (the Debbie Smith*  
23       *DNA Backlog Grant Program): Provided, That*  
24       *up to 4 percent of funds made available under*  
25       *this paragraph may be used for the purposes de-*

1           *scribed in the DNA Training and Education for*  
2           *Law Enforcement, Correctional Personnel, and*  
3           *Court Officers program (Public Law 108–405,*  
4           *section 303);*

5           *(B) \$4,000,000 is for the purposes described*  
6           *in the Kirk Bloodsworth Post-Conviction DNA*  
7           *Testing Grant Program (Public Law 108–405,*  
8           *section 412); and*

9           *(C) \$4,000,000 is for Sexual Assault Foren-*  
10          *sic Exam Program grants, including as author-*  
11          *ized by section 304 of Public Law 108–405;*

12          *(11) \$45,000,000 for a grant program for com-*  
13          *munity-based sexual assault response reform;*

14          *(12) \$9,000,000 for the court-appointed special*  
15          *advocate program, as authorized by section 217 of the*  
16          *1990 Act;*

17          *(13) \$68,000,000 for offender reentry programs*  
18          *and research, as authorized by the Second Chance Act*  
19          *of 2007 (Public Law 110–199), without regard to the*  
20          *time limitations specified at section 6(1) of such Act,*  
21          *of which not to exceed \$6,000,000 is for a program to*  
22          *improve State, local, and tribal probation or parole*  
23          *supervision efforts and strategies, \$5,000,000 is for*  
24          *Children of Incarcerated Parents Demonstrations to*  
25          *enhance and maintain parental and family relation-*

1        *ships for incarcerated parents as a reentry or recidi-*  
2        *vism reduction strategy, and \$4,000,000 is for addi-*  
3        *tional replication sites employing the Project HOPE*  
4        *Opportunity Probation with Enforcement model im-*  
5        *plementing swift and certain sanctions in probation,*  
6        *and for a research project on the effectiveness of the*  
7        *model: Provided, That up to \$7,500,000 of funds*  
8        *made available in this paragraph may be used for*  
9        *performance-based awards for Pay for Success*  
10       *projects, of which up to \$5,000,000 shall be for Pay*  
11       *for Success programs implementing the Permanent*  
12       *Supportive Housing Model;*

13            *(14) \$50,000,000 for the Comprehensive School*  
14        *Safety Initiative;*

15            *(15) \$65,000,000 for initiatives to improve po-*  
16        *lice-community relations, of which \$22,500,000 is for*  
17        *a competitive matching grant program for purchases*  
18        *of body-worn cameras for State, local and tribal law*  
19        *enforcement, \$25,000,000 is for a justice reinvestment*  
20        *initiative, for activities related to criminal justice re-*  
21        *form and recidivism reduction, and \$17,500,000 is for*  
22        *an Edward Byrne Memorial criminal justice innova-*  
23        *tion program; and*

24            *(16) \$103,000,000 for comprehensive opioid*  
25        *abuse reduction activities, including as authorized by*

1        *CARA, and for the following programs, which shall*  
2        *address opioid abuse reduction consistent with under-*  
3        *lying program authorities—*

4                *(A) \$43,000,000 for Drug Courts, as author-*  
5                *ized by section 1001(a)(25)(A) of title I of the*  
6                *1968 Act;*

7                *(B) \$12,000,000 for mental health courts*  
8                *and adult and juvenile collaboration program*  
9                *grants, as authorized by parts V and HH of title*  
10                *I of the 1968 Act, and the Mentally Ill Offender*  
11                *Treatment and Crime Reduction Reauthoriza-*  
12                *tion and Improvement Act of 2008 (Public Law*  
13                *110–416);*

14                *(C) \$14,000,000 for grants for Residential*  
15                *Substance Abuse Treatment for State Prisoners,*  
16                *as authorized by part S of title I of the 1968 Act;*

17                *(D) \$7,000,000 for a veterans treatment*  
18                *courts program; and*

19                *(E) \$14,000,000 for a program to monitor*  
20                *prescription drugs and scheduled listed chemical*  
21                *products:*

22        *Provided, That, if a unit of local government uses any of*  
23        *the funds made available under this heading to increase the*  
24        *number of law enforcement officers, the unit of local govern-*  
25        *ment will achieve a net gain in the number of law enforce-*

1 *ment officers who perform non-administrative public sector*  
2 *safety service.*

3 *JUVENILE JUSTICE PROGRAMS*

4 *For grants, contracts, cooperative agreements, and*  
5 *other assistance authorized by the Juvenile Justice and De-*  
6 *linquency Prevention Act of 1974 (“the 1974 Act”); the Om-*  
7 *nibus Crime Control and Safe Streets Act of 1968 (“the*  
8 *1968 Act”); the Violence Against Women and Department*  
9 *of Justice Reauthorization Act of 2005 (Public Law 109–*  
10 *162) (“the 2005 Act”); the Missing Children’s Assistance*  
11 *Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies*  
12 *and Other Tools to end the Exploitation of Children Today*  
13 *Act of 2003 (Public Law 108–21); the Victims of Child*  
14 *Abuse Act of 1990 (Public Law 101–647) (“the 1990 Act”);*  
15 *the Adam Walsh Child Protection and Safety Act of 2006*  
16 *(Public Law 109–248) (“the Adam Walsh Act”); the PRO-*  
17 *TECT Our Children Act of 2008 (Public Law 110–401);*  
18 *the Violence Against Women Reauthorization Act of 2013*  
19 *(Public Law 113–4) (“the 2013 Act”); and other juvenile*  
20 *justice programs, \$247,000,000, to remain available until*  
21 *expended as follows—*

22 *(1) \$55,000,000 for programs authorized by sec-*  
23 *tion 221 of the 1974 Act, and for training and tech-*  
24 *nical assistance to assist small, nonprofit organiza-*  
25 *tions with the Federal grants process: Provided, That*

1       *of the amounts provided under this paragraph,*  
2       *\$500,000 shall be for a competitive demonstration*  
3       *grant program to support emergency planning among*  
4       *State, local and tribal juvenile justice residential fa-*  
5       *cilities;*

6             (2) *\$80,000,000 for youth mentoring grants;*

7             (3) *\$14,500,000 for delinquency prevention, as*  
8       *authorized by section 505 of the 1974 Act, of which,*  
9       *pursuant to sections 261 and 262 thereof—*

10            (A) *\$4,000,000 shall be for gang and youth*  
11       *violence education, prevention and intervention,*  
12       *and related activities;*

13            (B) *\$500,000 shall be for an Internet site*  
14       *providing information and resources on children*  
15       *of incarcerated parents;*

16            (C) *\$2,000,000 shall be for competitive*  
17       *grants focusing on girls in the juvenile justice*  
18       *system; and*

19            (D) *\$8,000,000 shall be for community-*  
20       *based violence prevention initiatives, including*  
21       *for public health approaches to reducing shoot-*  
22       *ings and violence;*

23            (4) *\$21,000,000 for programs authorized by the*  
24       *Victims of Child Abuse Act of 1990;*

1           (5) \$72,500,000 for missing and exploited chil-  
2           dren programs, including as authorized by sections  
3           404(b) and 405(a) of the 1974 Act (except that section  
4           102(b)(4)(B) of the *PROTECT Our Children Act of*  
5           2008 (Public Law 110–401) shall not apply for pur-  
6           poses of this Act);

7           (6) \$2,000,000 for child abuse training programs  
8           for judicial personnel and practitioners, as authorized  
9           by section 222 of the 1990 Act; and

10          (7) \$2,000,000 for a program to improve juvenile  
11          indigent defense:

12 *Provided, That not more than 10 percent of each amount*  
13 *may be used for research, evaluation, and statistics activi-*  
14 *ties designed to benefit the programs or activities author-*  
15 *ized: Provided further, That not more than 2 percent of the*  
16 *amounts designated under paragraphs (1) through (4) and*  
17 *(6) may be used for training and technical assistance: Pro-*  
18 *vided further, That the two preceding provisos shall not*  
19 *apply to grants and projects administered pursuant to sec-*  
20 *tions 261 and 262 of the 1974 Act and to missing and ex-*  
21 *ploited children programs.*

22                           *PUBLIC SAFETY OFFICER BENEFITS*  
23                           *(INCLUDING TRANSFER OF FUNDS)*

24           *For payments and expenses authorized under section*  
25 *1001(a)(4) of title I of the Omnibus Crime Control and Safe*



1 *Streets Act of 1968, such sums as are necessary (including*  
2 *amounts for administrative costs), to remain available*  
3 *until expended; and \$16,300,000 for payments authorized*  
4 *by section 1201(b) of such Act and for educational assist-*  
5 *ance authorized by section 1218 of such Act, to remain*  
6 *available until expended: Provided, That notwithstanding*  
7 *section 205 of this Act, upon a determination by the Attor-*  
8 *ney General that emergent circumstances require additional*  
9 *funding for such disability and education payments, the At-*  
10 *torney General may transfer such amounts to “Public Safe-*  
11 *ty Officer Benefits” from available appropriations for the*  
12 *Department of Justice as may be necessary to respond to*  
13 *such circumstances: Provided further, That any transfer*  
14 *pursuant to the preceding proviso shall be treated as a re-*  
15 *programming under section 505 of this Act and shall not*  
16 *be available for obligation or expenditure except in compli-*  
17 *ance with the procedures set forth in that section.*

18 *COMMUNITY ORIENTED POLICING SERVICES*

19 *COMMUNITY ORIENTED POLICING SERVICES PROGRAMS*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For activities authorized by the Violent Crime Control*  
22 *and Law Enforcement Act of 1994 (Public Law 103–322);*  
23 *the Omnibus Crime Control and Safe Streets Act of 1968*  
24 *(“the 1968 Act”); and the Violence Against Women and De-*  
25 *partment of Justice Reauthorization Act of 2005 (Public*

1 *Law 109–162) (“the 2005 Act”), \$221,500,000, to remain*  
2 *available until expended: Provided, That any balances*  
3 *made available through prior year deobligations shall only*  
4 *be available in accordance with section 505 of this Act: Pro-*  
5 *vided further, That of the amount provided under this head-*  
6 *ing—*

7           (1) *\$10,000,000 is for anti-methamphetamine-re-*  
8 *lated activities, which shall be transferred to the Drug*  
9 *Enforcement Administration upon enactment of this*  
10 *Act;*

11           (2) *\$194,500,000 is for grants under section*  
12 *1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for*  
13 *the hiring and rehiring of additional career law en-*  
14 *forcement officers under part Q of such title notwith-*  
15 *standing subsection (i) of such section: Provided,*  
16 *That, notwithstanding section 1704(c) of such title*  
17 *(42 U.S.C. 3796dd–3(c)), funding for hiring or rehir-*  
18 *ing a career law enforcement officer may not exceed*  
19 *\$125,000 unless the Director of the Office of Commu-*  
20 *nity Oriented Policing Services grants a waiver from*  
21 *this limitation: Provided further, That of the amounts*  
22 *appropriated under this paragraph, \$5,000,000 is for*  
23 *community policing development activities in further-*  
24 *ance of the purposes in section 1701: Provided fur-*  
25 *ther, That within the amounts appropriated under*

1        *this paragraph, \$10,000,000 is for the collaborative*  
2        *reform model of technical assistance in furtherance of*  
3        *the purposes in section 1701: Provided further, That*  
4        *of the amounts appropriated under this paragraph*  
5        *\$35,000,000 is for regional information sharing ac-*  
6        *tivities, as authorized by part M of title I of the 1968*  
7        *Act, which shall be transferred to and merged with*  
8        *“Research, Evaluation, and Statistics” for adminis-*  
9        *tration by the Office of Justice Programs: Provided*  
10       *further, That of the amounts appropriated under this*  
11       *paragraph, \$7,500,000 is for activities authorized by*  
12       *the POLICE Act of 2016 (Public Law 114–199);*

13                *(3) \$7,000,000 is for competitive grants to State*  
14        *law enforcement agencies in States with high seizures*  
15        *of precursor chemicals, finished methamphetamine,*  
16        *laboratories, and laboratory dump seizures: Provided,*  
17        *That funds appropriated under this paragraph shall*  
18        *be utilized for investigative purposes to locate or in-*  
19        *vestigate illicit activities, including precursor diver-*  
20        *sion, laboratories, or methamphetamine traffickers;*  
21        *and*

22                *(4) \$10,000,000 is for competitive grants to*  
23        *statewide law enforcement agencies in States with*  
24        *high rates of primary treatment admissions for her-*  
25        *oin and other opioids: Provided, That these funds*

1       *shall be utilized for investigative purposes to locate or*  
2       *investigate illicit activities, including activities re-*  
3       *lated to the distribution of heroin or unlawful dis-*  
4       *tribution of prescription opioids, or unlawful heroin*  
5       *and prescription opioid traffickers through statewide*  
6       *collaboration.*

7       *GENERAL PROVISIONS—DEPARTMENT OF JUSTICE*

8               *(INCLUDING TRANSFER OF FUNDS)*

9       *SEC. 201. In addition to amounts otherwise made*  
10       *available in this title for official reception and representa-*  
11       *tion expenses, a total of not to exceed \$50,000 from funds*  
12       *appropriated to the Department of Justice in this title shall*  
13       *be available to the Attorney General for official reception*  
14       *and representation expenses.*

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

22       *SEC. 203. None of the funds appropriated under this*  
23       *title shall be used to require any person to perform, or fa-*  
24       *cilitate in any way the performance of, any abortion.*

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

8       *SEC. 205. Not to exceed 5 percent of any appropriation*  
9 *made available for the current fiscal year for the Depart-*  
10 *ment of Justice in this Act may be transferred between such*  
11 *appropriations, but no such appropriation, except as other-*  
12 *wise specifically provided, shall be increased by more than*  
13 *10 percent by any such transfers: Provided, That any trans-*  
14 *fer pursuant to this section shall be treated as a reprogram-*  
15 *ming of funds under section 505 of this Act and shall not*  
16 *be available for obligation except in compliance with the*  
17 *procedures set forth in that section.*

18       *SEC. 206. None of the funds made available under this*  
19 *title may be used by the Federal Bureau of Prisons or the*  
20 *United States Marshals Service for the purpose of trans-*  
21 *porting an individual who is a prisoner pursuant to convic-*  
22 *tion for crime under State or Federal law and is classified*  
23 *as a maximum or high security prisoner, other than to a*  
24 *prison or other facility certified by the Federal Bureau of*  
25 *Prisons as appropriately secure for housing such a prisoner.*

1        *SEC. 207. (a) None of the funds appropriated by this*  
2 *Act may be used by Federal prisons to purchase cable tele-*  
3 *vision services, or to rent or purchase audiovisual or elec-*  
4 *tronic media or equipment used primarily for recreational*  
5 *purposes.*

6        *(b) Subsection (a) does not preclude the rental, mainte-*  
7 *nance, or purchase of audiovisual or electronic media or*  
8 *equipment for inmate training, religious, or educational*  
9 *programs.*

10        *SEC. 208. None of the funds made available under this*  
11 *title shall be obligated or expended for any new or enhanced*  
12 *information technology program having total estimated de-*  
13 *velopment costs in excess of \$100,000,000, unless the Deputy*  
14 *Attorney General and the investment review board certify*  
15 *to the Committees on Appropriations of the House of Rep-*  
16 *resentatives and the Senate that the information technology*  
17 *program has appropriate program management controls*  
18 *and contractor oversight mechanisms in place, and that the*  
19 *program is compatible with the enterprise architecture of*  
20 *the Department of Justice.*

21        *SEC. 209. The notification thresholds and procedures*  
22 *set forth in section 505 of this Act shall apply to deviations*  
23 *from the amounts designated for specific activities in this*  
24 *Act and in the explanatory statement described in section*  
25 *4 (in the matter preceding division A of this consolidated*

1 Act), and to any use of deobligated balances of funds pro-  
2 vided under this title in previous years.

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

10       *SEC. 211. Notwithstanding any other provision of law,*  
11 *no funds shall be available for the salary, benefits, or ex-*  
12 *penses of any United States Attorney assigned dual or addi-*  
13 *tional responsibilities by the Attorney General or his des-*  
14 *ignee that exempt that United States Attorney from the*  
15 *residency requirements of section 545 of title 28, United*  
16 *States Code.*

17       *SEC. 212. At the discretion of the Attorney General,*  
18 *and in addition to any amounts that otherwise may be*  
19 *available (or authorized to be made available) by law, with*  
20 *respect to funds appropriated by this title under the head-*  
21 *ings “Research, Evaluation and Statistics”, “State and*  
22 *Local Law Enforcement Assistance”, and “Juvenile Justice*  
23 *Programs”—*

24               *(1) up to 3 percent of funds made available to*  
25       *the Office of Justice Programs for grant or reimburse-*

1 *ment programs may be used by such Office to provide*  
2 *training and technical assistance; and*

3 *(2) up to 2 percent of funds made available for*  
4 *grant or reimbursement programs under such head-*  
5 *ings, except for amounts appropriated specifically for*  
6 *research, evaluation, or statistical programs adminis-*  
7 *tered by the National Institute of Justice and the Bu-*  
8 *reau of Justice Statistics, shall be transferred to and*  
9 *merged with funds provided to the National Institute*  
10 *of Justice and the Bureau of Justice Statistics, to be*  
11 *used by them for research, evaluation, or statistical*  
12 *purposes, without regard to the authorizations for*  
13 *such grant or reimbursement programs.*

14 *SEC. 213. At the discretion of the Attorney General,*  
15 *and in addition to any amounts that otherwise may be*  
16 *available (or authorized to be made available) by law, up*  
17 *to 7 percent of funds made available for grant or reimburse-*  
18 *ment programs—*

19 *(1) under the heading “State and Local Law*  
20 *Enforcement Assistance” (except for funds made*  
21 *available under paragraphs (1), (2), and (16) under*  
22 *such heading); and*

23 *(2) under the headings “Juvenile Justice Pro-*  
24 *grams” (except for funds made available under para-*  
25 *graph (5) under such heading) and “Community Ori-*



1        *ented Policing Services Programs”, to be transferred*  
2        *to and merged with funds made available under the*  
3        *heading “State and Local Law Enforcement Assist-*  
4        *ance”,*  
5        *shall be available for tribal criminal justice assistance with-*  
6        *out regard to the authorizations for such grant or reim-*  
7        *bursement programs.*

8        *SEC. 214. Upon request by a grantee for whom the At-*  
9        *torney General has determined there is a fiscal hardship,*  
10       *the Attorney General may, with respect to funds appro-*  
11       *priated in this or any other Act making appropriations for*  
12       *fiscal years 2014 through 2017 for the following programs,*  
13       *waive the following requirements:*

14                *(1) For the adult and juvenile offender State and*  
15        *local reentry demonstration projects under part FF of*  
16        *title I of the Omnibus Crime Control and Safe Streets*  
17        *Act of 1968 (42 U.S.C. 3797w(g)(1)), the require-*  
18        *ments under section 2976(g)(1) of such part.*

19                *(2) For State, Tribal, and local reentry courts*  
20        *under part FF of title I of such Act of 1968 (42*  
21        *U.S.C. 3797w-2(e)(1) and (2)), the requirements*  
22        *under section 2978(e)(1) and (2) of such part.*

23                *(3) For the prosecution drug treatment alter-*  
24        *natives to prison program under part CC of title I of*

1        *such Act of 1968 (42 U.S.C. 3797q-3), the require-*  
2        *ments under section 2904 of such part.*

3            *(4) For grants to protect inmates and safeguard*  
4        *communities as authorized by section 6 of the Prison*  
5        *Rape Elimination Act of 2003 (42 U.S.C.*  
6        *15605(c)(3)), the requirements of section 6(c)(3) of*  
7        *such Act.*

8        *SEC. 215. Notwithstanding any other provision of law,*  
9        *section 20109(a) of subtitle A of title II of the Violent Crime*  
10       *Control and Law Enforcement Act of 1994 (42 U.S.C.*  
11       *13709(a)) shall not apply to amounts made available by*  
12       *this or any other Act.*

13        *SEC. 216. None of the funds made available under this*  
14       *Act, other than for the national instant criminal back-*  
15       *ground check system established under section 103 of the*  
16       *Brady Handgun Violence Prevention Act (18 U.S.C. 922*  
17       *note), may be used by a Federal law enforcement officer*  
18       *to facilitate the transfer of an operable firearm to an indi-*  
19       *vidual if the Federal law enforcement officer knows or sus-*  
20       *pects that the individual is an agent of a drug cartel, unless*  
21       *law enforcement personnel of the United States continu-*  
22       *ously monitor or control the firearm at all times.*

23        *SEC. 217. (a) None of the income retained in the De-*  
24       *partment of Justice Working Capital Fund pursuant to*  
25       *title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C.*

1 527 note) shall be available for obligation during fiscal year  
2 2017, except up to \$40,000,000 may be obligated for imple-  
3 mentation of a unified Department of Justice financial  
4 management system.

5 (b) Not to exceed \$30,000,000 of the unobligated bal-  
6 ances transferred to the capital account of the Department  
7 of Justice Working Capital Fund pursuant to title I of Pub-  
8 lic Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall  
9 be available for obligation in fiscal year 2017, and any use,  
10 obligation, transfer or allocation of such funds shall be  
11 treated as a reprogramming of funds under section 505 of  
12 this Act.

13 (c) Not to exceed \$10,000,000 of the excess unobligated  
14 balances available under section 524(c)(8)(E) of title 28,  
15 United States Code, shall be available for obligation during  
16 fiscal year 2017, and any use, obligation, transfer or alloca-  
17 tion of such funds shall be treated as a reprogramming of  
18 funds under section 505 of this Act.

19 SEC. 218. Discretionary funds that are made available  
20 in this Act for the Office of Justice Programs may be used  
21 to participate in Performance Partnership Pilots author-  
22 ized under section 526 of division H of Public Law 113–  
23 76, section 524 of division G of Public Law 113–235, sec-  
24 tion 525 of division H of Public Law 114–113, and such

1 *authorities as are enacted for Performance Partnership Pi-*  
2 *lots in an appropriations Act for fiscal year 2017.*

3       *SEC. 219. In addition to any other transfer authority*  
4 *available to the Department of Justice, for fiscal years 2017*  
5 *through 2022, unobligated balances available in the Depart-*  
6 *ment of Justice Working Capital Fund pursuant to title*  
7 *I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527*  
8 *note) may be transferred to the “Federal Bureau of Inves-*  
9 *tigation, Construction” account, to remain available until*  
10 *expended for the new Federal Bureau of Investigation head-*  
11 *quarters in the National Capital Region: Provided, That*  
12 *the cumulative total amount of funds transferred from the*  
13 *Working Capital Fund from fiscal year 2017 through 2022*  
14 *pursuant to this section shall not exceed \$315,000,000: Pro-*  
15 *vided further, That transfers pursuant to this section shall*  
16 *not count against any ceiling on the use of unobligated bal-*  
17 *ances transferred to the capital account of the Working Cap-*  
18 *ital Fund in this or any other Act in any such fiscal year:*  
19 *Provided further, That any transfer pursuant to this section*  
20 *shall be treated as a reprogramming under section 505 of*  
21 *this Act and shall not be available for obligation or expendi-*  
22 *ture except in compliance with the procedures set forth in*  
23 *that section.*

24       *This title may be cited as the “Department of Justice*  
25 *Appropriations Act, 2017”.*

1 *TITLE III*2 *SCIENCE*3 *OFFICE OF SCIENCE AND TECHNOLOGY POLICY*

4 *For necessary expenses of the Office of Science and*  
5 *Technology Policy, in carrying out the purposes of the Na-*  
6 *tional Science and Technology Policy, Organization, and*  
7 *Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of pas-*  
8 *senger motor vehicles, and services as authorized by section*  
9 *3109 of title 5, United States Code, not to exceed \$2,250*  
10 *for official reception and representation expenses, and rent-*  
11 *al of conference rooms in the District of Columbia,*  
12 *\$5,555,000.*

13 *NATIONAL AERONAUTICS AND SPACE ADMINISTRATION*14 *SCIENCE*

15 *For necessary expenses, not otherwise provided for, in*  
16 *the conduct and support of science research and develop-*  
17 *ment activities, including research, development, oper-*  
18 *ations, support, and services; maintenance and repair, fa-*  
19 *cility planning and design; space flight, spacecraft control,*  
20 *and communications activities; program management; per-*  
21 *sonnel and related costs, including uniforms or allowances*  
22 *therefor, as authorized by sections 5901 and 5902 of title*  
23 *5, United States Code; travel expenses; purchase and hire*  
24 *of passenger motor vehicles; and purchase, lease, charter,*  
25 *maintenance, and operation of mission and administrative*

1 aircraft, \$5,764,900,000, to remain available until Sep-  
2 tember 30, 2018: Provided, That the formulation and devel-  
3 opment costs (with development cost as defined under sec-  
4 tion 30104 of title 51, United States Code) for the James  
5 Webb Space Telescope shall not exceed \$8,000,000,000: Pro-  
6 vided further, That should the individual identified under  
7 subsection (c)(2)(E) of section 30104 of title 51, United  
8 States Code, as responsible for the James Webb Space Tele-  
9 scope determine that the development cost of the program  
10 is likely to exceed that limitation, the individual shall im-  
11 mediately notify the Administrator and the increase shall  
12 be treated as if it meets the 30 percent threshold described  
13 in subsection (f) of section 30104: Provided further, That,  
14 of the amounts provided, \$275,000,000 is for an orbiter and  
15 a lander to meet the science goals for the Jupiter Europa  
16 mission as outlined in the most recent planetary science  
17 decadal survey: Provided further, That the National Aero-  
18 nautics and Space Administration shall use the Space  
19 Launch System as the launch vehicle or vehicles for the Ju-  
20 piter Europa mission, plan for an orbiter launch no later  
21 than 2022 and a lander launch no later than 2024, and  
22 include in the fiscal year 2018 budget the 5-year funding  
23 profile necessary to achieve these goals.

1 *AERONAUTICS*

2 *For necessary expenses, not otherwise provided for, in*  
3 *the conduct and support of aeronautics research and devel-*  
4 *opment activities, including research, development, oper-*  
5 *ations, support, and services; maintenance and repair, fa-*  
6 *cility planning and design; space flight, spacecraft control,*  
7 *and communications activities; program management; per-*  
8 *sonnel and related costs, including uniforms or allowances*  
9 *therefor, as authorized by sections 5901 and 5902 of title*  
10 *5, United States Code; travel expenses; purchase and hire*  
11 *of passenger motor vehicles; and purchase, lease, charter,*  
12 *maintenance, and operation of mission and administrative*  
13 *aircraft, \$660,000,000, to remain available until September*  
14 *30, 2018.*

15 *SPACE TECHNOLOGY*

16 *For necessary expenses, not otherwise provided for, in*  
17 *the conduct and support of space technology research and*  
18 *development activities, including research, development, op-*  
19 *erations, support, and services; maintenance and repair, fa-*  
20 *cility planning and design; space flight, spacecraft control,*  
21 *and communications activities; program management; per-*  
22 *sonnel and related costs, including uniforms or allowances*  
23 *therefor, as authorized by sections 5901 and 5902 of title*  
24 *5, United States Code; travel expenses; purchase and hire*  
25 *of passenger motor vehicles; and purchase, lease, charter,*

1 *maintenance, and operation of mission and administrative*  
2 *aircraft, \$686,500,000, to remain available until September*  
3 *30, 2018: Provided, That \$130,000,000 shall be for the RE-*  
4 *STORE satellite servicing program for continuation of for-*  
5 *mulation and development activities for RESTORE and*  
6 *such funds shall not support activities solely needed for the*  
7 *asteroid redirect mission.*

8 *EXPLORATION*

9 *For necessary expenses, not otherwise provided for, in*  
10 *the conduct and support of exploration research and devel-*  
11 *opment activities, including research, development, oper-*  
12 *ations, support, and services; maintenance and repair, fa-*  
13 *cility planning and design; space flight, spacecraft control,*  
14 *and communications activities; program management; per-*  
15 *sonnel and related costs, including uniforms or allowances*  
16 *therefor, as authorized by sections 5901 and 5902 of title*  
17 *5, United States Code; travel expenses; purchase and hire*  
18 *of passenger motor vehicles; and purchase, lease, charter,*  
19 *maintenance, and operation of mission and administrative*  
20 *aircraft, \$4,324,000,000, to remain available until Sep-*  
21 *tember 30, 2018: Provided, That not less than*  
22 *\$1,350,000,000 shall be for the Orion Multi-Purpose Crew*  
23 *Vehicle: Provided further, That not less than \$2,150,000,000*  
24 *shall be for the Space Launch System (SLS) launch vehicle,*  
25 *which shall have a lift capability not less than 130 metric*



1 tons and which shall have core elements and an Exploration  
2 Upper Stage developed simultaneously: Provided further,  
3 That of the amounts provided for SLS, not less than  
4 \$300,000,000 shall be for Exploration Upper Stage develop-  
5 ment: Provided further, That \$429,000,000 shall be for ex-  
6 ploration ground systems: Provided further, That the Na-  
7 tional Aeronautics and Space Administration (NASA) shall  
8 provide to the Committees on Appropriations of the House  
9 of Representatives and the Senate, concurrent with the an-  
10 nual budget submission, a 5-year budget profile for an inte-  
11 grated budget that includes the Space Launch System, the  
12 Orion Multi-Purpose Crew Vehicle, and associated ground  
13 systems, that will meet the Exploration Mission 2 (EM-  
14 2) management agreement launch date of no later than  
15 2021 at a success level equal to the Agency Baseline Com-  
16 mitment for EM-2 of the Orion Multi-Purpose Crew Vehi-  
17 cle: Provided further, That \$395,000,000 shall be for explo-  
18 ration research and development.

19 *SPACE OPERATIONS*

20 *For necessary expenses, not otherwise provided for, in*  
21 *the conduct and support of space operations research and*  
22 *development activities, including research, development, op-*  
23 *erations, support and services; space flight, spacecraft con-*  
24 *trol and communications activities, including operations,*  
25 *production, and services; maintenance and repair, facility*

1 *planning and design; program management; personnel and*  
2 *related costs, including uniforms or allowances therefor, as*  
3 *authorized by sections 5901 and 5902 of title 5, United*  
4 *States Code; travel expenses; purchase and hire of passenger*  
5 *motor vehicles; and purchase, lease, charter, maintenance*  
6 *and operation of mission and administrative aircraft,*  
7 *\$4,950,700,000, to remain available until September 30,*  
8 *2018.*

9 *EDUCATION*

10 *For necessary expenses, not otherwise provided for, in*  
11 *the conduct and support of aerospace and aeronautical edu-*  
12 *cation research and development activities, including re-*  
13 *search, development, operations, support, and services; pro-*  
14 *gram management; personnel and related costs, including*  
15 *uniforms or allowances therefor, as authorized by sections*  
16 *5901 and 5902 of title 5, United States Code; travel ex-*  
17 *penses; purchase and hire of passenger motor vehicles; and*  
18 *purchase, lease, charter, maintenance, and operation of*  
19 *mission and administrative aircraft, \$100,000,000, to re-*  
20 *main available until September 30, 2018, of which*  
21 *\$18,000,000 shall be for the Experimental Program to*  
22 *Stimulate Competitive Research and \$40,000,000 shall be*  
23 *for the National Space Grant College and Fellowship Pro-*  
24 *gram.*



1 *until September 30, 2022: Provided, That proceeds from*  
2 *leases deposited into this account shall be available for a*  
3 *period of 5 years to the extent and in amounts as provided*  
4 *in annual appropriations Acts: Provided further, That such*  
5 *proceeds referred to in the preceding proviso shall be avail-*  
6 *able for obligation for fiscal year 2017 in an amount not*  
7 *to exceed \$9,470,300: Provided further, That each annual*  
8 *budget request shall include an annual estimate of gross re-*  
9 *ceipts and collections and proposed use of all funds collected*  
10 *pursuant to section 20145 of title 51, United States Code.*

11 *OFFICE OF INSPECTOR GENERAL*

12 *For necessary expenses of the Office of Inspector Gen-*  
13 *eral in carrying out the Inspector General Act of 1978,*  
14 *\$37,900,000, of which \$500,000 shall remain available until*  
15 *September 30, 2018.*

16 *ADMINISTRATIVE PROVISIONS*

17 *(INCLUDING TRANSFERS OF FUNDS)*

18 *Funds for any announced prize otherwise authorized*  
19 *shall remain available, without fiscal year limitation, until*  
20 *a prize is claimed or the offer is withdrawn.*

21 *Not to exceed 5 percent of any appropriation made*  
22 *available for the current fiscal year for the National Aero-*  
23 *navics and Space Administration in this Act may be*  
24 *transferred between such appropriations, but no such ap-*  
25 *propriation, except as otherwise specifically provided, shall*

1 *be increased by more than 10 percent by any such transfers,*  
2 *except that “Construction and Environmental Compliance*  
3 *and Restoration” may be increased up to 15 percent by such*  
4 *transfers. Balances so transferred shall be merged with and*  
5 *available for the same purposes and the same time period*  
6 *as the appropriations to which transferred. Any transfer*  
7 *pursuant to this provision shall be treated as a reprogram-*  
8 *ming of funds under section 505 of this Act and shall not*  
9 *be available for obligation except in compliance with the*  
10 *procedures set forth in that section.*

11 *The spending plan required by this Act shall be pro-*  
12 *vided by NASA at the theme, program, project and activity*  
13 *level. The spending plan, as well as any subsequent change*  
14 *of an amount established in that spending plan that meets*  
15 *the notification requirements of section 505 of this Act, shall*  
16 *be treated as a reprogramming under section 505 of this*  
17 *Act and shall not be available for obligation or expenditure*  
18 *except in compliance with the procedures set forth in that*  
19 *section.*

20 *NATIONAL SCIENCE FOUNDATION*

21 *RESEARCH AND RELATED ACTIVITIES*

22 *For necessary expenses in carrying out the National*  
23 *Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),*  
24 *and Public Law 86–209 (42 U.S.C. 1880 et seq.); services*  
25 *as authorized by section 3109 of title 5, United States Code;*

1 *maintenance and operation of aircraft and purchase of*  
2 *flight services for research support; acquisition of aircraft;*  
3 *and authorized travel; \$6,033,645,000, to remain available*  
4 *until September 30, 2018, of which not to exceed*  
5 *\$544,000,000 shall remain available until expended for*  
6 *polar research and operations support, and for reimburse-*  
7 *ment to other Federal agencies for operational and science*  
8 *support and logistical and other related activities for the*  
9 *United States Antarctic program: Provided, That receipts*  
10 *for scientific support services and materials furnished by*  
11 *the National Research Centers and other National Science*  
12 *Foundation supported research facilities may be credited to*  
13 *this appropriation.*

14 *MAJOR RESEARCH EQUIPMENT AND FACILITIES*

15 *CONSTRUCTION*

16 *For necessary expenses for the acquisition, construc-*  
17 *tion, commissioning, and upgrading of major research*  
18 *equipment, facilities, and other such capital assets pursuant*  
19 *to the National Science Foundation Act of 1950 (42 U.S.C.*  
20 *1861 et seq.), including authorized travel, \$209,000,000, to*  
21 *remain available until expended.*

22 *EDUCATION AND HUMAN RESOURCES*

23 *For necessary expenses in carrying out science, mathe-*  
24 *matics and engineering education and human resources*  
25 *programs and activities pursuant to the National Science*

1 *Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including*  
2 *services as authorized by section 3109 of title 5, United*  
3 *States Code, authorized travel, and rental of conference*  
4 *rooms in the District of Columbia, \$880,000,000, to remain*  
5 *available until September 30, 2018.*

6 *AGENCY OPERATIONS AND AWARD MANAGEMENT*

7 *For agency operations and award management nec-*  
8 *essary in carrying out the National Science Foundation Act*  
9 *of 1950 (42 U.S.C. 1861 et seq.); services authorized by sec-*  
10 *tion 3109 of title 5, United States Code; hire of passenger*  
11 *motor vehicles; uniforms or allowances therefor, as author-*  
12 *ized by sections 5901 and 5902 of title 5, United States*  
13 *Code; rental of conference rooms in the District of Colum-*  
14 *bia; and reimbursement of the Department of Homeland Se-*  
15 *curity for security guard services; \$330,000,000: Provided,*  
16 *That not to exceed \$8,280 is for official reception and rep-*  
17 *resentation expenses: Provided further, That contracts may*  
18 *be entered into under this heading in fiscal year 2017 for*  
19 *maintenance and operation of facilities and for other serv-*  
20 *ices to be provided during the next fiscal year: Provided*  
21 *further, That of the amount provided for costs associated*  
22 *with the acquisition, occupancy, and related costs of new*  
23 *headquarters space, not more than \$40,700,000 shall re-*  
24 *main available until expended.*

1                    *OFFICE OF THE NATIONAL SCIENCE BOARD*

2            *For necessary expenses (including payment of salaries,*  
3 *authorized travel, hire of passenger motor vehicles, the rent-*  
4 *al of conference rooms in the District of Columbia, and the*  
5 *employment of experts and consultants under section 3109*  
6 *of title 5, United States Code) involved in carrying out sec-*  
7 *tion 4 of the National Science Foundation Act of 1950 (42*  
8 *U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et*  
9 *seq.), \$4,370,000: Provided, That not to exceed \$2,500 shall*  
10 *be available for official reception and representation ex-*  
11 *penses.*

12                    *OFFICE OF INSPECTOR GENERAL*

13            *For necessary expenses of the Office of Inspector Gen-*  
14 *eral as authorized by the Inspector General Act of 1978,*  
15 *\$15,200,000, of which \$400,000 shall remain available until*  
16 *September 30, 2018.*

17                    *ADMINISTRATIVE PROVISION*18                    *(INCLUDING TRANSFER OF FUNDS)*

19            *Not to exceed 5 percent of any appropriation made*  
20 *available for the current fiscal year for the National Science*  
21 *Foundation in this Act may be transferred between such*  
22 *appropriations, but no such appropriation shall be in-*  
23 *creased by more than 15 percent by any such transfers. Any*  
24 *transfer pursuant to this paragraph shall be treated as a*  
25 *reprogramming of funds under section 505 of this Act and*



1 *shall not be available for obligation except in compliance*  
2 *with the procedures set forth in that section.*

3 *This title may be cited as the “Science Appropriations*  
4 *Act, 2017”.*

5 *TITLE IV*

6 *RELATED AGENCIES*

7 *COMMISSION ON CIVIL RIGHTS*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Commission on Civil*  
10 *Rights, including hire of passenger motor vehicles,*  
11 *\$9,200,000: Provided, That none of the funds appropriated*  
12 *in this paragraph may be used to employ any individuals*  
13 *under Schedule C of subpart C of part 213 of title 5 of*  
14 *the Code of Federal Regulations exclusive of one special as-*  
15 *sistant for each Commissioner: Provided further, That none*  
16 *of the funds appropriated in this paragraph shall be used*  
17 *to reimburse Commissioners for more than 75 billable days,*  
18 *with the exception of the chairperson, who is permitted 125*  
19 *billable days: Provided further, That none of the funds ap-*  
20 *propriated in this paragraph shall be used for any activity*  
21 *or expense that is not explicitly authorized by section 3 of*  
22 *the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).*

1        *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*2                                *SALARIES AND EXPENSES*

3        *For necessary expenses of the Equal Employment Op-*  
4 *portunity Commission as authorized by title VII of the*  
5 *Civil Rights Act of 1964, the Age Discrimination in Em-*  
6 *ployment Act of 1967, the Equal Pay Act of 1963, the Amer-*  
7 *icans with Disabilities Act of 1990, section 501 of the Reha-*  
8 *ilitation Act of 1973, the Civil Rights Act of 1991, the*  
9 *Genetic Information Nondiscrimination Act (GINA) of*  
10 *2008 (Public Law 110–233), the ADA Amendments Act of*  
11 *2008 (Public Law 110–325), and the Lilly Ledbetter Fair*  
12 *Pay Act of 2009 (Public Law 111–2), including services*  
13 *as authorized by section 3109 of title 5, United States Code;*  
14 *hire of passenger motor vehicles as authorized by section*  
15 *1343(b) of title 31, United States Code; nonmonetary*  
16 *awards to private citizens; and up to \$29,500,000 for pay-*  
17 *ments to State and local enforcement agencies for author-*  
18 *ized services to the Commission, \$364,500,000: Provided,*  
19 *That the Commission is authorized to make available for*  
20 *official reception and representation expenses not to exceed*  
21 *\$2,250 from available funds: Provided further, That the*  
22 *Commission may take no action to implement any work-*  
23 *force repositioning, restructuring, or reorganization until*  
24 *such time as the Committees on Appropriations of the*  
25 *House of Representatives and the Senate have been notified*

1 *of such proposals, in accordance with the reprogramming*  
2 *requirements of section 505 of this Act: Provided further,*  
3 *That the Chair is authorized to accept and use any gift*  
4 *or donation to carry out the work of the Commission.*

5 *INTERNATIONAL TRADE COMMISSION*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the International Trade*  
8 *Commission, including hire of passenger motor vehicles and*  
9 *services as authorized by section 3109 of title 5, United*  
10 *States Code, and not to exceed \$2,250 for official reception*  
11 *and representation expenses, \$91,500,000, to remain avail-*  
12 *able until expended.*

13 *LEGAL SERVICES CORPORATION*

14 *PAYMENT TO THE LEGAL SERVICES CORPORATION*

15 *For payment to the Legal Services Corporation to*  
16 *carry out the purposes of the Legal Services Corporation*  
17 *Act of 1974, \$385,000,000, of which \$352,000,000 is for*  
18 *basic field programs and required independent audits;*  
19 *\$5,000,000 is for the Office of Inspector General, of which*  
20 *such amounts as may be necessary may be used to conduct*  
21 *additional audits of recipients; \$19,000,000 is for manage-*  
22 *ment and grants oversight; \$4,000,000 is for client self-help*  
23 *and information technology; \$4,000,000 is for a Pro Bono*  
24 *Innovation Fund; and \$1,000,000 is for loan repayment as-*  
25 *sistance: Provided, That the Legal Services Corporation*

1 *may continue to provide locality pay to officers and em-*  
2 *ployees at a rate no greater than that provided by the Fed-*  
3 *eral Government to Washington, DC-based employees as au-*  
4 *thorized by section 5304 of title 5, United States Code, not-*  
5 *withstanding section 1005(d) of the Legal Services Corpora-*  
6 *tion Act (42 U.S.C. 2996(d)): Provided further, That the*  
7 *authorities provided in section 205 of this Act shall be ap-*  
8 *plicable to the Legal Services Corporation: Provided fur-*  
9 *ther, That, for the purposes of section 505 of this Act, the*  
10 *Legal Services Corporation shall be considered an agency*  
11 *of the United States Government.*

12 *ADMINISTRATIVE PROVISION—LEGAL SERVICES*

13 *CORPORATION*

14 *None of the funds appropriated in this Act to the Legal*  
15 *Services Corporation shall be expended for any purpose pro-*  
16 *hibited or limited by, or contrary to any of the provisions*  
17 *of, sections 501, 502, 503, 504, 505, and 506 of Public Law*  
18 *105–119, and all funds appropriated in this Act to the*  
19 *Legal Services Corporation shall be subject to the same*  
20 *terms and conditions set forth in such sections, except that*  
21 *all references in sections 502 and 503 to 1997 and 1998*  
22 *shall be deemed to refer instead to 2016 and 2017, respec-*  
23 *tively.*

1 *MARINE MAMMAL COMMISSION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Marine Mammal Com-*  
4 *mission as authorized by title II of the Marine Mammal*  
5 *Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$3,431,000.*

6 *OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE*7 *SALARIES AND EXPENSES*8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For necessary expenses of the Office of the United*  
10 *States Trade Representative, including the hire of passenger*  
11 *motor vehicles and the employment of experts and consult-*  
12 *ants as authorized by section 3109 of title 5, United States*  
13 *Code, \$62,000,000, of which \$1,000,000 shall remain avail-*  
14 *able until expended: Provided, That of the total amount*  
15 *made available under this heading, up to \$15,000,000 may*  
16 *be derived from the Trade Enforcement Trust Fund estab-*  
17 *lished in subsection (a) of section 611 of the Trade Facilita-*  
18 *tion and Trade Enforcement Act of 2015 (19 U.S.C. 4405)*  
19 *for activities of the United States Trade Representative au-*  
20 *thorized by subsection (d) of such section, including trans-*  
21 *fers: Provided further, That any transfer pursuant to para-*  
22 *graph (1) of such subsection (d) shall be treated as a re-*  
23 *programming under section 505 of this Act: Provided fur-*  
24 *ther, That of the total amount made available under this*

1 *heading, not to exceed \$124,000 shall be available for offi-*  
2 *cial reception and representation expenses.*

3 *STATE JUSTICE INSTITUTE*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the State Justice Institute,*  
6 *as authorized by the State Justice Institute Act of 1984 (42*  
7 *U.S.C. 10701 et seq.) \$5,121,000, of which \$500,000 shall*  
8 *remain available until September 30, 2018: Provided, That*  
9 *not to exceed \$2,250 shall be available for official reception*  
10 *and representation expenses: Provided further, That, for the*  
11 *purposes of section 505 of this Act, the State Justice Insti-*  
12 *tute shall be considered an agency of the United States Gov-*  
13 *ernment.*

14 *TITLE V*

15 *GENERAL PROVISIONS*

16 *(INCLUDING RESCISSIONS)*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *SEC. 501. No part of any appropriation contained in*  
19 *this Act shall be used for publicity or propaganda purposes*  
20 *not authorized by the Congress.*

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

24 *SEC. 503. The expenditure of any appropriation under*  
25 *this Act for any consulting service through procurement*

1 *contract, pursuant to section 3109 of title 5, United States*  
2 *Code, shall be limited to those contracts where such expendi-*  
3 *tures are a matter of public record and available for public*  
4 *inspection, except where otherwise provided under existing*  
5 *law, or under existing Executive order issued pursuant to*  
6 *existing law.*

7       *SEC. 504. If any provision of this Act or the applica-*  
8 *tion of such provision to any person or circumstances shall*  
9 *be held invalid, the remainder of the Act and the applica-*  
10 *tion of each provision to persons or circumstances other*  
11 *than those as to which it is held invalid shall not be affected*  
12 *thereby.*

13       *SEC. 505. None of the funds provided under this Act,*  
14 *or provided under previous appropriations Acts to the agen-*  
15 *cies funded by this Act that remain available for obligation*  
16 *or expenditure in fiscal year 2017, or provided from any*  
17 *accounts in the Treasury of the United States derived by*  
18 *the collection of fees available to the agencies funded by this*  
19 *Act, shall be available for obligation or expenditure through*  
20 *a reprogramming of funds that: (1) creates or initiates a*  
21 *new program, project or activity; (2) eliminates a program,*  
22 *project or activity; (3) increases funds or personnel by any*  
23 *means for any project or activity for which funds have been*  
24 *denied or restricted; (4) relocates an office or employees; (5)*  
25 *reorganizes or renames offices, programs or activities; (6)*

1 *contracts out or privatizes any functions or activities pres-*  
2 *ently performed by Federal employees; (7) augments exist-*  
3 *ing programs, projects or activities in excess of \$500,000*  
4 *or 10 percent, whichever is less, or reduces by 10 percent*  
5 *funding for any program, project or activity, or numbers*  
6 *of personnel by 10 percent; or (8) results from any general*  
7 *savings, including savings from a reduction in personnel,*  
8 *which would result in a change in existing programs,*  
9 *projects or activities as approved by Congress; unless the*  
10 *House and Senate Committees on Appropriations are noti-*  
11 *fied 15 days in advance of such reprogramming of funds.*

12       *SEC. 506. (a) If it has been finally determined by a*  
13 *court or Federal agency that any person intentionally af-*  
14 *fixed a label bearing a “Made in America” inscription, or*  
15 *any inscription with the same meaning, to any product sold*  
16 *in or shipped to the United States that is not made in the*  
17 *United States, the person shall be ineligible to receive any*  
18 *contract or subcontract made with funds made available in*  
19 *this Act, pursuant to the debarment, suspension, and ineli-*  
20 *gibility procedures described in sections 9.400 through*  
21 *9.409 of title 48, Code of Federal Regulations.*

22       *(b)(1) To the extent practicable, with respect to author-*  
23 *ized purchases of promotional items, funds made available*  
24 *by this Act shall be used to purchase items that are manu-*



1 *factured, produced, or assembled in the United States, its*  
2 *territories or possessions.*

3       (2) *The term “promotional items” has the meaning*  
4 *given the term in OMB Circular A–87, Attachment B, Item*  
5 *(1)(f)(3).*

6       SEC. 507. (a) *The Departments of Commerce and Jus-*  
7 *tice, the National Science Foundation, and the National*  
8 *Aeronautics and Space Administration shall provide to the*  
9 *Committees on Appropriations of the House of Representa-*  
10 *tives and the Senate a quarterly report on the status of bal-*  
11 *ances of appropriations at the account level. For unobli-*  
12 *gated, uncommitted balances and unobligated, committed*  
13 *balances the quarterly reports shall separately identify the*  
14 *amounts attributable to each source year of appropriation*  
15 *from which the balances were derived. For balances that are*  
16 *obligated, but unexpended, the quarterly reports shall sepa-*  
17 *rately identify amounts by the year of obligation.*

18       (b) *The report described in subsection (a) shall be sub-*  
19 *mitted within 30 days of the end of each quarter.*

20       (c) *If a department or agency is unable to fulfill any*  
21 *aspect of a reporting requirement described in subsection*  
22 *(a) due to a limitation of a current accounting system, the*  
23 *department or agency shall fulfill such aspect to the max-*  
24 *imum extent practicable under such accounting system and*

1 *shall identify and describe in each quarterly report the ex-*  
2 *tent to which such aspect is not fulfilled.*

3       *SEC. 508. Any costs incurred by a department or agen-*  
4 *cy funded under this Act resulting from, or to prevent, per-*  
5 *sonnel actions taken in response to funding reductions in-*  
6 *cluded in this Act shall be absorbed within the total budg-*  
7 *etary resources available to such department or agency:*  
8 *Provided, That the authority to transfer funds between ap-*  
9 *propriations accounts as may be necessary to carry out this*  
10 *section is provided in addition to authorities included else-*  
11 *where in this Act: Provided further, That use of funds to*  
12 *carry out this section shall be treated as a reprogramming*  
13 *of funds under section 505 of this Act and shall not be avail-*  
14 *able for obligation or expenditure except in compliance with*  
15 *the procedures set forth in that section: Provided further,*  
16 *That for the Department of Commerce, this section shall*  
17 *also apply to actions taken for the care and protection of*  
18 *loan collateral or grant property.*

19       *SEC. 509. None of the funds provided by this Act shall*  
20 *be available to promote the sale or export of tobacco or to-*  
21 *bacco products, or to seek the reduction or removal by any*  
22 *foreign country of restrictions on the marketing of tobacco*  
23 *or tobacco products, except for restrictions which are not*  
24 *applied equally to all tobacco or tobacco products of the*  
25 *same type.*

1        *SEC. 510. Notwithstanding any other provision of law,*  
2 *amounts deposited or available in the Fund established by*  
3 *section 1402 of chapter XIV of title II of Public Law 98–*  
4 *473 (42 U.S.C. 10601) in any fiscal year in excess of*  
5 *\$2,573,000,000 shall not be available for obligation until*  
6 *the following fiscal year: Provided, That notwithstanding*  
7 *section 1402(d) of such Act, of the amounts available from*  
8 *the Fund for obligation, \$10,000,000 shall remain available*  
9 *until expended to the Department of Justice Office of In-*  
10 *spector General for oversight and auditing purposes.*

11        *SEC. 511. None of the funds made available to the De-*  
12 *partment of Justice in this Act may be used to discriminate*  
13 *against or denigrate the religious or moral beliefs of stu-*  
14 *dents who participate in programs for which financial as-*  
15 *sistance is provided from those funds, or of the parents or*  
16 *legal guardians of such students.*

17        *SEC. 512. None of the funds made available in this*  
18 *Act may be transferred to any department, agency, or in-*  
19 *strumentality of the United States Government, except pur-*  
20 *suant to a transfer made by, or transfer authority provided*  
21 *in, this Act or any other appropriations Act.*

22        *SEC. 513. Any funds provided in this Act used to im-*  
23 *plement E-Government Initiatives shall be subject to the*  
24 *procedures set forth in section 505 of this Act.*

1        *SEC. 514. (a) The Inspectors General of the Depart-*  
2 *ment of Commerce, the Department of Justice, the National*  
3 *Aeronautics and Space Administration, the National*  
4 *Science Foundation, and the Legal Services Corporation*  
5 *shall conduct audits, pursuant to the Inspector General Act*  
6 *(5 U.S.C. App.), of grants or contracts for which funds are*  
7 *appropriated by this Act, and shall submit reports to Con-*  
8 *gress on the progress of such audits, which may include pre-*  
9 *liminary findings and a description of areas of particular*  
10 *interest, within 180 days after initiating such an audit and*  
11 *every 180 days thereafter until any such audit is completed.*

12        *(b) Within 60 days after the date on which an audit*  
13 *described in subsection (a) by an Inspector General is com-*  
14 *pleted, the Secretary, Attorney General, Administrator, Di-*  
15 *rector, or President, as appropriate, shall make the results*  
16 *of the audit available to the public on the Internet website*  
17 *maintained by the Department, Administration, Founda-*  
18 *tion, or Corporation, respectively. The results shall be made*  
19 *available in redacted form to exclude—*

20            *(1) any matter described in section 552(b) of*  
21 *title 5, United States Code; and*

22            *(2) sensitive personal information for any indi-*  
23 *vidual, the public access to which could be used to*  
24 *commit identity theft or for other inappropriate or*  
25 *unlawful purposes.*

1           (c) Any person awarded a grant or contract funded  
2 by amounts appropriated by this Act shall submit a state-  
3 ment to the Secretary of Commerce, the Attorney General,  
4 the Administrator, Director, or President, as appropriate,  
5 certifying that no funds derived from the grant or contract  
6 will be made available through a subcontract or in any  
7 other manner to another person who has a financial interest  
8 in the person awarded the grant or contract.

9           (d) The provisions of the preceding subsections of this  
10 section shall take effect 30 days after the date on which the  
11 Director of the Office of Management and Budget, in con-  
12 sultation with the Director of the Office of Government Eth-  
13 ics, determines that a uniform set of rules and requirements,  
14 substantially similar to the requirements in such sub-  
15 sections, consistently apply under the executive branch eth-  
16 ics program to all Federal departments, agencies, and enti-  
17 ties.

18           SEC. 515. (a) None of the funds appropriated or other-  
19 wise made available under this Act may be used by the De-  
20 partments of Commerce and Justice, the National Aero-  
21 nautics and Space Administration, or the National Science  
22 Foundation to acquire a high-impact or moderate-impact  
23 information system, as defined for security categorization  
24 in the National Institute of Standards and Technology's  
25 (NIST) Federal Information Processing Standard Publica-

1 tion 199, “Standards for Security Categorization of Federal  
2 Information and Information Systems” unless the agency  
3 has—

4 (1) reviewed the supply chain risk for the infor-  
5 mation systems against criteria developed by NIST  
6 and the Federal Bureau of Investigation (FBI) to in-  
7 form acquisition decisions for high-impact and mod-  
8 erate-impact information systems within the Federal  
9 Government;

10 (2) reviewed the supply chain risk from the pre-  
11 sumptive awardee against available and relevant  
12 threat information provided by the FBI and other ap-  
13 propriate agencies; and

14 (3) in consultation with the FBI or other appro-  
15 priate Federal entity, conducted an assessment of any  
16 risk of cyber-espionage or sabotage associated with the  
17 acquisition of such system, including any risk associ-  
18 ated with such system being produced, manufactured,  
19 or assembled by one or more entities identified by the  
20 United States Government as posing a cyber threat,  
21 including but not limited to, those that may be  
22 owned, directed, or subsidized by the People’s Repub-  
23 lic of China.

24 (b) None of the funds appropriated or otherwise made  
25 available under this Act may be used to acquire a high-

1 *impact or moderate-impact information system reviewed*  
2 *and assessed under subsection (a) unless the head of the as-*  
3 *sessing entity described in subsection (a) has—*

4           (1) *developed, in consultation with NIST, the*  
5 *FBI, and supply chain risk management experts, a*  
6 *mitigation strategy for any identified risks;*

7           (2) *determined, in consultation with NIST and*  
8 *the FBI, that the acquisition of such system is in the*  
9 *national interest of the United States; and*

10           (3) *reported that determination to the Commit-*  
11 *tees on Appropriations of the House of Representa-*  
12 *tives and the Senate and the agency Inspector Gen-*  
13 *eral.*

14       *SEC. 516. None of the funds made available in this*  
15 *Act shall be used in any way whatsoever to support or jus-*  
16 *tify the use of torture by any official or contract employee*  
17 *of the United States Government.*

18       *SEC. 517. (a) Notwithstanding any other provision of*  
19 *law or treaty, none of the funds appropriated or otherwise*  
20 *made available under this Act or any other Act may be*  
21 *expended or obligated by a department, agency, or instru-*  
22 *mentality of the United States to pay administrative ex-*  
23 *penses or to compensate an officer or employee of the United*  
24 *States in connection with requiring an export license for*  
25 *the export to Canada of components, parts, accessories or*

1 *attachments for firearms listed in Category I, section 121.1*  
2 *of title 22, Code of Federal Regulations (International Traf-*  
3 *ficking in Arms Regulations (ITAR), part 121, as it existed*  
4 *on April 1, 2005) with a total value not exceeding \$500*  
5 *wholesale in any transaction, provided that the conditions*  
6 *of subsection (b) of this section are met by the exporting*  
7 *party for such articles.*

8 *(b) The foregoing exemption from obtaining an export*  
9 *license—*

10 *(1) does not exempt an exporter from filing any*  
11 *Shipper's Export Declaration or notification letter re-*  
12 *quired by law, or from being otherwise eligible under*  
13 *the laws of the United States to possess, ship, trans-*  
14 *port, or export the articles enumerated in subsection*  
15 *(a); and*

16 *(2) does not permit the export without a license*  
17 *of—*

18 *(A) fully automatic firearms and compo-*  
19 *nents and parts for such firearms, other than for*  
20 *end use by the Federal Government, or a Provin-*  
21 *cial or Municipal Government of Canada;*

22 *(B) barrels, cylinders, receivers (frames) or*  
23 *complete breech mechanisms for any firearm list-*  
24 *ed in Category I, other than for end use by the*



1           *Federal Government, or a Provincial or Munic-*  
2           *ipal Government of Canada; or*

3           *(C) articles for export from Canada to an-*  
4           *other foreign destination.*

5           *(c) In accordance with this section, the District Direc-*  
6           *tors of Customs and postmasters shall permit the permanent*  
7           *or temporary export without a license of any unclassified*  
8           *articles specified in subsection (a) to Canada for end use*  
9           *in Canada or return to the United States, or temporary*  
10          *import of Canadian-origin items from Canada for end use*  
11          *in the United States or return to Canada for a Canadian*  
12          *citizen.*

13          *(d) The President may require export licenses under*  
14          *this section on a temporary basis if the President deter-*  
15          *mines, upon publication first in the Federal Register, that*  
16          *the Government of Canada has implemented or maintained*  
17          *inadequate import controls for the articles specified in sub-*  
18          *section (a), such that a significant diversion of such articles*  
19          *has and continues to take place for use in international*  
20          *terrorism or in the escalation of a conflict in another na-*  
21          *tion. The President shall terminate the requirements of a*  
22          *license when reasons for the temporary requirements have*  
23          *ceased.*

24          *SEC. 518. Notwithstanding any other provision of law,*  
25          *no department, agency, or instrumentality of the United*

1 *States receiving appropriated funds under this Act or any*  
2 *other Act shall obligate or expend in any way such funds*  
3 *to pay administrative expenses or the compensation of any*  
4 *officer or employee of the United States to deny any appli-*  
5 *cation submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and*  
6 *qualified pursuant to 27 CFR section 478.112 or .113, for*  
7 *a permit to import United States origin “curios or relics”*  
8 *firearms, parts, or ammunition.*

9 *SEC. 519. None of the funds made available in this*  
10 *Act may be used to include in any new bilateral or multi-*  
11 *lateral trade agreement the text of—*

12 *(1) paragraph 2 of article 16.7 of the United*  
13 *States–Singapore Free Trade Agreement;*

14 *(2) paragraph 4 of article 17.9 of the United*  
15 *States–Australia Free Trade Agreement; or*

16 *(3) paragraph 4 of article 15.9 of the United*  
17 *States–Morocco Free Trade Agreement.*

18 *SEC. 520. None of the funds made available in this*  
19 *Act may be used to authorize or issue a national security*  
20 *letter in contravention of any of the following laws author-*  
21 *izing the Federal Bureau of Investigation to issue national*  
22 *security letters: The Right to Financial Privacy Act of*  
23 *1978; The Electronic Communications Privacy Act of 1986;*  
24 *The Fair Credit Reporting Act; The National Security Act*

1 of 1947; USA PATRIOT Act; USA FREEDOM Act of  
2 2015; and the laws amended by these Acts.

3       SEC. 521. *If at any time during any quarter, the pro-*  
4 *gram manager of a project within the jurisdiction of the*  
5 *Departments of Commerce or Justice, the National Aero-*  
6 *navitics and Space Administration, or the National Science*  
7 *Foundation totaling more than \$75,000,000 has reasonable*  
8 *cause to believe that the total program cost has increased*  
9 *by 10 percent or more, the program manager shall imme-*  
10 *diately inform the respective Secretary, Administrator, or*  
11 *Director. The Secretary, Administrator, or Director shall*  
12 *notify the House and Senate Committees on Appropriations*  
13 *within 30 days in writing of such increase, and shall in-*  
14 *clude in such notice: the date on which such determination*  
15 *was made; a statement of the reasons for such increases;*  
16 *the action taken and proposed to be taken to control future*  
17 *cost growth of the project; changes made in the performance*  
18 *or schedule milestones and the degree to which such changes*  
19 *have contributed to the increase in total program costs or*  
20 *procurement costs; new estimates of the total project or pro-*  
21 *curement costs; and a statement validating that the project's*  
22 *management structure is adequate to control total project*  
23 *or procurement costs.*

24       SEC. 522. *Funds appropriated by this Act, or made*  
25 *available by the transfer of funds in this Act, for intelligence*



1 *merce, the following funds are hereby rescinded, not later*  
2 *than September 30, 2017, from the following accounts in*  
3 *the specified amounts—*

4 (1) *“Economic Development Administration,*  
5 *Economic Development Assistance Programs”,*  
6 *\$10,000,000;*

7 (2) *“National Oceanic and Atmospheric Admin-*  
8 *istration, Operations, Research, and Facilities”,*  
9 *\$18,000,000; and*

10 (3) *“National Oceanic and Atmospheric Admin-*  
11 *istration, Procurement, Acquisition and Construc-*  
12 *tion”, \$5,000,000.*

13 (b) *Of the unobligated balances available to the De-*  
14 *partment of Justice, the following funds are hereby re-*  
15 *scinded, not later than September 30, 2017, from the fol-*  
16 *lowing accounts in the specified amounts—*

17 (1) *“Working Capital Fund”, \$300,000,000;*

18 (2) *“United States Marshals Service, Federal*  
19 *Prisoner Detention”, \$24,000,000;*

20 (3) *“Federal Bureau of Investigation, Salaries*  
21 *and Expenses”, \$140,000,000 from fees collected to de-*  
22 *fray expenses for the automation of fingerprint iden-*  
23 *tification and criminal justice information services*  
24 *and associated costs;*

1           (4) “*State and Local Law Enforcement Activi-*  
2           *ties, Office on Violence Against Women, Violence*  
3           *Against Women Prevention and Prosecution Pro-*  
4           *grams*”, \$10,000,000;

5           (5) “*State and Local Law Enforcement Activi-*  
6           *ties, Office of Justice Programs*”, \$50,000,000;

7           (6) “*State and Local Law Enforcement Activi-*  
8           *ties, Community Oriented Policing Services*”,  
9           \$15,000,000;

10          (7) “*Legal Activities, Assets Forfeiture Fund*”,  
11          \$503,196,000, of which \$201,196,000 is permanently  
12          rescinded;

13          (8) “*Drug Enforcement Administration, Salaries*  
14          *and Expenses*”, \$12,092,000;

15          (9) “*Federal Bureau of Investigation, Salaries*  
16          *and Expenses*”, \$51,600,000; and

17          (10) “*Federal Prison System, Buildings and Fa-*  
18          *cilities*”, \$3,400,000.

19          (c) *The Departments of Commerce and Justice shall*  
20          *submit to the Committees on Appropriations of the House*  
21          *of Representatives and the Senate a report no later than*  
22          *September 1, 2017, specifying the amount of each rescission*  
23          *made pursuant to subsections (a) and (b).*

24          SEC. 525. *None of the funds made available in this*  
25          *Act may be used to purchase first class or premium airline*

1 *travel in contravention of sections 301–10.122 through 301–*  
2 *10.124 of title 41 of the Code of Federal Regulations.*

3       *SEC. 526. None of the funds made available in this*  
4 *Act may be used to send or otherwise pay for the attendance*  
5 *of more than 50 employees from a Federal department or*  
6 *agency, who are stationed in the United States, at any sin-*  
7 *gle conference occurring outside the United States unless*  
8 *such conference is a law enforcement training or oper-*  
9 *ational conference for law enforcement personnel and the*  
10 *majority of Federal employees in attendance are law en-*  
11 *forcement personnel stationed outside the United States.*

12       *SEC. 527. None of the funds appropriated or otherwise*  
13 *made available in this or any other Act may be used to*  
14 *transfer, release, or assist in the transfer or release to or*  
15 *within the United States, its territories, or possessions*  
16 *Khalid Sheikh Mohammed or any other detainee who—*

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

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

22       *SEC. 528. (a) None of the funds appropriated or other-*  
23 *wise made available in this or any other Act may be used*  
24 *to construct, acquire, or modify any facility in the United*  
25 *States, its territories, or possessions to house any individual*

1 *described in subsection (c) for the purposes of detention or*  
2 *imprisonment in the custody or under the effective control*  
3 *of the Department of Defense.*

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

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

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

12 *(2) is—*

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

15 *(B) otherwise under detention at United*  
16 *States Naval Station, Guantanamo Bay, Cuba.*

17 *SEC. 529. The Director of the Office of Management*  
18 *and Budget shall instruct any department, agency, or in-*  
19 *strumentality of the United States receiving funds appro-*  
20 *priated under this Act to track undisbursed balances in ex-*  
21 *pired grant accounts and include in its annual performance*  
22 *plan and performance and accountability reports the fol-*  
23 *lowing:*



1           (1) *Details on future action the department,*  
2           *agency, or instrumentality will take to resolve*  
3           *undisbursed balances in expired grant accounts.*

4           (2) *The method that the department, agency, or*  
5           *instrumentality uses to track undisbursed balances in*  
6           *expired grant accounts.*

7           (3) *Identification of undisbursed balances in ex-*  
8           *pired grant accounts that may be returned to the*  
9           *Treasury of the United States.*

10          (4) *In the preceding 3 fiscal years, details on the*  
11          *total number of expired grant accounts with*  
12          *undisbursed balances (on the first day of each fiscal*  
13          *year) for the department, agency, or instrumentality*  
14          *and the total finances that have not been obligated to*  
15          *a specific project remaining in the accounts.*

16          *SEC. 530. (a) None of the funds made available by this*  
17          *Act may be used for the National Aeronautics and Space*  
18          *Administration (NASA) or the Office of Science and Tech-*  
19          *nology Policy (OSTP) to develop, design, plan, promulgate,*  
20          *implement, or execute a bilateral policy, program, order,*  
21          *or contract of any kind to participate, collaborate, or co-*  
22          *ordinate bilaterally in any way with China or any Chinese-*  
23          *owned company unless such activities are specifically au-*  
24          *thorized by a law enacted after the date of enactment of*  
25          *this Act.*

1           (b) *None of the funds made available by this Act may*  
2 *be used to effectuate the hosting of official Chinese visitors*  
3 *at facilities belonging to or utilized by NASA.*

4           (c) *The limitations described in subsections (a) and*  
5 *(b) shall not apply to activities which NASA or OSTP, after*  
6 *consultation with the Federal Bureau of Investigation, have*  
7 *certified—*

8                   (1) *pose no risk of resulting in the transfer of*  
9 *technology, data, or other information with national*  
10 *security or economic security implications to China*  
11 *or a Chinese-owned company; and*

12                   (2) *will not involve knowing interactions with*  
13 *officials who have been determined by the United*  
14 *States to have direct involvement with violations of*  
15 *human rights.*

16           (d) *Any certification made under subsection (c) shall*  
17 *be submitted to the Committees on Appropriations of the*  
18 *House of Representatives and the Senate, and the Federal*  
19 *Bureau of Investigation, no later than 30 days prior to the*  
20 *activity in question and shall include a description of the*  
21 *purpose of the activity, its agenda, its major participants,*  
22 *and its location and timing.*

23           *SEC. 531. None of the funds made available by this*  
24 *Act may be used to pay the salaries or expenses of personnel*

1 to deny, or fail to act on, an application for the importation  
2 of any model of shotgun if—

3 (1) all other requirements of law with respect to  
4 the proposed importation are met; and

5 (2) no application for the importation of such  
6 model of shotgun, in the same configuration, had been  
7 denied by the Attorney General prior to January 1,  
8 2011, on the basis that the shotgun was not particu-  
9 larly suitable for or readily adaptable to sporting  
10 purposes.

11 *SEC. 532. (a) None of the funds made available in this*  
12 *Act may be used to maintain or establish a computer net-*  
13 *work unless such network blocks the viewing, downloading,*  
14 *and exchanging of pornography.*

15 (b) *Nothing in subsection (a) shall limit the use of*  
16 *funds necessary for any Federal, State, tribal, or local law*  
17 *enforcement agency or any other entity carrying out crimi-*  
18 *nal investigations, prosecution, adjudication, or other law*  
19 *enforcement- or victim assistance-related activity.*

20 *SEC. 533. The Departments of Commerce and Justice,*  
21 *the National Aeronautics and Space Administration, the*  
22 *National Science Foundation, the Commission on Civil*  
23 *Rights, the Equal Employment Opportunity Commission,*  
24 *the International Trade Commission, the Legal Services*  
25 *Corporation, the Marine Mammal Commission, the Offices*

1 *of Science and Technology Policy and the United States*  
2 *Trade Representative, and the State Justice Institute shall*  
3 *submit spending plans, signed by the respective department*  
4 *or agency head, to the Committees on Appropriations of the*  
5 *House of Representatives and the Senate within 45 days*  
6 *after the date of enactment of this Act.*

7       *SEC. 534. None of the funds made available by this*  
8 *Act may be obligated or expended to implement the Arms*  
9 *Trade Treaty until the Senate approves a resolution of rati-*  
10 *fication for the Treaty.*

11       *SEC. 535. Notwithstanding any other provision of this*  
12 *Act, none of the funds appropriated or otherwise made*  
13 *available by this Act may be used to pay award or incentive*  
14 *fees for contractor performance that has been judged to be*  
15 *below satisfactory performance or for performance that does*  
16 *not meet the basic requirements of a contract.*

17       *SEC. 536. The Department of Commerce, the National*  
18 *Aeronautics and Space Administration, and the National*  
19 *Science Foundation shall provide a quarterly report to the*  
20 *Committees on Appropriations of the House of Representa-*  
21 *tives and the Senate on any official travel to China by any*  
22 *employee of such Department or agency, including the pur-*  
23 *pose of such travel.*

24       *SEC. 537. None of the funds made available in this*  
25 *Act to the Department of Justice may be used, with respect*

1 to any of the States of Alabama, Alaska, Arkansas, Arizona,  
2 California, Colorado, Connecticut, Delaware, Florida, Geor-  
3 gia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine,  
4 Maryland, Massachusetts, Michigan, Minnesota, Mis-  
5 sissippi, Missouri, Montana, Nevada, New Hampshire, New  
6 Jersey, New Mexico, New York, North Carolina, Ohio, Okla-  
7 homa, Oregon, Pennsylvania, Rhode Island, South Caro-  
8 lina, Tennessee, Texas, Utah, Vermont, Virginia, Wash-  
9 ington, West Virginia, Wisconsin, and Wyoming, or with  
10 respect to the District of Columbia, Guam, or Puerto Rico,  
11 to prevent any of them from implementing their own laws  
12 that authorize the use, distribution, possession, or cultiva-  
13 tion of medical marijuana.

14       *SEC. 538. None of the funds made available by this*  
15 *Act may be used in contravention of section 7606 (“Legiti-*  
16 *macy of Industrial Hemp Research”) of the Agricultural*  
17 *Act of 2014 (Public Law 113–79) by the Department of Jus-*  
18 *tice or the Drug Enforcement Administration.*

19       *SEC. 539. Of the amounts made available by this Act,*  
20 *not less than 10 percent of each total amount provided, re-*  
21 *spectively, for Public Works grants authorized by the Public*  
22 *Works and Economic Development Act of 1965 and grants*  
23 *authorized by section 27 of the Stevenson-Wydler Tech-*  
24 *nology Innovation Act of 1980 (15 U.S.C. 3722) shall be*  
25 *allocated for assistance in persistent poverty counties: Pro-*

1 *vided, That for purposes of this section, the term “persistent*  
2 *poverty counties” means any county that has had 20 per-*  
3 *cent or more of its population living in poverty over the*  
4 *past 30 years, as measured by the 1990 and 2000 decennial*  
5 *censuses and the most recent Small Area Income and Pov-*  
6 *erty Estimates.*

7       *SEC. 540. For an additional amount for “National*  
8 *Aeronautics and Space Administration—Construction and*  
9 *Environmental Compliance and Restoration”,*  
10 *\$109,000,000, to remain available until expended, for re-*  
11 *pairs at National Aeronautics and Space Administration*  
12 *(NASA) owned facilities that directly support NASA’s mis-*  
13 *sion which were damaged as a result of recent natural dis-*  
14 *asters: Provided, That such amount is designated by the*  
15 *Congress as an emergency requirement pursuant to section*  
16 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18       *EXCEPTION TO LIMITATION ON APPOINTMENT OF CERTAIN*  
19       *PERSONS AS UNITED STATES TRADE REPRESENTATIVE*

20       *SEC. 541. (a) IN GENERAL.—The limitation under sec-*  
21 *tion 141(b) (4) of the Trade Act of 1974 (19 U.S.C.*  
22 *2171(b)(4)) shall not apply to the first person appointed,*  
23 *by and with the advice and consent of the Senate, as the*  
24 *United States Trade Representative after the date of the en-*  
25 *actment of this Act, if that person served as a Deputy*

1 *United States Trade Representative before the date of the*  
2 *enactment of the Lobbying Disclosure Act of 1995 (2 U.S.C.*  
3 *1601 et seq.).*

4 (b) *LIMITED EXCEPTION.—This section applies only*  
5 *to the first person appointed as United States Trade Rep-*  
6 *resentative after the date of enactment of this Act, and to*  
7 *no other person.*

8 *SEC. 542. For an additional amount for “Department*  
9 *of Justice, State and Local Law Enforcement Activities, Of-*  
10 *fice of Justice Programs, State and Local Law Enforcement*  
11 *Assistance”, \$15,000,000 for emergency law enforcement as-*  
12 *sistance for events occurring during fiscal years 2016 and*  
13 *2017, as authorized by section 609M of the Justice Assist-*  
14 *ance Act of 1984 (42 U.S.C. 10501; Public Law 98–473).*

15 *This division may be cited as the “Commerce, Justice,*  
16 *Science, and Related Agencies Appropriations Act, 2017”.*

17 ***DIVISION C—DEPARTMENT OF DEFENSE***  
18 ***APPROPRIATIONS ACT, 2017***

19 ***TITLE I***

20 ***MILITARY PERSONNEL***

21 ***MILITARY PERSONNEL, ARMY***

22 *For pay, allowances, individual clothing, subsistence,*  
23 *interest on deposits, gratuities, permanent change of station*  
24 *travel (including all expenses thereof for organizational*  
25 *movements), and expenses of temporary duty travel between*

1 *permanent duty stations, for members of the Army on active*  
2 *duty (except members of reserve components provided for*  
3 *elsewhere), cadets, and aviation cadets; for members of the*  
4 *Reserve Officers' Training Corps; and for payments pursu-*  
5 *ant to section 156 of Public Law 97-377, as amended (42*  
6 *U.S.C. 402 note), and to the Department of Defense Mili-*  
7 *tary Retirement Fund, \$40,042,962,000.*

8 *MILITARY PERSONNEL, NAVY*

9 *For pay, allowances, individual clothing, subsistence,*  
10 *interest on deposits, gratuities, permanent change of station*  
11 *travel (including all expenses thereof for organizational*  
12 *movements), and expenses of temporary duty travel between*  
13 *permanent duty stations, for members of the Navy on active*  
14 *duty (except members of the Reserve provided for elsewhere),*  
15 *midshipmen, and aviation cadets; for members of the Re-*  
16 *serve Officers' Training Corps; and for payments pursuant*  
17 *to section 156 of Public Law 97-377, as amended (42*  
18 *U.S.C. 402 note), and to the Department of Defense Mili-*  
19 *tary Retirement Fund, \$27,889,405,000.*

20 *MILITARY PERSONNEL, MARINE CORPS*

21 *For pay, allowances, individual clothing, subsistence,*  
22 *interest on deposits, gratuities, permanent change of station*  
23 *travel (including all expenses thereof for organizational*  
24 *movements), and expenses of temporary duty travel between*  
25 *permanent duty stations, for members of the Marine Corps*



1 *on active duty (except members of the Reserve provided for*  
2 *elsewhere); and for payments pursuant to section 156 of*  
3 *Public Law 97–377, as amended (42 U.S.C. 402 note), and*  
4 *to the Department of Defense Military Retirement Fund,*  
5 *\$12,735,182,000.*

6 *MILITARY PERSONNEL, AIR FORCE*

7 *For pay, allowances, individual clothing, subsistence,*  
8 *interest on deposits, gratuities, permanent change of station*  
9 *travel (including all expenses thereof for organizational*  
10 *movements), and expenses of temporary duty travel between*  
11 *permanent duty stations, for members of the Air Force on*  
12 *active duty (except members of reserve components provided*  
13 *for elsewhere), cadets, and aviation cadets; for members of*  
14 *the Reserve Officers' Training Corps; and for payments*  
15 *pursuant to section 156 of Public Law 97–377, as amended*  
16 *(42 U.S.C. 402 note), and to the Department of Defense*  
17 *Military Retirement Fund, \$27,958,795,000.*

18 *RESERVE PERSONNEL, ARMY*

19 *For pay, allowances, clothing, subsistence, gratuities,*  
20 *travel, and related expenses for personnel of the Army Re-*  
21 *serve on active duty under sections 10211, 10302, and 3038*  
22 *of title 10, United States Code, or while serving on active*  
23 *duty under section 12301(d) of title 10, United States Code,*  
24 *in connection with performing duty specified in section*  
25 *12310(a) of title 10, United States Code, or while under-*

1 *going reserve training, or while performing drills or equiva-*  
2 *lent duty or other duty, and expenses authorized by section*  
3 *16131 of title 10, United States Code; and for payments*  
4 *to the Department of Defense Military Retirement Fund,*  
5 *\$4,524,863,000.*

6 *RESERVE PERSONNEL, NAVY*

7 *For pay, allowances, clothing, subsistence, gratuities,*  
8 *travel, and related expenses for personnel of the Navy Re-*  
9 *serve on active duty under section 10211 of title 10, United*  
10 *States Code, or while serving on active duty under section*  
11 *12301(d) of title 10, United States Code, in connection with*  
12 *performing duty specified in section 12310(a) of title 10,*  
13 *United States Code, or while undergoing reserve training,*  
14 *or while performing drills or equivalent duty, and expenses*  
15 *authorized by section 16131 of title 10, United States Code;*  
16 *and for payments to the Department of Defense Military*  
17 *Retirement Fund, \$1,921,045,000.*

18 *RESERVE PERSONNEL, MARINE CORPS*

19 *For pay, allowances, clothing, subsistence, gratuities,*  
20 *travel, and related expenses for personnel of the Marine*  
21 *Corps Reserve on active duty under section 10211 of title*  
22 *10, United States Code, or while serving on active duty*  
23 *under section 12301(d) of title 10, United States Code, in*  
24 *connection with performing duty specified in section*  
25 *12310(a) of title 10, United States Code, or while under-*

1 *going reserve training, or while performing drills or equiva-*  
2 *lent duty, and for members of the Marine Corps platoon*  
3 *leaders class, and expenses authorized by section 16131 of*  
4 *title 10, United States Code; and for payments to the De-*  
5 *partment of Defense Military Retirement Fund,*  
6 *\$744,795,000.*

7 *RESERVE PERSONNEL, AIR FORCE*

8 *For pay, allowances, clothing, subsistence, gratuities,*  
9 *travel, and related expenses for personnel of the Air Force*  
10 *Reserve on active duty under sections 10211, 10305, and*  
11 *8038 of title 10, United States Code, or while serving on*  
12 *active duty under section 12301(d) of title 10, United States*  
13 *Code, in connection with performing duty specified in sec-*  
14 *tion 12310(a) of title 10, United States Code, or while un-*  
15 *dergoing reserve training, or while performing drills or*  
16 *equivalent duty or other duty, and expenses authorized by*  
17 *section 16131 of title 10, United States Code; and for pay-*  
18 *ments to the Department of Defense Military Retirement*  
19 *Fund, \$1,725,526,000.*

20 *NATIONAL GUARD PERSONNEL, ARMY*

21 *For pay, allowances, clothing, subsistence, gratuities,*  
22 *travel, and related expenses for personnel of the Army Na-*  
23 *tional Guard while on duty under sections 10211, 10302,*  
24 *or 12402 of title 10 or section 708 of title 32, United States*  
25 *Code, or while serving on duty under section 12301(d) of*

1 *title 10 or section 502(f) of title 32, United States Code,*  
2 *in connection with performing duty specified in section*  
3 *12310(a) of title 10, United States Code, or while under-*  
4 *going training, or while performing drills or equivalent*  
5 *duty or other duty, and expenses authorized by section*  
6 *16131 of title 10, United States Code; and for payments*  
7 *to the Department of Defense Military Retirement Fund,*  
8 *\$7,899,423,000.*

9 *NATIONAL GUARD PERSONNEL, AIR FORCE*

10 *For pay, allowances, clothing, subsistence, gratuities,*  
11 *travel, and related expenses for personnel of the Air Na-*  
12 *tional Guard on duty under sections 10211, 10305, or*  
13 *12402 of title 10 or section 708 of title 32, United States*  
14 *Code, or while serving on duty under section 12301(d) of*  
15 *title 10 or section 502(f) of title 32, United States Code,*  
16 *in connection with performing duty specified in section*  
17 *12310(a) of title 10, United States Code, or while under-*  
18 *going training, or while performing drills or equivalent*  
19 *duty or other duty, and expenses authorized by section*  
20 *16131 of title 10, United States Code; and for payments*  
21 *to the Department of Defense Military Retirement Fund,*  
22 *\$3,283,982,000.*

1

*TITLE II*

2

*OPERATION AND MAINTENANCE*

3

*OPERATION AND MAINTENANCE, ARMY*

4

*For expenses, not otherwise provided for, necessary for*

5

*the operation and maintenance of the Army, as authorized*

6

*by law, \$32,738,173,000: Provided, That not to exceed*

7

*\$12,478,000 can be used for emergencies and extraordinary*

8

*expenses, to be expended on the approval or authority of*

9

*the Secretary of the Army, and payments may be made on*

10

*his certificate of necessity for confidential military pur-*

11

*poses.*

12

*OPERATION AND MAINTENANCE, NAVY*

13

*For expenses, not otherwise provided for, necessary for*

14

*the operation and maintenance of the Navy and the Marine*

15

*Corps, as authorized by law, \$38,552,017,000: Provided,*

16

*That not to exceed \$15,055,000 can be used for emergencies*

17

*and extraordinary expenses, to be expended on the approval*

18

*or authority of the Secretary of the Navy, and payments*

19

*may be made on his certificate of necessity for confidential*

20

*military purposes.*

21

*OPERATION AND MAINTENANCE, MARINE CORPS*

22

*For expenses, not otherwise provided for, necessary for*

23

*the operation and maintenance of the Marine Corps, as au-*

24

*thorized by law, \$5,676,152,000.*

1            *OPERATION AND MAINTENANCE, AIR FORCE*

2            *For expenses, not otherwise provided for, necessary for*  
3 *the operation and maintenance of the Air Force, as author-*  
4 *ized by law, \$36,247,724,000: Provided, That not to exceed*  
5 *\$7,699,000 can be used for emergencies and extraordinary*  
6 *expenses, to be expended on the approval or authority of*  
7 *the Secretary of the Air Force, and payments may be made*  
8 *on his certificate of necessity for confidential military pur-*  
9 *poses.*

10           *OPERATION AND MAINTENANCE, DEFENSE-WIDE*11                            *(INCLUDING TRANSFER OF FUNDS)*

12           *For expenses, not otherwise provided for, necessary for*  
13 *the operation and maintenance of activities and agencies*  
14 *of the Department of Defense (other than the military de-*  
15 *partments), as authorized by law, \$32,373,949,000: Pro-*  
16 *vided, That not more than \$15,000,000 may be used for*  
17 *the Combatant Commander Initiative Fund authorized*  
18 *under section 166a of title 10, United States Code: Provided*  
19 *further, That not to exceed \$36,000,000 can be used for*  
20 *emergencies and extraordinary expenses, to be expended on*  
21 *the approval or authority of the Secretary of Defense, and*  
22 *payments may be made on his certificate of necessity for*  
23 *confidential military purposes: Provided further, That of*  
24 *the funds provided under this heading, not less than*  
25 *\$34,964,000 shall be made available for the Procurement*

1 *Technical Assistance Cooperative Agreement Program, of*  
2 *which not less than \$3,600,000 shall be available for centers*  
3 *defined in 10 U.S.C. 2411(1)(D): Provided further, That*  
4 *none of the funds appropriated or otherwise made available*  
5 *by this Act may be used to plan or implement the consolida-*  
6 *tion of a budget or appropriations liaison office of the Office*  
7 *of the Secretary of Defense, the office of the Secretary of*  
8 *a military department, or the service headquarters of one*  
9 *of the Armed Forces into a legislative affairs or legislative*  
10 *liaison office: Provided further, That \$5,023,000, to remain*  
11 *available until expended, is available only for expenses re-*  
12 *lating to certain classified activities, and may be trans-*  
13 *ferred as necessary by the Secretary of Defense to operation*  
14 *and maintenance appropriations or research, development,*  
15 *test and evaluation appropriations, to be merged with and*  
16 *to be available for the same time period as the appropria-*  
17 *tions to which transferred: Provided further, That any ceil-*  
18 *ing on the investment item unit cost of items that may be*  
19 *purchased with operation and maintenance funds shall not*  
20 *apply to the funds described in the preceding proviso: Pro-*  
21 *vided further, That of the funds provided under this head-*  
22 *ing, \$480,000,000, to remain available until September 30,*  
23 *2018, shall be available to provide support and assistance*  
24 *to foreign security forces or other groups or individuals to*  
25 *conduct, support or facilitate counterterrorism, crisis re-*

1 *sponse, or other Department of Defense security cooperation*  
2 *programs: Provided further, That the transfer authority*  
3 *provided under this heading is in addition to any other*  
4 *transfer authority provided elsewhere in this Act.*

5 *OPERATION AND MAINTENANCE, ARMY RESERVE*

6 *For expenses, not otherwise provided for, necessary for*  
7 *the operation and maintenance, including training, organi-*  
8 *zation, and administration, of the Army Reserve; repair of*  
9 *facilities and equipment; hire of passenger motor vehicles;*  
10 *travel and transportation; care of the dead; recruiting; pro-*  
11 *urement of services, supplies, and equipment; and commu-*  
12 *nications, \$2,743,688,000.*

13 *OPERATION AND MAINTENANCE, NAVY RESERVE*

14 *For expenses, not otherwise provided for, necessary for*  
15 *the operation and maintenance, including training, organi-*  
16 *zation, and administration, of the Navy Reserve; repair of*  
17 *facilities and equipment; hire of passenger motor vehicles;*  
18 *travel and transportation; care of the dead; recruiting; pro-*  
19 *urement of services, supplies, and equipment; and commu-*  
20 *nications, \$929,656,000.*

21 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

22 *For expenses, not otherwise provided for, necessary for*  
23 *the operation and maintenance, including training, organi-*  
24 *zation, and administration, of the Marine Corps Reserve;*  
25 *repair of facilities and equipment; hire of passenger motor*



1 *vehicles; travel and transportation; care of the dead; recruit-*  
2 *ing; procurement of services, supplies, and equipment; and*  
3 *communications, \$271,133,000.*

4 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

5 *For expenses, not otherwise provided for, necessary for*  
6 *the operation and maintenance, including training, organi-*  
7 *zation, and administration, of the Air Force Reserve; repair*  
8 *of facilities and equipment; hire of passenger motor vehicles;*  
9 *travel and transportation; care of the dead; recruiting; pro-*  
10 *curement of services, supplies, and equipment; and commu-*  
11 *nications, \$3,069,229,000.*

12 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

13 *For expenses of training, organizing, and admin-*  
14 *istering the Army National Guard, including medical and*  
15 *hospital treatment and related expenses in non-Federal hos-*  
16 *pitals; maintenance, operation, and repairs to structures*  
17 *and facilities; hire of passenger motor vehicles; personnel*  
18 *services in the National Guard Bureau; travel expenses*  
19 *(other than mileage), as authorized by law for Army per-*  
20 *sonnel on active duty, for Army National Guard division,*  
21 *regimental, and battalion commanders while inspecting*  
22 *units in compliance with National Guard Bureau regula-*  
23 *tions when specifically authorized by the Chief, National*  
24 *Guard Bureau; supplying and equipping the Army Na-*  
25 *tional Guard as authorized by law; and expenses of repair,*

1 *modification, maintenance, and issue of supplies and*  
2 *equipment (including aircraft), \$6,861,478,000.*

3 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

4 *For expenses of training, organizing, and admin-*  
5 *istering the Air National Guard, including medical and*  
6 *hospital treatment and related expenses in non-Federal hos-*  
7 *pitals; maintenance, operation, and repairs to structures*  
8 *and facilities; transportation of things, hire of passenger*  
9 *motor vehicles; supplying and equipping the Air National*  
10 *Guard, as authorized by law; expenses for repair, modifica-*  
11 *tion, maintenance, and issue of supplies and equipment,*  
12 *including those furnished from stocks under the control of*  
13 *agencies of the Department of Defense; travel expenses (other*  
14 *than mileage) on the same basis as authorized by law for*  
15 *Air National Guard personnel on active Federal duty, for*  
16 *Air National Guard commanders while inspecting units in*  
17 *compliance with National Guard Bureau regulations when*  
18 *specifically authorized by the Chief, National Guard Bu-*  
19 *reau, \$6,615,095,000.*

20 *UNITED STATES COURT OF APPEALS FOR THE ARMED*

21 *FORCES*

22 *For salaries and expenses necessary for the United*  
23 *States Court of Appeals for the Armed Forces, \$14,194,000,*  
24 *of which not to exceed \$5,000 may be used for official rep-*  
25 *resentation purposes.*

1                    *ENVIRONMENTAL RESTORATION, ARMY*2                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For the Department of the Army, \$170,167,000, to re-*  
4 *main available until transferred: Provided, That the Sec-*  
5 *retary of the Army shall, upon determining that such funds*  
6 *are required for environmental restoration, reduction and*  
7 *recycling of hazardous waste, removal of unsafe buildings*  
8 *and debris of the Department of the Army, or for similar*  
9 *purposes, transfer the funds made available by this appro-*  
10 *priation to other appropriations made available to the De-*  
11 *partment of the Army, to be merged with and to be available*  
12 *for the same purposes and for the same time period as the*  
13 *appropriations to which transferred: Provided further, That*  
14 *upon a determination that all or part of the funds trans-*  
15 *ferred from this appropriation are not necessary for the*  
16 *purposes provided herein, such amounts may be transferred*  
17 *back to this appropriation: Provided further, That the*  
18 *transfer authority provided under this heading is in addi-*  
19 *tion to any other transfer authority provided elsewhere in*  
20 *this Act.*

21                    *ENVIRONMENTAL RESTORATION, NAVY*22                    *(INCLUDING TRANSFER OF FUNDS)*

23            *For the Department of the Navy, \$289,262,000, to re-*  
24 *main available until transferred: Provided, That the Sec-*  
25 *retary of the Navy shall, upon determining that such funds*

1 *are required for environmental restoration, reduction and*  
2 *recycling of hazardous waste, removal of unsafe buildings*  
3 *and debris of the Department of the Navy, or for similar*  
4 *purposes, transfer the funds made available by this appro-*  
5 *priation to other appropriations made available to the De-*  
6 *partment of the Navy, to be merged with and to be available*  
7 *for the same purposes and for the same time period as the*  
8 *appropriations to which transferred: Provided further, That*  
9 *upon a determination that all or part of the funds trans-*  
10 *ferred from this appropriation are not necessary for the*  
11 *purposes provided herein, such amounts may be transferred*  
12 *back to this appropriation: Provided further, That the*  
13 *transfer authority provided under this heading is in addi-*  
14 *tion to any other transfer authority provided elsewhere in*  
15 *this Act.*

16 *ENVIRONMENTAL RESTORATION, AIR FORCE*  
17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For the Department of the Air Force, \$371,521,000,*  
19 *to remain available until transferred: Provided, That the*  
20 *Secretary of the Air Force shall, upon determining that*  
21 *such funds are required for environmental restoration, re-*  
22 *duction and recycling of hazardous waste, removal of unsafe*  
23 *buildings and debris of the Department of the Air Force,*  
24 *or for similar purposes, transfer the funds made available*  
25 *by this appropriation to other appropriations made avail-*

1 *able to the Department of the Air Force, to be merged with*  
2 *and to be available for the same purposes and for the same*  
3 *time period as the appropriations to which transferred:*  
4 *Provided further, That upon a determination that all or*  
5 *part of the funds transferred from this appropriation are*  
6 *not necessary for the purposes provided herein, such*  
7 *amounts may be transferred back to this appropriation:*  
8 *Provided further, That the transfer authority provided*  
9 *under this heading is in addition to any other transfer au-*  
10 *thority provided elsewhere in this Act.*

11 *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For the Department of Defense, \$9,009,000, to remain*  
14 *available until transferred: Provided, That the Secretary of*  
15 *Defense shall, upon determining that such funds are re-*  
16 *quired for environmental restoration, reduction and recy-*  
17 *cling of hazardous waste, removal of unsafe buildings and*  
18 *debris of the Department of Defense, or for similar purposes,*  
19 *transfer the funds made available by this appropriation to*  
20 *other appropriations made available to the Department of*  
21 *Defense, to be merged with and to be available for the same*  
22 *purposes and for the same time period as the appropria-*  
23 *tions to which transferred: Provided further, That upon a*  
24 *determination that all or part of the funds transferred from*  
25 *this appropriation are not necessary for the purposes pro-*

1 *vided herein, such amounts may be transferred back to this*  
2 *appropriation: Provided further, That the transfer author-*  
3 *ity provided under this heading is in addition to any other*  
4 *transfer authority provided elsewhere in this Act.*

5 *ENVIRONMENTAL RESTORATION, FORMERLY USED*

6 *DEFENSE SITES*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the Department of the Army, \$222,084,000, to re-*  
9 *main available until transferred: Provided, That the Sec-*  
10 *retary of the Army shall, upon determining that such funds*  
11 *are required for environmental restoration, reduction and*  
12 *recycling of hazardous waste, removal of unsafe buildings*  
13 *and debris at sites formerly used by the Department of De-*  
14 *fense, transfer the funds made available by this appropria-*  
15 *tion to other appropriations made available to the Depart-*  
16 *ment of the Army, to be merged with and to be available*  
17 *for the same purposes and for the same time period as the*  
18 *appropriations to which transferred: Provided further, That*  
19 *upon a determination that all or part of the funds trans-*  
20 *ferred from this appropriation are not necessary for the*  
21 *purposes provided herein, such amounts may be transferred*  
22 *back to this appropriation: Provided further, That the*  
23 *transfer authority provided under this heading is in addi-*  
24 *tion to any other transfer authority provided elsewhere in*  
25 *this Act.*

1     *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

2         *For expenses relating to the Overseas Humanitarian,*  
3 *Disaster, and Civic Aid programs of the Department of De-*  
4 *fense (consisting of the programs provided under sections*  
5 *401, 402, 404, 407, 2557, and 2561 of title 10, United*  
6 *States Code), \$123,125,000, to remain available until Sep-*  
7 *tember 30, 2018.*

8         *COOPERATIVE THREAT REDUCTION ACCOUNT*

9         *For assistance, including assistance provided by con-*  
10 *tract or by grants, under programs and activities of the*  
11 *Department of Defense Cooperative Threat Reduction Pro-*  
12 *gram authorized under the Department of Defense Coopera-*  
13 *tive Threat Reduction Act, \$325,604,000, to remain avail-*  
14 *able until September 30, 2019.*

15                     *TITLE III*

16                     *PROCUREMENT*

17                     *AIRCRAFT PROCUREMENT, ARMY*

18         *For construction, procurement, production, modifica-*  
19 *tion, and modernization of aircraft, equipment, including*  
20 *ordnance, ground handling equipment, spare parts, and ac-*  
21 *cessories therefor; specialized equipment and training de-*  
22 *vices; expansion of public and private plants, including the*  
23 *land necessary therefor, for the foregoing purposes, and such*  
24 *lands and interests therein, may be acquired, and construc-*  
25 *tion prosecuted thereon prior to approval of title; and pro-*

1 *curement and installation of equipment, appliances, and*  
2 *machine tools in public and private plants; reserve plant*  
3 *and Government and contractor-owned equipment layaway;*  
4 *and other expenses necessary for the foregoing purposes,*  
5 *\$4,587,598,000, to remain available for obligation until*  
6 *September 30, 2019.*

7 *MISSILE PROCUREMENT, ARMY*

8 *For construction, procurement, production, modifica-*  
9 *tion, and modernization of missiles, equipment, including*  
10 *ordnance, ground handling equipment, spare parts, and ac-*  
11 *cessories therefor; specialized equipment and training de-*  
12 *vices; expansion of public and private plants, including the*  
13 *land necessary therefor, for the foregoing purposes, and such*  
14 *lands and interests therein, may be acquired, and construc-*  
15 *tion prosecuted thereon prior to approval of title; and pro-*  
16 *curement and installation of equipment, appliances, and*  
17 *machine tools in public and private plants; reserve plant*  
18 *and Government and contractor-owned equipment layaway;*  
19 *and other expenses necessary for the foregoing purposes,*  
20 *\$1,533,804,000, to remain available for obligation until*  
21 *September 30, 2019.*

22 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*

23 *VEHICLES, ARMY*

24 *For construction, procurement, production, and modi-*  
25 *fication of weapons and tracked combat vehicles, equipment,*



1 *including ordnance, spare parts, and accessories therefor;*  
2 *specialized equipment and training devices; expansion of*  
3 *public and private plants, including the land necessary*  
4 *therefor, for the foregoing purposes, and such lands and in-*  
5 *terests therein, may be acquired, and construction pros-*  
6 *ecuted thereon prior to approval of title; and procurement*  
7 *and installation of equipment, appliances, and machine*  
8 *tools in public and private plants; reserve plant and Gov-*  
9 *ernment and contractor-owned equipment layaway; and*  
10 *other expenses necessary for the foregoing purposes,*  
11 *\$2,229,455,000, to remain available for obligation until*  
12 *September 30, 2019.*

13 *PROCUREMENT OF AMMUNITION, ARMY*

14 *For construction, procurement, production, and modi-*  
15 *fication of ammunition, and accessories therefor; specialized*  
16 *equipment and training devices; expansion of public and*  
17 *private plants, including ammunition facilities, authorized*  
18 *by section 2854 of title 10, United States Code, and the*  
19 *land necessary therefor, for the foregoing purposes, and such*  
20 *lands and interests therein, may be acquired, and construc-*  
21 *tion prosecuted thereon prior to approval of title; and pro-*  
22 *curement and installation of equipment, appliances, and*  
23 *machine tools in public and private plants; reserve plant*  
24 *and Government and contractor-owned equipment layaway;*  
25 *and other expenses necessary for the foregoing purposes,*

1 \$1,483,566,000, to remain available for obligation until  
2 September 30, 2019.

3 *OTHER PROCUREMENT, ARMY*

4 *For construction, procurement, production, and modi-*  
5 *fication of vehicles, including tactical, support, and non-*  
6 *tracked combat vehicles; the purchase of passenger motor ve-*  
7 *hicles for replacement only; communications and electronic*  
8 *equipment; other support equipment; spare parts, ordnance,*  
9 *and accessories therefor; specialized equipment and training*  
10 *devices; expansion of public and private plants, including*  
11 *the land necessary therefor, for the foregoing purposes, and*  
12 *such lands and interests therein, may be acquired, and con-*  
13 *struction prosecuted thereon prior to approval of title; and*  
14 *procurement and installation of equipment, appliances,*  
15 *and machine tools in public and private plants; reserve*  
16 *plant and Government and contractor-owned equipment*  
17 *layaway; and other expenses necessary for the foregoing*  
18 *purposes, \$6,147,328,000, to remain available for obligation*  
19 *until September 30, 2019.*

20 *AIRCRAFT PROCUREMENT, NAVY*

21 *For construction, procurement, production, modifica-*  
22 *tion, and modernization of aircraft, equipment, including*  
23 *ordnance, spare parts, and accessories therefor; specialized*  
24 *equipment; expansion of public and private plants, includ-*  
25 *ing the land necessary therefor, and such lands and inter-*

1 *ests therein, may be acquired, and construction prosecuted*  
2 *thereon prior to approval of title; and procurement and in-*  
3 *stallation of equipment, appliances, and machine tools in*  
4 *public and private plants; reserve plant and Government*  
5 *and contractor-owned equipment layaway,*  
6 *\$16,135,335,000, to remain available for obligation until*  
7 *September 30, 2019.*

8 *WEAPONS PROCUREMENT, NAVY*

9 *For construction, procurement, production, modifica-*  
10 *tion, and modernization of missiles, torpedoes, other weap-*  
11 *ons, and related support equipment including spare parts,*  
12 *and accessories therefor; expansion of public and private*  
13 *plants, including the land necessary therefor, and such*  
14 *lands and interests therein, may be acquired, and construc-*  
15 *tion prosecuted thereon prior to approval of title; and pro-*  
16 *curement and installation of equipment, appliances, and*  
17 *machine tools in public and private plants; reserve plant*  
18 *and Government and contractor-owned equipment layaway,*  
19 *\$3,265,285,000, to remain available for obligation until*  
20 *September 30, 2019.*

21 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

22 *CORPS*

23 *For construction, procurement, production, and modi-*  
24 *fication of ammunition, and accessories therefor; specialized*  
25 *equipment and training devices; expansion of public and*

1 *private plants, including ammunition facilities, authorized*  
2 *by section 2854 of title 10, United States Code, and the*  
3 *land necessary therefor, for the foregoing purposes, and such*  
4 *lands and interests therein, may be acquired, and construc-*  
5 *tion prosecuted thereon prior to approval of title; and pro-*  
6 *curement and installation of equipment, appliances, and*  
7 *machine tools in public and private plants; reserve plant*  
8 *and Government and contractor-owned equipment layaway;*  
9 *and other expenses necessary for the foregoing purposes,*  
10 *\$633,678,000, to remain available for obligation until Sep-*  
11 *tember 30, 2019.*

12 *SHIPBUILDING AND CONVERSION, NAVY*

13 *For expenses necessary for the construction, acquisi-*  
14 *tion, or conversion of vessels as authorized by law, includ-*  
15 *ing armor and armament thereof, plant equipment, appli-*  
16 *ances, and machine tools and installation thereof in public*  
17 *and private plants; reserve plant and Government and con-*  
18 *tractor-owned equipment layaway; procurement of critical,*  
19 *long lead time components and designs for vessels to be con-*  
20 *structed or converted in the future; and expansion of public*  
21 *and private plants, including land necessary therefor, and*  
22 *such lands and interests therein, may be acquired, and con-*  
23 *struction prosecuted thereon prior to approval of title, as*  
24 *follows:*

1           *Ohio Replacement Submarine (AP),*  
2           *\$773,138,000;*  
3           *Carrier Replacement Program, \$1,255,783,000;*  
4           *Carrier Replacement Program (AP),*  
5           *\$1,370,784,000;*  
6           *Virginia Class Submarine, \$3,187,985,000;*  
7           *Virginia Class Submarine (AP), \$1,852,234,000;*  
8           *CVN Refueling Overhauls, \$1,699,120,000;*  
9           *CVN Refueling Overhauls (AP), \$233,149,000;*  
10          *DDG–1000 Program, \$271,756,000;*  
11          *DDG–51 Destroyer, \$3,614,792,000;*  
12          *Littoral Combat Ship, \$1,563,692,000;*  
13          *LPD–17, \$1,786,000,000;*  
14          *LHA Replacement, \$1,617,719,000;*  
15          *TAO Fleet Oiler (AP), \$73,079,000;*  
16          *Moored Training Ship, \$624,527,000;*  
17          *Ship to Shore Connector, \$128,067,000;*  
18          *Service Craft, \$65,192,000;*  
19          *LCAC Service Life Extension Program,*  
20          *\$82,074,000;*  
21          *YP Craft Maintenance/ROH/SLEP, \$21,363,000;*  
22          *For outfitting, post delivery, conversions, and*  
23          *first destination transportation, \$626,158,000;*  
24          *Completion of Prior Year Shipbuilding Pro-*  
25          *grams, \$160,274,000; and*

1           *Polar Icebreakers (AP), \$150,000,000.*

2           *In all: \$21,156,886,000, to remain available for obliga-*  
3 *tion until September 30, 2021: Provided, That additional*  
4 *obligations may be incurred after September 30, 2021, for*  
5 *engineering services, tests, evaluations, and other such budg-*  
6 *eted work that must be performed in the final stage of ship*  
7 *construction: Provided further, That none of the funds pro-*  
8 *vided under this heading for the construction or conversion*  
9 *of any naval vessel to be constructed in shipyards in the*  
10 *United States shall be expended in foreign facilities for the*  
11 *construction of major components of such vessel: Provided*  
12 *further, That none of the funds provided under this heading*  
13 *shall be used for the construction of any naval vessel in*  
14 *foreign shipyards: Provided further, That funds appro-*  
15 *priated or otherwise made available by this Act for produc-*  
16 *tion of the common missile compartment of nuclear-powered*  
17 *vessels may be available for multiyear procurement of crit-*  
18 *ical components to support continuous production of such*  
19 *compartments only in accordance with the provisions of*  
20 *subsection (i) of section 2218a of title 10, United States*  
21 *Code (as added by section 1023 of the National Defense Au-*  
22 *thorization Act for Fiscal Year 2017 (Public Law 114–*  
23 *328)).*

1                    *OTHER PROCUREMENT, NAVY*

2            *For procurement, production, and modernization of*  
3 *support equipment and materials not otherwise provided*  
4 *for, Navy ordnance (except ordnance for new aircraft, new*  
5 *ships, and ships authorized for conversion); the purchase*  
6 *of passenger motor vehicles for replacement only; expansion*  
7 *of public and private plants, including the land necessary*  
8 *therefor, and such lands and interests therein, may be ac-*  
9 *quired, and construction prosecuted thereon prior to ap-*  
10 *proval of title; and procurement and installation of equip-*  
11 *ment, appliances, and machine tools in public and private*  
12 *plants; reserve plant and Government and contractor-owned*  
13 *equipment layaway, \$6,308,919,000, to remain available*  
14 *for obligation until September 30, 2019.*

15                    *PROCUREMENT, MARINE CORPS*

16            *For expenses necessary for the procurement, manufac-*  
17 *ture, and modification of missiles, armament, military*  
18 *equipment, spare parts, and accessories therefor; plant*  
19 *equipment, appliances, and machine tools, and installation*  
20 *thereof in public and private plants; reserve plant and Gov-*  
21 *ernment and contractor-owned equipment layaway; vehicles*  
22 *for the Marine Corps, including the purchase of passenger*  
23 *motor vehicles for replacement only; and expansion of pub-*  
24 *lic and private plants, including land necessary therefor,*  
25 *and such lands and interests therein, may be acquired, and*

1 *construction prosecuted thereon prior to approval of title,*  
2 *\$1,307,456,000, to remain available for obligation until*  
3 *September 30, 2019.*

4 *AIRCRAFT PROCUREMENT, AIR FORCE*

5 *For construction, procurement, and modification of*  
6 *aircraft and equipment, including armor and armament,*  
7 *specialized ground handling equipment, and training de-*  
8 *vices, spare parts, and accessories therefor; specialized*  
9 *equipment; expansion of public and private plants, Govern-*  
10 *ment-owned equipment and installation thereof in such*  
11 *plants, erection of structures, and acquisition of land, for*  
12 *the foregoing purposes, and such lands and interests therein,*  
13 *may be acquired, and construction prosecuted thereon prior*  
14 *to approval of title; reserve plant and Government and con-*  
15 *tractor-owned equipment layaway; and other expenses nec-*  
16 *essary for the foregoing purposes including rents and trans-*  
17 *portation of things, \$14,253,623,000, to remain available*  
18 *for obligation until September 30, 2019.*

19 *MISSILE PROCUREMENT, AIR FORCE*

20 *For construction, procurement, and modification of*  
21 *missiles, rockets, and related equipment, including spare*  
22 *parts and accessories therefor; ground handling equipment,*  
23 *and training devices; expansion of public and private*  
24 *plants, Government-owned equipment and installation*  
25 *thereof in such plants, erection of structures, and acquisi-*



1 *tion of land, for the foregoing purposes, and such lands and*  
2 *interests therein, may be acquired, and construction pros-*  
3 *ecuted thereon prior to approval of title; reserve plant and*  
4 *Government and contractor-owned equipment layaway; and*  
5 *other expenses necessary for the foregoing purposes includ-*  
6 *ing rents and transportation of things, \$2,348,121,000, to*  
7 *remain available for obligation until September 30, 2019.*

8 *SPACE PROCUREMENT, AIR FORCE*

9 *For construction, procurement, and modification of*  
10 *spacecraft, rockets, and related equipment, including spare*  
11 *parts and accessories therefor; ground handling equipment,*  
12 *and training devices; expansion of public and private*  
13 *plants, Government-owned equipment and installation*  
14 *thereof in such plants, erection of structures, and acquisi-*  
15 *tion of land, for the foregoing purposes, and such lands and*  
16 *interests therein, may be acquired, and construction pros-*  
17 *ecuted thereon prior to approval of title; reserve plant and*  
18 *Government and contractor-owned equipment layaway; and*  
19 *other expenses necessary for the foregoing purposes includ-*  
20 *ing rents and transportation of things, \$2,733,243,000, to*  
21 *remain available for obligation until September 30, 2019.*

22 *PROCUREMENT OF AMMUNITION, AIR FORCE*

23 *For construction, procurement, production, and modi-*  
24 *fication of ammunition, and accessories therefor; specialized*  
25 *equipment and training devices; expansion of public and*

1 *private plants, including ammunition facilities, authorized*  
2 *by section 2854 of title 10, United States Code, and the*  
3 *land necessary therefor, for the foregoing purposes, and such*  
4 *lands and interests therein, may be acquired, and construc-*  
5 *tion prosecuted thereon prior to approval of title; and pro-*  
6 *curement and installation of equipment, appliances, and*  
7 *machine tools in public and private plants; reserve plant*  
8 *and Government and contractor-owned equipment layaway;*  
9 *and other expenses necessary for the foregoing purposes,*  
10 *\$1,589,219,000, to remain available for obligation until*  
11 *September 30, 2019.*

12 *OTHER PROCUREMENT, AIR FORCE*

13 *For procurement and modification of equipment (in-*  
14 *cluding ground guidance and electronic control equipment,*  
15 *and ground electronic and communication equipment), and*  
16 *supplies, materials, and spare parts therefor, not otherwise*  
17 *provided for; the purchase of passenger motor vehicles for*  
18 *replacement only; lease of passenger motor vehicles; and ex-*  
19 *pansion of public and private plants, Government-owned*  
20 *equipment and installation thereof in such plants, erection*  
21 *of structures, and acquisition of land, for the foregoing pur-*  
22 *poses, and such lands and interests therein, may be ac-*  
23 *quired, and construction prosecuted thereon, prior to ap-*  
24 *proval of title; reserve plant and Government and con-*

1 tractor-owned equipment layaway, \$17,768,224,000, to re-  
2 main available for obligation until September 30, 2019.

3 *PROCUREMENT, DEFENSE-WIDE*

4 *For expenses of activities and agencies of the Depart-*  
5 *ment of Defense (other than the military departments) nec-*  
6 *essary for procurement, production, and modification of*  
7 *equipment, supplies, materials, and spare parts therefor,*  
8 *not otherwise provided for; the purchase of passenger motor*  
9 *vehicles for replacement only; expansion of public and pri-*  
10 *vate plants, equipment, and installation thereof in such*  
11 *plants, erection of structures, and acquisition of land for*  
12 *the foregoing purposes, and such lands and interests therein,*  
13 *may be acquired, and construction prosecuted thereon prior*  
14 *to approval of title; reserve plant and Government and con-*  
15 *tractor-owned equipment layaway, \$4,881,022,000, to re-*  
16 *main available for obligation until September 30, 2019.*

17 *DEFENSE PRODUCTION ACT PURCHASES*

18 *For activities by the Department of Defense pursuant*  
19 *to sections 108, 301, 302, and 303 of the Defense Production*  
20 *Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),*  
21 *\$64,065,000, to remain available until expended.*

1 *TITLE IV*  
2 *RESEARCH, DEVELOPMENT, TEST AND*  
3 *EVALUATION*

4 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

5 *For expenses necessary for basic and applied scientific*  
6 *research, development, test and evaluation, including main-*  
7 *tenance, rehabilitation, lease, and operation of facilities*  
8 *and equipment, \$8,332,965,000, to remain available for ob-*  
9 *ligation until September 30, 2018.*

10 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

11 *For expenses necessary for basic and applied scientific*  
12 *research, development, test and evaluation, including main-*  
13 *tenance, rehabilitation, lease, and operation of facilities*  
14 *and equipment, \$17,214,530,000, to remain available for*  
15 *obligation until September 30, 2018: Provided, That funds*  
16 *appropriated in this paragraph which are available for the*  
17 *V-22 may be used to meet unique operational requirements*  
18 *of the Special Operations Forces.*

19 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
20 *FORCE*

21 *For expenses necessary for basic and applied scientific*  
22 *research, development, test and evaluation, including main-*  
23 *tenance, rehabilitation, lease, and operation of facilities*  
24 *and equipment, \$27,788,548,000, to remain available for*  
25 *obligation until September 30, 2018.*

1     *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*  
2                             *DEFENSE-WIDE*  
3                             *(INCLUDING TRANSFER OF FUNDS)*

4     *For expenses of activities and agencies of the Depart-*  
5 *ment of Defense (other than the military departments), nec-*  
6 *essary for basic and applied scientific research, develop-*  
7 *ment, test and evaluation; advanced research projects as*  
8 *may be designated and determined by the Secretary of De-*  
9 *fense, pursuant to law; maintenance, rehabilitation, lease,*  
10 *and operation of facilities and equipment, \$18,778,550,000,*  
11 *to remain available for obligation until September 30,*  
12 *2018: Provided, That, of the funds made available in this*  
13 *paragraph, \$250,000,000 for the Defense Rapid Innovation*  
14 *Program shall only be available for expenses, not otherwise*  
15 *provided for, to include program management and over-*  
16 *sight, to conduct research, development, test and evaluation*  
17 *to include proof of concept demonstration; engineering, test-*  
18 *ing, and validation; and transition to full-scale production:*  
19 *Provided further, That the Secretary of Defense may trans-*  
20 *fer funds provided herein for the Defense Rapid Innovation*  
21 *Program to appropriations for research, development, test*  
22 *and evaluation to accomplish the purpose provided herein:*  
23 *Provided further, That this transfer authority is in addi-*  
24 *tion to any other transfer authority available to the Depart-*  
25 *ment of Defense: Provided further, That the Secretary of*

1 *Defense shall, not fewer than 30 days prior to making*  
2 *transfers from this appropriation, notify the congressional*  
3 *defense committees in writing of the details of any such*  
4 *transfer.*

5           *OPERATIONAL TEST AND EVALUATION, DEFENSE*

6           *For expenses, not otherwise provided for, necessary for*  
7 *the independent activities of the Director, Operational Test*  
8 *and Evaluation, in the direction and supervision of oper-*  
9 *ational test and evaluation, including initial operational*  
10 *test and evaluation which is conducted prior to, and in sup-*  
11 *port of, production decisions; joint operational testing and*  
12 *evaluation; and administrative expenses in connection*  
13 *therewith, \$186,994,000, to remain available for obligation*  
14 *until September 30, 2018.*

15   *TITLE V*

16                   *REVOLVING AND MANAGEMENT FUNDS*

17                                   *DEFENSE WORKING CAPITAL FUNDS*

18           *For the Defense Working Capital Funds,*  
19 *\$1,511,613,000.*

20   *TITLE VI*

21           *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

22                                   *DEFENSE HEALTH PROGRAM*

23           *For expenses, not otherwise provided for, for medical*  
24 *and health care programs of the Department of Defense as*  
25 *authorized by law, \$33,781,270,000; of which*

1 \$31,277,002,000 shall be for operation and maintenance, of  
2 which not to exceed one percent shall remain available for  
3 obligation until September 30, 2018, and of which up to  
4 \$15,315,832,000 may be available for contracts entered into  
5 under the *TRICARE* program; of which \$402,161,000, to  
6 remain available for obligation until September 30, 2019,  
7 shall be for procurement; and of which \$2,102,107,000, to  
8 remain available for obligation until September 30, 2018,  
9 shall be for research, development, test and evaluation: Pro-  
10 vided, That, notwithstanding any other provision of law,  
11 of the amount made available under this heading for re-  
12 search, development, test and evaluation, not less than  
13 \$8,000,000 shall be available for HIV prevention edu-  
14 cational activities undertaken in connection with United  
15 States military training, exercises, and humanitarian as-  
16 sistance activities conducted primarily in African nations:  
17 Provided further, That of the funds provided under this  
18 heading for research, development, test and evaluation, not  
19 less than \$1,014,600,000 shall be made available to the  
20 United States Army Medical Research and Materiel Com-  
21 mand to carry out the congressionally directed medical re-  
22 search programs.

1           *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*  
2   *DEFENSE*

3           *For expenses, not otherwise provided for, necessary for*  
4 *the destruction of the United States stockpile of lethal chem-*  
5 *ical agents and munitions in accordance with the provi-*  
6 *sions of section 1412 of the Department of Defense Author-*  
7 *ization Act, 1986 (50 U.S.C. 1521), and for the destruction*  
8 *of other chemical warfare materials that are not in the*  
9 *chemical weapon stockpile, \$523,726,000, of which*  
10 *\$119,985,000 shall be for operation and maintenance, of*  
11 *which no less than \$49,533,000 shall be for the Chemical*  
12 *Stockpile Emergency Preparedness Program, consisting of*  
13 *\$20,368,000 for activities on military installations and*  
14 *\$29,165,000, to remain available until September 30, 2018,*  
15 *to assist State and local governments, and of which not*  
16 *more than \$13,700,000, to remain available until Sep-*  
17 *tember 30, 2018, shall be for the destruction of eight United*  
18 *States-origin chemical munitions in the Republic of Pan-*  
19 *ama, to the extent authorized by law; \$15,132,000 shall be*  
20 *for procurement, to remain available until September 30,*  
21 *2019, of which \$15,132,000 shall be for the Chemical Stock-*  
22 *pile Emergency Preparedness Program to assist State and*  
23 *local governments; and \$388,609,000, to remain available*  
24 *until September 30, 2018, shall be for research, develop-*  
25 *ment, test and evaluation, of which \$380,892,000 shall only*



1 *be for the Assembled Chemical Weapons Alternatives pro-*  
2 *gram.*

3 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*

4 *DEFENSE*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For drug interdiction and counter-drug activities of*  
7 *the Department of Defense, for transfer to appropriations*  
8 *available to the Department of Defense for military per-*  
9 *sonnel of the reserve components serving under the provi-*  
10 *sions of title 10 and title 32, United States Code; for oper-*  
11 *ation and maintenance; for procurement; and for research,*  
12 *development, test and evaluation, \$998,800,000, of which*  
13 *\$626,087,000 shall be for counter-narcotics support;*  
14 *\$118,713,000 shall be for the drug demand reduction pro-*  
15 *gram; \$234,000,000 shall be for the National Guard*  
16 *counter-drug program; and \$20,000,000 shall be for the Na-*  
17 *tional Guard counter-drug schools program: Provided, That*  
18 *the funds appropriated under this heading shall be avail-*  
19 *able for obligation for the same time period and for the*  
20 *same purpose as the appropriation to which transferred:*  
21 *Provided further, That upon a determination that all or*  
22 *part of the funds transferred from this appropriation are*  
23 *not necessary for the purposes provided herein, such*  
24 *amounts may be transferred back to this appropriation:*  
25 *Provided further, That the transfer authority provided*

1 *under this heading is in addition to any other transfer au-*  
2 *thority contained elsewhere in this Act.*

3 *OFFICE OF THE INSPECTOR GENERAL*

4 *For expenses and activities of the Office of the Inspec-*  
5 *tor General in carrying out the provisions of the Inspector*  
6 *General Act of 1978, as amended, \$312,035,000, of which*  
7 *\$308,882,000 shall be for operation and maintenance, of*  
8 *which not to exceed \$700,000 is available for emergencies*  
9 *and extraordinary expenses to be expended on the approval*  
10 *or authority of the Inspector General, and payments may*  
11 *be made on the Inspector General's certificate of necessity*  
12 *for confidential military purposes; and of which \$3,153,000,*  
13 *to remain available until September 30, 2018, shall be for*  
14 *research, development, test and evaluation.*

15 *TITLE VII*

16 *RELATED AGENCIES*

17 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*

18 *DISABILITY SYSTEM FUND*

19 *For payment to the Central Intelligence Agency Retire-*  
20 *ment and Disability System Fund, to maintain the proper*  
21 *funding level for continuing the operation of the Central*  
22 *Intelligence Agency Retirement and Disability System,*  
23 *\$514,000,000.*

1        *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

2            *For necessary expenses of the Intelligence Community*  
3 *Management Account, \$515,596,000.*

4                                *TITLE VIII*

5                                *GENERAL PROVISIONS*

6            *SEC. 8001. No part of any appropriation contained*  
7 *in this Act shall be used for publicity or propaganda pur-*  
8 *poses not authorized by the Congress.*

9            *SEC. 8002. During the current fiscal year, provisions*  
10 *of law prohibiting the payment of compensation to, or em-*  
11 *ployment of, any person not a citizen of the United States*  
12 *shall not apply to personnel of the Department of Defense:*  
13 *Provided, That salary increases granted to direct and indi-*  
14 *rect hire foreign national employees of the Department of*  
15 *Defense funded by this Act shall not be at a rate in excess*  
16 *of the percentage increase authorized by law for civilian*  
17 *employees of the Department of Defense whose pay is com-*  
18 *puted under the provisions of section 5332 of title 5, United*  
19 *States Code, or at a rate in excess of the percentage increase*  
20 *provided by the appropriate host nation to its own employ-*  
21 *ees, whichever is higher: Provided further, That this section*  
22 *shall not apply to Department of Defense foreign service*  
23 *national employees serving at United States diplomatic*  
24 *missions whose pay is set by the Department of State under*  
25 *the Foreign Service Act of 1980: Provided further, That the*

1 *limitations of this provision shall not apply to foreign na-*  
2 *tional employees of the Department of Defense in the Re-*  
3 *public of Turkey.*

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

7 *SEC. 8004. No more than 20 percent of the appropria-*  
8 *tions in this Act which are limited for obligation during*  
9 *the current fiscal year shall be obligated during the last 2*  
10 *months of the fiscal year: Provided, That this section shall*  
11 *not apply to obligations for support of active duty training*  
12 *of reserve components or summer camp training of the Re-*  
13 *serve Officers' Training Corps.*

14 *(TRANSFER OF FUNDS)*

15 *SEC. 8005. Upon determination by the Secretary of*  
16 *Defense that such action is necessary in the national inter-*  
17 *est, he may, with the approval of the Office of Management*  
18 *and Budget, transfer not to exceed \$4,500,000,000 of work-*  
19 *ing capital funds of the Department of Defense or funds*  
20 *made available in this Act to the Department of Defense*  
21 *for military functions (except military construction) be-*  
22 *tween such appropriations or funds or any subdivision*  
23 *thereof, to be merged with and to be available for the same*  
24 *purposes, and for the same time period, as the appropria-*  
25 *tion or fund to which transferred: Provided, That such au-*

1 *thority to transfer may not be used unless for higher pri-*  
2 *ority items, based on unforeseen military requirements,*  
3 *than those for which originally appropriated and in no case*  
4 *where the item for which funds are requested has been de-*  
5 *nied by the Congress: Provided further, That the Secretary*  
6 *of Defense shall notify the Congress promptly of all transfers*  
7 *made pursuant to this authority or any other authority in*  
8 *this Act: Provided further, That no part of the funds in*  
9 *this Act shall be available to prepare or present a request*  
10 *to the Committees on Appropriations for reprogramming*  
11 *of funds, unless for higher priority items, based on unfore-*  
12 *seen military requirements, than those for which originally*  
13 *appropriated and in no case where the item for which re-*  
14 *programming is requested has been denied by the Congress:*  
15 *Provided further, That a request for multiple*  
16 *reprogrammings of funds using authority provided in this*  
17 *section shall be made prior to June 30, 2017: Provided fur-*  
18 *ther, That transfers among military personnel appropri-*  
19 *tions shall not be taken into account for purposes of the*  
20 *limitation on the amount of funds that may be transferred*  
21 *under this section.*

22       *SEC. 8006. (a) With regard to the list of specific pro-*  
23 *grams, projects, and activities (and the dollar amounts and*  
24 *adjustments to budget activities corresponding to such pro-*  
25 *grams, projects, and activities) contained in the tables titled*

1 *Explanation of Project Level Adjustments in the explana-*  
2 *tory statement regarding this Act, the obligation and ex-*  
3 *penditure of amounts appropriated or otherwise made*  
4 *available in this Act for those programs, projects, and ac-*  
5 *tivities for which the amounts appropriated exceed the*  
6 *amounts requested are hereby required by law to be carried*  
7 *out in the manner provided by such tables to the same ex-*  
8 *tent as if the tables were included in the text of this Act.*

9       *(b) Amounts specified in the referenced tables described*  
10 *in subsection (a) shall not be treated as subdivisions of ap-*  
11 *propriations for purposes of section 8005 of this Act: Pro-*  
12 *vided, That section 8005 shall apply when transfers of the*  
13 *amounts described in subsection (a) occur between appro-*  
14 *priation accounts.*

15       *SEC. 8007. (a) Not later than 60 days after enactment*  
16 *of this Act, the Department of Defense shall submit a report*  
17 *to the congressional defense committees to establish the base-*  
18 *line for application of reprogramming and transfer au-*  
19 *thorities for fiscal year 2017: Provided, That the report*  
20 *shall include—*

21               *(1) a table for each appropriation with a sepa-*  
22               *rate column to display the President's budget request,*  
23               *adjustments made by Congress, adjustments due to*  
24               *enacted rescissions, if appropriate, and the fiscal year*  
25               *enacted level;*

1           (2) a delineation in the table for each appropri-  
2           tion both by budget activity and program, project,  
3           and activity as detailed in the Budget Appendix; and

4           (3) an identification of items of special congress-  
5           sional interest.

6           (b) Notwithstanding section 8005 of this Act, none of  
7           the funds provided in this Act shall be available for re-  
8           programming or transfer until the report identified in sub-  
9           section (a) is submitted to the congressional defense commit-  
10          tees, unless the Secretary of Defense certifies in writing to  
11          the congressional defense committees that such reprogram-  
12          ming or transfer is necessary as an emergency requirement:  
13          Provided, That this subsection shall not apply to transfers  
14          from the following appropriations accounts:

15                 (1) “Environmental Restoration, Army”;

16                 (2) “Environmental Restoration, Navy”;

17                 (3) “Environmental Restoration, Air Force”;

18                 (4) “Environmental Restoration, Defense-wide”;

19                 (5) “Environmental Restoration, Formerly Used  
20          Defense Sites”; and

21                 (6) “Drug Interdiction and Counter-drug Activi-  
22          ties, Defense”.

23   (TRANSFER OF FUNDS)

24          SEC. 8008. During the current fiscal year, cash bal-  
25          ances in working capital funds of the Department of De-

1 *fense established pursuant to section 2208 of title 10, United*  
2 *States Code, may be maintained in only such amounts as*  
3 *are necessary at any time for cash disbursements to be made*  
4 *from such funds: Provided, That transfers may be made be-*  
5 *tween such funds: Provided further, That transfers may be*  
6 *made between working capital funds and the “Foreign Cur-*  
7 *rency Fluctuations, Defense” appropriation and the “Oper-*  
8 *ation and Maintenance” appropriation accounts in such*  
9 *amounts as may be determined by the Secretary of Defense,*  
10 *with the approval of the Office of Management and Budget,*  
11 *except that such transfers may not be made unless the Sec-*  
12 *retary of Defense has notified the Congress of the proposed*  
13 *transfer: Provided further, That except in amounts equal*  
14 *to the amounts appropriated to working capital funds in*  
15 *this Act, no obligations may be made against a working*  
16 *capital fund to procure or increase the value of war reserve*  
17 *material inventory, unless the Secretary of Defense has no-*  
18 *tified the Congress prior to any such obligation.*

19       *SEC. 8009. Funds appropriated by this Act may not*  
20 *be used to initiate a special access program without prior*  
21 *notification 30 calendar days in advance to the congres-*  
22 *sional defense committees.*

23       *SEC. 8010. None of the funds provided in this Act shall*  
24 *be available to initiate: (1) a multiyear contract that em-*  
25 *ploys economic order quantity procurement in excess of*



1 \$20,000,000 in any one year of the contract or that includes  
2 an unfunded contingent liability in excess of \$20,000,000;  
3 or (2) a contract for advance procurement leading to a  
4 multiyear contract that employs economic order quantity  
5 procurement in excess of \$20,000,000 in any one year, un-  
6 less the congressional defense committees have been notified  
7 at least 30 days in advance of the proposed contract award:  
8 Provided, That no part of any appropriation contained in  
9 this Act shall be available to initiate a multiyear contract  
10 for which the economic order quantity advance procurement  
11 is not funded at least to the limits of the Government's li-  
12 ability: Provided further, That no part of any appropria-  
13 tion contained in this Act shall be available to initiate  
14 multiyear procurement contracts for any systems or compo-  
15 nent thereof if the value of the multiyear contract would  
16 exceed \$500,000,000 unless specifically provided in this Act:  
17 Provided further, That no multiyear procurement contract  
18 can be terminated without 30-day prior notification to the  
19 congressional defense committees: Provided further, That the  
20 execution of multiyear authority shall require the use of a  
21 present value analysis to determine lowest cost compared  
22 to an annual procurement: Provided further, That none of  
23 the funds provided in this Act may be used for a multiyear  
24 contract executed after the date of the enactment of this Act  
25 unless in the case of any such contract—

1           (1) *the Secretary of Defense has submitted to*  
2           *Congress a budget request for full funding of units to*  
3           *be procured through the contract and, in the case of*  
4           *a contract for procurement of aircraft, that includes,*  
5           *for any aircraft unit to be procured through the con-*  
6           *tract for which procurement funds are requested in*  
7           *that budget request for production beyond advance*  
8           *procurement activities in the fiscal year covered by*  
9           *the budget, full funding of procurement of such unit*  
10          *in that fiscal year;*

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

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

18          (4) *the contract does not provide for a price ad-*  
19          *justment based on a failure to award a follow-on con-*  
20          *tract.*

21          *Funds appropriated in title III of this Act may be*  
22          *used for a multiyear procurement contract as follows: AH-*  
23          *64E Apache Helicopter and UH-60M Blackhawk Heli-*  
24          *copter.*

1        *SEC. 8011. Within the funds appropriated for the oper-*  
2 *ation and maintenance of the Armed Forces, funds are here-*  
3 *by appropriated pursuant to section 401 of title 10, United*  
4 *States Code, for humanitarian and civic assistance costs*  
5 *under chapter 20 of title 10, United States Code. Such funds*  
6 *may also be obligated for humanitarian and civic assist-*  
7 *ance costs incidental to authorized operations and pursuant*  
8 *to authority granted in section 401 of chapter 20 of title*  
9 *10, United States Code, and these obligations shall be re-*  
10 *ported as required by section 401(d) of title 10, United*  
11 *States Code: Provided, That funds available for operation*  
12 *and maintenance shall be available for providing humani-*  
13 *tarian and similar assistance by using Civic Action Teams*  
14 *in the Trust Territories of the Pacific Islands and freely*  
15 *associated states of Micronesia, pursuant to the Compact*  
16 *of Free Association as authorized by Public Law 99-239:*  
17 *Provided further, That upon a determination by the Sec-*  
18 *retary of the Army that such action is beneficial for grad-*  
19 *uate medical education programs conducted at Army med-*  
20 *ical facilities located in Hawaii, the Secretary of the Army*  
21 *may authorize the provision of medical services at such fa-*  
22 *cilities and transportation to such facilities, on a nonreim-*  
23 *bursable basis, for civilian patients from American Samoa,*  
24 *the Commonwealth of the Northern Mariana Islands, the*

1 *Marshall Islands, the Federated States of Micronesia,*  
2 *Palau, and Guam.*

3       *SEC. 8012. (a) During fiscal year 2017, the civilian*  
4 *personnel of the Department of Defense may not be man-*  
5 *aged on the basis of any end-strength, and the management*  
6 *of such personnel during that fiscal year shall not be subject*  
7 *to any constraint or limitation (known as an end-strength)*  
8 *on the number of such personnel who may be employed on*  
9 *the last day of such fiscal year.*

10       *(b) The fiscal year 2018 budget request for the Depart-*  
11 *ment of Defense as well as all justification material and*  
12 *other documentation supporting the fiscal year 2018 De-*  
13 *partment of Defense budget request shall be prepared and*  
14 *submitted to the Congress as if subsections (a) and (b) of*  
15 *this provision were effective with regard to fiscal year 2018.*

16       *(c) As required by section 1107 of the National Defense*  
17 *Authorization Act for Fiscal Year 2014 (Public Law 113–*  
18 *66; 10 U.S.C. 2358 note) civilian personnel at the Depart-*  
19 *ment of Army Science and Technology Reinvention Labora-*  
20 *tories may not be managed on the basis of the Table of Dis-*  
21 *tribution and Allowances, and the management of the work-*  
22 *force strength shall be done in a manner consistent with*  
23 *the budget available with respect to such Laboratories.*

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

1       *SEC. 8013. None of the funds appropriated by this Act*  
2 *shall be used for the support of any nonappropriated funds*  
3 *activity of the Department of Defense that procures malt*  
4 *beverages and wine with nonappropriated funds for resale*  
5 *(including such alcoholic beverages sold by the drink) on*  
6 *a military installation located in the United States unless*  
7 *such malt beverages and wine are procured within that*  
8 *State, or in the case of the District of Columbia, within*  
9 *the District of Columbia, in which the military installation*  
10 *is located: Provided, That, in a case in which the military*  
11 *installation is located in more than one State, purchases*  
12 *may be made in any State in which the installation is lo-*  
13 *cated: Provided further, That such local procurement re-*  
14 *quirements for malt beverages and wine shall apply to all*  
15 *alcoholic beverages only for military installations in States*  
16 *which are not contiguous with another State: Provided fur-*  
17 *ther, That alcoholic beverages other than wine and malt bev-*  
18 *erages, in contiguous States and the District of Columbia*  
19 *shall be procured from the most competitive source, price*  
20 *and other factors considered.*

21       *SEC. 8014. None of the funds made available by this*  
22 *Act shall be used in any way, directly or indirectly, to in-*  
23 *fluence congressional action on any legislation or appro-*  
24 *priation matters pending before the Congress.*

1           *SEC. 8015. None of the funds appropriated by this Act*  
2 *shall be available for the basic pay and allowances of any*  
3 *member of the Army participating as a full-time student*  
4 *and receiving benefits paid by the Secretary of Veterans Af-*  
5 *fairs from the Department of Defense Education Benefits*  
6 *Fund when time spent as a full-time student is credited*  
7 *toward completion of a service commitment: Provided, That*  
8 *this section shall not apply to those members who have reen-*  
9 *listed with this option prior to October 1, 1987: Provided*  
10 *further, That this section applies only to active components*  
11 *of the Army.*

12   *(TRANSFER OF FUNDS)*

13           *SEC. 8016. Funds appropriated in title III of this Act*  
14 *for the Department of Defense Pilot Mentor-Protégé Pro-*  
15 *gram may be transferred to any other appropriation con-*  
16 *tained in this Act solely for the purpose of implementing*  
17 *a Mentor-Protégé Program developmental assistance agree-*  
18 *ment pursuant to section 831 of the National Defense Au-*  
19 *thorization Act for Fiscal Year 1991 (Public Law 101-510;*  
20 *10 U.S.C. 2302 note), as amended, under the authority of*  
21 *this provision or any other transfer authority contained in*  
22 *this Act.*

23           *SEC. 8017. None of the funds in this Act may be avail-*  
24 *able for the purchase by the Department of Defense (and*  
25 *its departments and agencies) of welded shipboard anchor*

1 *and mooring chain 4 inches in diameter and under unless*  
2 *the anchor and mooring chain are manufactured in the*  
3 *United States from components which are substantially*  
4 *manufactured in the United States: Provided, That for the*  
5 *purpose of this section, the term “manufactured” shall in-*  
6 *clude cutting, heat treating, quality control, testing of chain*  
7 *and welding (including the forging and shot blasting proc-*  
8 *ess): Provided further, That for the purpose of this section*  
9 *substantially all of the components of anchor and mooring*  
10 *chain shall be considered to be produced or manufactured*  
11 *in the United States if the aggregate cost of the components*  
12 *produced or manufactured in the United States exceeds the*  
13 *aggregate cost of the components produced or manufactured*  
14 *outside the United States: Provided further, That when ade-*  
15 *quate domestic supplies are not available to meet Depart-*  
16 *ment of Defense requirements on a timely basis, the Sec-*  
17 *retary of the service responsible for the procurement may*  
18 *waive this restriction on a case-by-case basis by certifying*  
19 *in writing to the Committees on Appropriations that such*  
20 *an acquisition must be made in order to acquire capability*  
21 *for national security purposes.*

22       *SEC. 8018. Of the amounts appropriated for “Working*  
23 *Capital Fund, Army”, \$140,000,000 shall be available to*  
24 *maintain competitive rates at the arsenals.*

1        *SEC. 8019. None of the funds available to the Depart-*  
2 *ment of Defense may be used to demilitarize or dispose of*  
3 *M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber*  
4 *rifles, .30 caliber rifles, or M-1911 pistols, or to demili-*  
5 *tarize or destroy small arms ammunition or ammunition*  
6 *components that are not otherwise prohibited from commer-*  
7 *cial sale under Federal law, unless the small arms ammuni-*  
8 *tion or ammunition components are certified by the Sec-*  
9 *retary of the Army or designee as unserviceable or unsafe*  
10 *for further use.*

11        *SEC. 8020. No more than \$500,000 of the funds appro-*  
12 *priated or made available in this Act shall be used during*  
13 *a single fiscal year for any single relocation of an organiza-*  
14 *tion, unit, activity or function of the Department of Defense*  
15 *into or within the National Capital Region: Provided, That*  
16 *the Secretary of Defense may waive this restriction on a*  
17 *case-by-case basis by certifying in writing to the congres-*  
18 *sional defense committees that such a relocation is required*  
19 *in the best interest of the Government.*

20        *SEC. 8021. Of the funds made available in this Act,*  
21 *\$15,000,000 shall be available for incentive payments au-*  
22 *thorized by section 504 of the Indian Financing Act of 1974*  
23 *(25 U.S.C. 1544): Provided, That a prime contractor or a*  
24 *subcontractor at any tier that makes a subcontract award*  
25 *to any subcontractor or supplier as defined in section 1544*



1 of title 25, United States Code, or a small business owned  
2 and controlled by an individual or individuals defined  
3 under section 4221(9) of title 25, United States Code, shall  
4 be considered a contractor for the purposes of being allowed  
5 additional compensation under section 504 of the Indian  
6 Financing Act of 1974 (25 U.S.C. 1544) whenever the  
7 prime contract or subcontract amount is over \$500,000 and  
8 involves the expenditure of funds appropriated by an Act  
9 making appropriations for the Department of Defense with  
10 respect to any fiscal year: Provided further, That notwith-  
11 standing section 1906 of title 41, United States Code, this  
12 section shall be applicable to any Department of Defense  
13 acquisition of supplies or services, including any contract  
14 and any subcontract at any tier for acquisition of commer-  
15 cial items produced or manufactured, in whole or in part,  
16 by any subcontractor or supplier defined in section 1544  
17 of title 25, United States Code, or a small business owned  
18 and controlled by an individual or individuals defined  
19 under section 4221(9) of title 25, United States Code.

20       *SEC. 8022. Funds appropriated by this Act for the De-*  
21 *fense Media Activity shall not be used for any national or*  
22 *international political or psychological activities.*

23       *SEC. 8023. During the current fiscal year, the Depart-*  
24 *ment of Defense is authorized to incur obligations of not*  
25 *to exceed \$350,000,000 for purposes specified in section*

1 2350j(c) of title 10, United States Code, in anticipation of  
2 receipt of contributions, only from the Government of Ku-  
3 wait, under that section: Provided, That, upon receipt, such  
4 contributions from the Government of Kuwait shall be cred-  
5 ited to the appropriations or fund which incurred such obli-  
6 gations.

7 SEC. 8024. (a) Of the funds made available in this  
8 Act, not less than \$40,021,000 shall be available for the  
9 Civil Air Patrol Corporation, of which—

10 (1) \$28,000,000 shall be available from “Oper-  
11 ation and Maintenance, Air Force” to support Civil  
12 Air Patrol Corporation operation and maintenance,  
13 readiness, counter-drug activities, and drug demand  
14 reduction activities involving youth programs;

15 (2) \$10,337,000 shall be available from “Aircraft  
16 Procurement, Air Force”; and

17 (3) \$1,684,000 shall be available from “Other  
18 Procurement, Air Force” for vehicle procurement.

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

23 SEC. 8025. (a) None of the funds appropriated in this  
24 Act are available to establish a new Department of Defense  
25 (department) federally funded research and development

1 center (FFRDC), either as a new entity, or as a separate  
2 entity administrated by an organization managing another  
3 FFRDC, or as a nonprofit membership corporation con-  
4 sisting of a consortium of other FFRDCs and other non-  
5 profit entities.

6 (b) No member of a Board of Directors, Trustees, Over-  
7 seers, Advisory Group, Special Issues Panel, Visiting Com-  
8 mittee, or any similar entity of a defense FFRDC, and no  
9 paid consultant to any defense FFRDC, except when acting  
10 in a technical advisory capacity, may be compensated for  
11 his or her services as a member of such entity, or as a paid  
12 consultant by more than one FFRDC in a fiscal year: Pro-  
13 vided, That a member of any such entity referred to pre-  
14 viously in this subsection shall be allowed travel expenses  
15 and per diem as authorized under the Federal Joint Travel  
16 Regulations, when engaged in the performance of member-  
17 ship duties.

18 (c) Notwithstanding any other provision of law, none  
19 of the funds available to the department from any source  
20 during the current fiscal year may be used by a defense  
21 FFRDC, through a fee or other payment mechanism, for  
22 construction of new buildings not located on a military in-  
23 stallation, for payment of cost sharing for projects funded  
24 by Government grants, for absorption of contract overruns,  
25 or for certain charitable contributions, not to include em-

1 *ployee participation in community service and/or develop-*  
2 *ment.*

3       *(d) Notwithstanding any other provision of law, of the*  
4 *funds available to the department during fiscal year 2017,*  
5 *not more than 5,750 staff years of technical effort (staff*  
6 *years) may be funded for defense FFRDCs: Provided, That,*  
7 *of the specific amount referred to previously in this sub-*  
8 *section, not more than 1,125 staff years may be funded for*  
9 *the defense studies and analysis FFRDCs: Provided further,*  
10 *That this subsection shall not apply to staff years funded*  
11 *in the National Intelligence Program (NIP) and the Mili-*  
12 *tary Intelligence Program (MIP).*

13       *(e) The Secretary of Defense shall, with the submission*  
14 *of the department's fiscal year 2018 budget request, submit*  
15 *a report presenting the specific amounts of staff years of*  
16 *technical effort to be allocated for each defense FFRDC dur-*  
17 *ing that fiscal year and the associated budget estimates.*

18       *(f) Notwithstanding any other provision of this Act,*  
19 *the total amount appropriated in this Act for FFRDCs is*  
20 *hereby reduced by \$60,000,000.*

21       *SEC. 8026. None of the funds appropriated or made*  
22 *available in this Act shall be used to procure carbon, alloy,*  
23 *or armor steel plate for use in any Government-owned facil-*  
24 *ity or property under the control of the Department of De-*  
25 *fense which were not melted and rolled in the United States*

1 *or Canada: Provided, That these procurement restrictions*  
2 *shall apply to any and all Federal Supply Class 9515,*  
3 *American Society of Testing and Materials (ASTM) or*  
4 *American Iron and Steel Institute (AISI) specifications of*  
5 *carbon, alloy or armor steel plate: Provided further, That*  
6 *the Secretary of the military department responsible for the*  
7 *procurement may waive this restriction on a case-by-case*  
8 *basis by certifying in writing to the Committees on Appro-*  
9 *priations of the House of Representatives and the Senate*  
10 *that adequate domestic supplies are not available to meet*  
11 *Department of Defense requirements on a timely basis and*  
12 *that such an acquisition must be made in order to acquire*  
13 *capability for national security purposes: Provided further,*  
14 *That these restrictions shall not apply to contracts which*  
15 *are in being as of the date of the enactment of this Act.*

16       *SEC. 8027. For the purposes of this Act, the term “con-*  
17 *gressional defense committees” means the Armed Services*  
18 *Committee of the House of Representatives, the Armed Serv-*  
19 *ices Committee of the Senate, the Subcommittee on Defense*  
20 *of the Committee on Appropriations of the Senate, and the*  
21 *Subcommittee on Defense of the Committee on Appropria-*  
22 *tions of the House of Representatives.*

23       *SEC. 8028. During the current fiscal year, the Depart-*  
24 *ment of Defense may acquire the modification, depot main-*  
25 *tenance and repair of aircraft, vehicles and vessels as well*

1 *as the production of components and other Defense-related*  
2 *articles, through competition between Department of De-*  
3 *fense depot maintenance activities and private firms: Pro-*  
4 *vided, That the Senior Acquisition Executive of the military*  
5 *department or Defense Agency concerned, with power of del-*  
6 *egation, shall certify that successful bids include comparable*  
7 *estimates of all direct and indirect costs for both public and*  
8 *private bids: Provided further, That Office of Management*  
9 *and Budget Circular A-76 shall not apply to competitions*  
10 *conducted under this section.*

11       *SEC. 8029. (a)(1) If the Secretary of Defense, after con-*  
12 *sultation with the United States Trade Representative, de-*  
13 *termines that a foreign country which is party to an agree-*  
14 *ment described in paragraph (2) has violated the terms of*  
15 *the agreement by discriminating against certain types of*  
16 *products produced in the United States that are covered by*  
17 *the agreement, the Secretary of Defense shall rescind the*  
18 *Secretary's blanket waiver of the Buy American Act with*  
19 *respect to such types of products produced in that foreign*  
20 *country.*

21       *(2) An agreement referred to in paragraph (1) is any*  
22 *reciprocal defense procurement memorandum of under-*  
23 *standing, between the United States and a foreign country*  
24 *pursuant to which the Secretary of Defense has prospec-*

1 *tively waived the Buy American Act for certain products*  
2 *in that country.*

3       **(b)** *The Secretary of Defense shall submit to the Con-*  
4 *gress a report on the amount of Department of Defense pur-*  
5 *chases from foreign entities in fiscal year 2017. Such report*  
6 *shall separately indicate the dollar value of items for which*  
7 *the Buy American Act was waived pursuant to any agree-*  
8 *ment described in subsection (a)(2), the Trade Agreement*  
9 *Act of 1979 (19 U.S.C. 2501 et seq.), or any international*  
10 *agreement to which the United States is a party.*

11       **(c)** *For purposes of this section, the term “Buy Amer-*  
12 *ican Act” means chapter 83 of title 41, United States Code.*

13       **SEC. 8030.** *During the current fiscal year, amounts*  
14 *contained in the Department of Defense Overseas Military*  
15 *Facility Investment Recovery Account established by section*  
16 *2921(c)(1) of the National Defense Authorization Act of*  
17 *1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be*  
18 *available until expended for the payments specified by sec-*  
19 *tion 2921(c)(2) of that Act.*

20       **SEC. 8031.** **(a)** *Notwithstanding any other provision*  
21 *of law, the Secretary of the Air Force may convey at no*  
22 *cost to the Air Force, without consideration, to Indian*  
23 *tribes located in the States of Nevada, Idaho, North Dakota,*  
24 *South Dakota, Montana, Oregon, Minnesota, and Wash-*  
25 *ington relocatable military housing units located at Grand*

1 *Forks Air Force Base, Malmstrom Air Force Base, Moun-*  
2 *tain Home Air Force Base, Ellsworth Air Force Base, and*  
3 *Minot Air Force Base that are excess to the needs of the*  
4 *Air Force.*

5       **(b)** *The Secretary of the Air Force shall convey, at no*  
6 *cost to the Air Force, military housing units under sub-*  
7 *section (a) in accordance with the request for such units*  
8 *that are submitted to the Secretary by the Operation Walk-*  
9 *ing Shield Program on behalf of Indian tribes located in*  
10 *the States of Nevada, Idaho, North Dakota, South Dakota,*  
11 *Montana, Oregon, Minnesota, and Washington. Any such*  
12 *conveyance shall be subject to the condition that the housing*  
13 *units shall be removed within a reasonable period of time,*  
14 *as determined by the Secretary.*

15       **(c)** *The Operation Walking Shield Program shall re-*  
16 *solve any conflicts among requests of Indian tribes for hous-*  
17 *ing units under subsection (a) before submitting requests*  
18 *to the Secretary of the Air Force under subsection (b).*

19       **(d)** *In this section, the term “Indian tribe” means any*  
20 *recognized Indian tribe included on the current list pub-*  
21 *lished by the Secretary of the Interior under section 104*  
22 *of the Federally Recognized Indian Tribe Act of 1994 (Pub-*  
23 *lic Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).*

24       **SEC. 8032.** *During the current fiscal year, appropria-*  
25 *tions which are available to the Department of Defense for*



1 *operation and maintenance may be used to purchase items*  
2 *having an investment item unit cost of not more than*  
3 *\$250,000.*

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

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

10 *(2) close, downgrade from host to extension cen-*  
11 *ter, or place on probation a Senior Reserve Officers'*  
12 *Training Corps program in accordance with the in-*  
13 *formation paper of the Department of the Army titled*  
14 *“Army Senior Reserve Officers' Training Corps*  
15 *(SROTC) Program Review and Criteria”, dated Jan-*  
16 *uary 27, 2014.*

17 *SEC. 8034. The Secretary of Defense shall issue regula-*  
18 *tions to prohibit the sale of any tobacco or tobacco-related*  
19 *products in military resale outlets in the United States, its*  
20 *territories and possessions at a price below the most com-*  
21 *petitive price in the local community: Provided, That such*  
22 *regulations shall direct that the prices of tobacco or tobacco-*  
23 *related products in overseas military retail outlets shall be*  
24 *within the range of prices established for military retail*  
25 *system stores located in the United States.*

1        *SEC. 8035. (a) During the current fiscal year, none*  
2 *of the appropriations or funds available to the Department*  
3 *of Defense Working Capital Funds shall be used for the pur-*  
4 *chase of an investment item for the purpose of acquiring*  
5 *a new inventory item for sale or anticipated sale during*  
6 *the current fiscal year or a subsequent fiscal year to cus-*  
7 *tomers of the Department of Defense Working Capital*  
8 *Funds if such an item would not have been chargeable to*  
9 *the Department of Defense Business Operations Fund dur-*  
10 *ing fiscal year 1994 and if the purchase of such an invest-*  
11 *ment item would be chargeable during the current fiscal*  
12 *year to appropriations made to the Department of Defense*  
13 *for procurement.*

14        *(b) The fiscal year 2018 budget request for the Depart-*  
15 *ment of Defense as well as all justification material and*  
16 *other documentation supporting the fiscal year 2018 De-*  
17 *partment of Defense budget shall be prepared and submitted*  
18 *to the Congress on the basis that any equipment which was*  
19 *classified as an end item and funded in a procurement ap-*  
20 *propriation contained in this Act shall be budgeted for in*  
21 *a proposed fiscal year 2018 procurement appropriation and*  
22 *not in the supply management business area or any other*  
23 *area or category of the Department of Defense Working*  
24 *Capital Funds.*

1       *SEC. 8036. None of the funds appropriated by this Act*  
2 *for programs of the Central Intelligence Agency shall re-*  
3 *main available for obligation beyond the current fiscal year,*  
4 *except for funds appropriated for the Reserve for Contingencies,*  
5 *which shall remain available until September 30,*  
6 *2018: Provided, That funds appropriated, transferred, or*  
7 *otherwise credited to the Central Intelligence Agency Cen-*  
8 *tral Services Working Capital Fund during this or any*  
9 *prior or subsequent fiscal year shall remain available until*  
10 *expended: Provided further, That any funds appropriated*  
11 *or transferred to the Central Intelligence Agency for ad-*  
12 *vanced research and development acquisition, for agent op-*  
13 *erations, and for covert action programs authorized by the*  
14 *President under section 503 of the National Security Act*  
15 *of 1947 (50 U.S.C. 3093) shall remain available until Sep-*  
16 *tember 30, 2018.*

17       *SEC. 8037. Notwithstanding any other provision of*  
18 *law, funds made available in this Act and hereafter for the*  
19 *Defense Intelligence Agency may be used for the design, de-*  
20 *velopment, and deployment of General Defense Intelligence*  
21 *Program intelligence communications and intelligence in-*  
22 *formation systems for the Services, the Unified and Speci-*  
23 *fied Commands, and the component commands.*

24       *SEC. 8038. Of the funds appropriated to the Depart-*  
25 *ment of Defense under the heading “Operation and Mainte-*

1 nance, Defense-Wide”, not less than \$12,000,000 shall be  
2 made available only for the mitigation of environmental  
3 impacts, including training and technical assistance to  
4 tribes, related administrative support, the gathering of in-  
5 formation, documenting of environmental damage, and de-  
6 veloping a system for prioritization of mitigation and cost  
7 to complete estimates for mitigation, on Indian lands re-  
8 sulting from Department of Defense activities.

9       SEC. 8039. (a) None of the funds appropriated in this  
10 Act may be expended by an entity of the Department of  
11 Defense unless the entity, in expending the funds, complies  
12 with the Buy American Act. For purposes of this subsection,  
13 the term “Buy American Act” means chapter 83 of title  
14 41, United States Code.

15       (b) If the Secretary of Defense determines that a person  
16 has been convicted of intentionally affixing a label bearing  
17 a “Made in America” inscription to any product sold in  
18 or shipped to the United States that is not made in Amer-  
19 ica, the Secretary shall determine, in accordance with sec-  
20 tion 2410f of title 10, United States Code, whether the per-  
21 son should be debarred from contracting with the Depart-  
22 ment of Defense.

23       (c) In the case of any equipment or products purchased  
24 with appropriations provided under this Act, it is the sense  
25 of the Congress that any entity of the Department of De-

1 *fense, in expending the appropriation, purchase only Amer-*  
2 *ican-made equipment and products, provided that Amer-*  
3 *ican-made equipment and products are cost-competitive,*  
4 *quality competitive, and available in a timely fashion.*

5       *SEC. 8040. Notwithstanding any other provision of*  
6 *law, none of the funds appropriated or otherwise made*  
7 *available by this or any other Act may be used to consoli-*  
8 *date or relocate any element of a United States Air Force*  
9 *Rapid Engineer Deployable Heavy Operational Repair*  
10 *Squadron Engineer (RED HORSE) outside of the United*  
11 *States until the Secretary of the Air Force—*

12           *(1) completes an analysis and comparison of the*  
13 *cost and infrastructure investment required to con-*  
14 *solidate or relocate a RED HORSE squadron outside*  
15 *of the United States versus within the United States;*

16           *(2) provides to the congressional defense commit-*  
17 *tees a report detailing the findings of the cost anal-*  
18 *ysis; and*

19           *(3) certifies in writing to the congressional de-*  
20 *fense committees that the preferred site for the consoli-*  
21 *dation or relocation yields the greatest savings for the*  
22 *Air Force:*

23 *Provided, That the term “United States” in this section*  
24 *does not include any territory or possession of the United*  
25 *States.*

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

4            *(1) to establish a field operating agency; or*

5            *(2) to pay the basic pay of a member of the*  
6 *Armed Forces or civilian employee of the department*  
7 *who is transferred or reassigned from a headquarters*  
8 *activity if the member or employee's place of duty re-*  
9 *mains at the location of that headquarters.*

10        *(b) The Secretary of Defense or Secretary of a military*  
11 *department may waive the limitations in subsection (a),*  
12 *on a case-by-case basis, if the Secretary determines, and cer-*  
13 *tifies to the Committees on Appropriations of the House of*  
14 *Representatives and the Senate that the granting of the*  
15 *waiver will reduce the personnel requirements or the finan-*  
16 *cial requirements of the department.*

17        *(c) This section does not apply to—*

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

20            *(2) an Army field operating agency established*  
21 *to eliminate, mitigate, or counter the effects of impro-*  
22 *vised explosive devices, and, as determined by the Sec-*  
23 *retary of the Army, other similar threats;*

24            *(3) an Army field operating agency established*  
25 *to improve the effectiveness and efficiencies of biomet-*

1        *ric activities and to integrate common biometric tech-*  
2        *nologies throughout the Department of Defense; or*

3                *(4) an Air Force field operating agency estab-*  
4        *lished to administer the Air Force Mortuary Affairs*  
5        *Program and Mortuary Operations for the Depart-*  
6        *ment of Defense and authorized Federal entities.*

7        *SEC. 8042. (a) None of the funds appropriated by this*  
8        *Act shall be available to convert to contractor performance*  
9        *an activity or function of the Department of Defense that,*  
10       *on or after the date of the enactment of this Act, is per-*  
11       *formed by Department of Defense civilian employees un-*  
12       *less—*

13                *(1) the conversion is based on the result of a pub-*  
14        *lic-private competition that includes a most efficient*  
15        *and cost effective organization plan developed by such*  
16        *activity or function;*

17                *(2) the Competitive Sourcing Official determines*  
18        *that, over all performance periods stated in the solici-*  
19        *tation of offers for performance of the activity or*  
20        *function, the cost of performance of the activity or*  
21        *function by a contractor would be less costly to the*  
22        *Department of Defense by an amount that equals or*  
23        *exceeds the lesser of—*

24                        *(A) 10 percent of the most efficient organi-*  
25        *zation's personnel-related costs for performance*

1           *of that activity or function by Federal employ-*  
2           *ees; or*

3                     *(B) \$10,000,000; and*

4           *(3) the contractor does not receive an advantage*  
5           *for a proposal that would reduce costs for the Depart-*  
6           *ment of Defense by—*

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

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

18          *(b)(1) The Department of Defense, without regard to*  
19          *subsection (a) of this section or subsection (a), (b), or (c)*  
20          *of section 2461 of title 10, United States Code, and notwith-*  
21          *standing any administrative regulation, requirement, or*  
22          *policy to the contrary shall have full authority to enter into*  
23          *a contract for the performance of any commercial or indus-*  
24          *trial type function of the Department of Defense that—*



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

5           (B) is planned to be converted to performance by  
6           a qualified nonprofit agency for the blind or by a  
7           qualified nonprofit agency for other severely handi-  
8           capped individuals in accordance with that Act; or

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

16          (2) This section shall not apply to depot contracts or  
17          contracts for depot maintenance as provided in sections  
18          2469 and 2474 of title 10, United States Code.

19          (c) The conversion of any activity or function of the  
20          Department of Defense under the authority provided by this  
21          section shall be credited toward any competitive or out-  
22          sourcing goal, target, or measurement that may be estab-  
23          lished by statute, regulation, or policy and is deemed to  
24          be awarded under the authority of, and in compliance with,  
25          subsection (h) of section 2304 of title 10, United States

1 *Code, for the competition or outsourcing of commercial ac-*  
2 *tivities.*

3 (RESCISSIONS)

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

13 *“Aircraft Procurement, Army”, 2015/2017,*  
14 *\$15,000,000;*

15 *“Other Procurement, Army”, 2015/2017,*  
16 *\$23,045,000;*

17 *“Aircraft Procurement, Navy”, 2015/2017,*  
18 *\$88,000,000;*

19 *“Weapons Procurement, Navy”, 2015/2017,*  
20 *\$11,933,000;*

21 *“Procurement of Ammunition, Navy and Marine*  
22 *Corps”, 2015/2017, \$43,600,000;*

23 *“Aircraft Procurement, Air Force”, 2015/2017,*  
24 *\$57,000,000;*

1           *“Other Procurement, Air Force”, 2015/2017,*  
2           \$25,500,000;

3           *“Aircraft Procurement, Army”, 2016/2018,*  
4           \$34,594,000;

5           *“Procurement of Ammunition, Army”, 2016/*  
6           *2018, \$5,000,000;*

7           *“Other Procurement, Army”, 2016/2018,*  
8           \$84,100,000;

9           *“Aircraft Procurement, Navy”, 2016/2018,*  
10          \$6,755,000;

11          *“Weapons Procurement, Navy”, 2016/2018,*  
12          \$5,307,000;

13          *“Procurement of Ammunition, Navy and Marine*  
14          *Corps”, 2016/2018, \$6,968,000;*

15          *“Shipbuilding and Conversion, Navy”, 2016/*  
16          *2020: DDG-51 Destroyer, \$50,000,000;*

17          *“Shipbuilding and Conversion, Navy”, 2016/*  
18          *2020: LPD-17, \$14,906,000;*

19          *“Shipbuilding and Conversion, Navy”, 2016/*  
20          *2020: LX (R), (AP), \$236,000,000;*

21          *“Other Procurement, Navy”, 2016/2018,*  
22          \$56,374,000;

23          *“Aircraft Procurement, Air Force”, 2016/2018,*  
24          \$383,200,000;

1           “*Missile Procurement, Air Force*”, 2016/2018,  
2           \$34,700,000;

3           “*Space Procurement, Air Force*”, 2016/2018,  
4           \$100,000,000;

5           “*Other Procurement, Air Force*”, 2016/2018,  
6           \$56,369,000;

7           “*Procurement, Defense-Wide*”, 2016/2018,  
8           \$2,600,000;

9           “*Research, Development, Test and Evaluation,*  
10          *Army*”, 2016/2017, \$33,402,000;

11          “*Research, Development, Test and Evaluation,*  
12          *Navy*”, 2016/2017, \$31,219,000;

13          “*Research, Development, Test and Evaluation,*  
14          *Air Force*”, 2016/2017, \$532,550,000; and

15          “*Research, Development, Test and Evaluation,*  
16          *Defense-Wide*”, 2016/2017, \$64,500,000.

17          *SEC. 8044. None of the funds available in this Act may*  
18          *be used to reduce the authorized positions for military tech-*  
19          *nicians (dual status) of the Army National Guard, Air Na-*  
20          *tional Guard, Army Reserve and Air Force Reserve for the*  
21          *purpose of applying any administratively imposed civilian*  
22          *personnel ceiling, freeze, or reduction on military techni-*  
23          *cians (dual status), unless such reductions are a direct re-*  
24          *sult of a reduction in military force structure.*

1        *SEC. 8045. None of the funds appropriated or other-*  
2 *wise made available in this Act may be obligated or ex-*  
3 *pended for assistance to the Democratic People's Republic*  
4 *of Korea unless specifically appropriated for that purpose.*

5        *SEC. 8046. Funds appropriated in this Act for oper-*  
6 *ation and maintenance of the Military Departments, Com-*  
7 *batant Commands and Defense Agencies shall be available*  
8 *for reimbursement of pay, allowances and other expenses*  
9 *which would otherwise be incurred against appropriations*  
10 *for the National Guard and Reserve when members of the*  
11 *National Guard and Reserve provide intelligence or coun-*  
12 *terintelligence support to Combatant Commands, Defense*  
13 *Agencies and Joint Intelligence Activities, including the ac-*  
14 *tivities and programs included within the National Intel-*  
15 *ligence Program and the Military Intelligence Program:*  
16 *Provided, That nothing in this section authorizes deviation*  
17 *from established Reserve and National Guard personnel and*  
18 *training procedures.*

19        *SEC. 8047. (a) None of the funds available to the De-*  
20 *partment of Defense for any fiscal year for drug interdic-*  
21 *tion or counter-drug activities may be transferred to any*  
22 *other department or agency of the United States except as*  
23 *specifically provided in an appropriations law.*

24        *(b) None of the funds available to the Central Intel-*  
25 *ligence Agency for any fiscal year for drug interdiction or*

1 counter-drug activities may be transferred to any other de-  
2 partment or agency of the United States except as specifi-  
3 cally provided in an appropriations law.

4       *SEC. 8048. None of the funds appropriated by this Act*  
5 *may be used for the procurement of ball and roller bearings*  
6 *other than those produced by a domestic source and of do-*  
7 *mestic origin: Provided, That the Secretary of the military*  
8 *department responsible for such procurement may waive*  
9 *this restriction on a case-by-case basis by certifying in writ-*  
10 *ing to the Committees on Appropriations of the House of*  
11 *Representatives and the Senate, that adequate domestic*  
12 *supplies are not available to meet Department of Defense*  
13 *requirements on a timely basis and that such an acquisition*  
14 *must be made in order to acquire capability for national*  
15 *security purposes: Provided further, That this restriction*  
16 *shall not apply to the purchase of “commercial items”, as*  
17 *defined by section 103 of title 41, United States Code, except*  
18 *that the restriction shall apply to ball or roller bearings*  
19 *purchased as end items.*

20       *SEC. 8049. None of the funds made available by this*  
21 *Act may be used to retire, divest, realign, or transfer RQ-*  
22 *4B Global Hawk aircraft, or to disestablish or convert units*  
23 *associated with such aircraft.*

24       *SEC. 8050. None of the funds made available by this*  
25 *Act for Evolved Expendable Launch Vehicle service competi-*

1 *tive procurements may be used unless the competitive pro-*  
2 *curements are open for award to all certified providers of*  
3 *Evolved Expendable Launch Vehicle-class systems: Pro-*  
4 *vided, That the award shall be made to the provider that*  
5 *offers the best value to the government.*

6 *SEC. 8051. In addition to the amounts appropriated*  
7 *or otherwise made available elsewhere in this Act,*  
8 *\$44,000,000 is hereby appropriated to the Department of*  
9 *Defense: Provided, That upon the determination of the Sec-*  
10 *retary of Defense that it shall serve the national interest,*  
11 *the Secretary shall make grants in the amounts specified*  
12 *as follows: \$20,000,000 to the United Service Organizations*  
13 *and \$24,000,000 to the Red Cross.*

14 *SEC. 8052. None of the funds in this Act may be used*  
15 *to purchase any supercomputer which is not manufactured*  
16 *in the United States, unless the Secretary of Defense cer-*  
17 *tifies to the congressional defense committees that such an*  
18 *acquisition must be made in order to acquire capability for*  
19 *national security purposes that is not available from*  
20 *United States manufacturers.*

21 *SEC. 8053. Notwithstanding any other provision in*  
22 *this Act, the Small Business Innovation Research program*  
23 *and the Small Business Technology Transfer program set-*  
24 *asides shall be taken proportionally from all programs,*

1 *projects, or activities to the extent they contribute to the*  
2 *extramural budget.*

3 *SEC. 8054. None of the funds available to the Depart-*  
4 *ment of Defense under this Act shall be obligated or ex-*  
5 *pende**d to pay a contractor under a contract with the De-*  
6 *partment of Defense for costs of any amount paid by the*  
7 *contractor to an employee when—*

8 *(1) such costs are for a bonus or otherwise in ex-*  
9 *cess of the normal salary paid by the contractor to the*  
10 *employee; and*

11 *(2) such bonus is part of restructuring costs asso-*  
12 *ciated with a business combination.*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 8055. During the current fiscal year, no more*  
15 *than \$30,000,000 of appropriations made in this Act under*  
16 *the heading “Operation and Maintenance, Defense-Wide”*  
17 *may be transferred to appropriations available for the pay*  
18 *of military personnel, to be merged with, and to be available*  
19 *for the same time period as the appropriations to which*  
20 *transferred, to be used in support of such personnel in con-*  
21 *nection with support and services for eligible organizations*  
22 *and activities outside the Department of Defense pursuant*  
23 *to section 2012 of title 10, United States Code.*

24 *SEC. 8056. During the current fiscal year, in the case*  
25 *of an appropriation account of the Department of Defense*



1 *for which the period of availability for obligation has ex-*  
2 *pired or which has closed under the provisions of section*  
3 *1552 of title 31, United States Code, and which has a nega-*  
4 *tive unliquidated or unexpended balance, an obligation or*  
5 *an adjustment of an obligation may be charged to any cur-*  
6 *rent appropriation account for the same purpose as the ex-*  
7 *pired or closed account if—*

8           (1) *the obligation would have been properly*  
9 *chargeable (except as to amount) to the expired or*  
10 *closed account before the end of the period of avail-*  
11 *ability or closing of that account;*

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

15           (3) *in the case of an expired account, the obliga-*  
16 *tion is not chargeable to a current appropriation of*  
17 *the Department of Defense under the provisions of sec-*  
18 *tion 1405(b)(8) of the National Defense Authorization*  
19 *Act for Fiscal Year 1991, Public Law 101–510, as*  
20 *amended (31 U.S.C. 1551 note): Provided, That in*  
21 *the case of an expired account, if subsequent review*  
22 *or investigation discloses that there was not in fact a*  
23 *negative unliquidated or unexpended balance in the*  
24 *account, any charge to a current account under the*  
25 *authority of this section shall be reversed and re-*

1        *corded against the expired account: Provided further,*  
2        *That the total amount charged to a current appro-*  
3        *riation under this section may not exceed an*  
4        *amount equal to 1 percent of the total appropriation*  
5        *for that account.*

6        *SEC. 8057. (a) Notwithstanding any other provision*  
7        *of law, the Chief of the National Guard Bureau may permit*  
8        *the use of equipment of the National Guard Distance Learn-*  
9        *ing Project by any person or entity on a space-available,*  
10       *reimbursable basis. The Chief of the National Guard Bu-*  
11       *reau shall establish the amount of reimbursement for such*  
12       *use on a case-by-case basis.*

13       *(b) Amounts collected under subsection (a) shall be*  
14       *credited to funds available for the National Guard Distance*  
15       *Learning Project and be available to defray the costs associ-*  
16       *ated with the use of equipment of the project under that*  
17       *subsection. Such funds shall be available for such purposes*  
18       *without fiscal year limitation.*

19       *SEC. 8058. None of the funds available to the Depart-*  
20       *ment of Defense may be obligated to modify command and*  
21       *control relationships to give Fleet Forces Command oper-*  
22       *ational and administrative control of United States Navy*  
23       *forces assigned to the Pacific fleet: Provided, That the com-*  
24       *mand and control relationships which existed on October*  
25       *1, 2004, shall remain in force until a written modification*

1 *has been proposed to the House and Senate Appropriations*  
2 *Committees: Provided further, That the proposed modifica-*  
3 *tion may be implemented 30 days after the notification un-*  
4 *less an objection is received from either the House or Senate*  
5 *Appropriations Committees: Provided further, That any*  
6 *proposed modification shall not preclude the ability of the*  
7 *commander of United States Pacific Command to meet*  
8 *operational requirements.*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *SEC. 8059. Of the funds appropriated in this Act*  
11 *under the heading “Operation and Maintenance, Defense-*  
12 *wide”, \$25,000,000 shall be for continued implementation*  
13 *and expansion of the Sexual Assault Special Victims’ Coun-*  
14 *sel Program: Provided, That the funds are made available*  
15 *for transfer to the Department of the Army, the Department*  
16 *of the Navy, and the Department of the Air Force: Provided*  
17 *further, That funds transferred shall be merged with and*  
18 *available for the same purposes and for the same time pe-*  
19 *riod as the appropriations to which the funds are trans-*  
20 *ferred: Provided further, That this transfer authority is in*  
21 *addition to any other transfer authority provided in this*  
22 *Act.*

23 *SEC. 8060. None of the funds appropriated in title IV*  
24 *of this Act may be used to procure end-items for delivery*  
25 *to military forces for operational training, operational use*

1 *or inventory requirements: Provided, That this restriction*  
2 *does not apply to end-items used in development, proto-*  
3 *typing, and test activities preceding and leading to accept-*  
4 *ance for operational use: Provided further, That this restric-*  
5 *tion does not apply to programs funded within the National*  
6 *Intelligence Program: Provided further, That the Secretary*  
7 *of Defense may waive this restriction on a case-by-case basis*  
8 *by certifying in writing to the Committees on Appropria-*  
9 *tions of the House of Representatives and the Senate that*  
10 *it is in the national security interest to do so.*

11 *SEC. 8061. (a) The Secretary of Defense may, on a*  
12 *case-by-case basis, waive with respect to a foreign country*  
13 *each limitation on the procurement of defense items from*  
14 *foreign sources provided in law if the Secretary determines*  
15 *that the application of the limitation with respect to that*  
16 *country would invalidate cooperative programs entered into*  
17 *between the Department of Defense and the foreign country,*  
18 *or would invalidate reciprocal trade agreements for the pro-*  
19 *curement of defense items entered into under section 2531*  
20 *of title 10, United States Code, and the country does not*  
21 *discriminate against the same or similar defense items pro-*  
22 *duced in the United States for that country.*

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

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

1           (2) options for the procurement of items that are  
2           exercised after such date under contracts that are en-  
3           tered into before such date if the option prices are ad-  
4           justed for any reason other than the application of a  
5           waiver granted under subsection (a).

6           (c) Subsection (a) does not apply to a limitation re-  
7           garding construction of public vessels, ball and roller bear-  
8           ings, food, and clothing or textile materials as defined by  
9           section XI (chapters 50–65) of the Harmonized Tariff  
10          Schedule of the United States and products classified under  
11          headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019,  
12          7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502  
13          through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

14          SEC. 8062. None of the funds appropriated or other-  
15          wise made available by this or other Department of Defense  
16          Appropriations Acts may be obligated or expended for the  
17          purpose of performing repairs or maintenance to military  
18          family housing units of the Department of Defense, includ-  
19          ing areas in such military family housing units that may  
20          be used for the purpose of conducting official Department  
21          of Defense business.

22   (INCLUDING TRANSFER OF FUNDS)

23          SEC. 8063. Of the amounts appropriated for “Oper-  
24          ation and Maintenance, Navy”, up to \$1,000,000 shall be  
25          available for transfer to the John C. Stennis Center for Pub-

1 *lic Service Development Trust Fund established under sec-*  
2 *tion 116 of the John C. Stennis Center for Public Service*  
3 *Training and Development Act (2 U.S.C. 1105).*

4       *SEC. 8064. Notwithstanding any other provision of*  
5 *law, funds appropriated in this Act under the heading “Re-*  
6 *search, Development, Test and Evaluation, Defense-Wide”*  
7 *for any new start advanced concept technology demonstra-*  
8 *tion project or joint capability demonstration project may*  
9 *only be obligated 45 days after a report, including a de-*  
10 *scription of the project, the planned acquisition and transi-*  
11 *tion strategy and its estimated annual and total cost, has*  
12 *been provided in writing to the congressional defense com-*  
13 *mittees: Provided, That the Secretary of Defense may waive*  
14 *this restriction on a case-by-case basis by certifying to the*  
15 *congressional defense committees that it is in the national*  
16 *interest to do so.*

17       *SEC. 8065. The Secretary of Defense shall continue to*  
18 *provide a classified quarterly report to the House and Sen-*  
19 *ate Appropriations Committees, Subcommittees on Defense*  
20 *on certain matters as directed in the classified annex ac-*  
21 *companying this Act.*

22       *SEC. 8066. Notwithstanding section 12310(b) of title*  
23 *10, United States Code, a Reserve who is a member of the*  
24 *National Guard serving on full-time National Guard duty*  
25 *under section 502(f) of title 32, United States Code, may*

1 *perform duties in support of the ground-based elements of*  
2 *the National Ballistic Missile Defense System.*

3       *SEC. 8067. None of the funds provided in this Act may*  
4 *be used to transfer to any nongovernmental entity ammuni-*  
5 *tion held by the Department of Defense that has a center-*  
6 *fire cartridge and a United States military nomenclature*  
7 *designation of “armor penetrator”, “armor piercing (AP)”,*  
8 *“armor piercing incendiary (API)”, or “armor-piercing in-*  
9 *cendiary tracer (API-T)”, except to an entity performing*  
10 *demilitarization services for the Department of Defense*  
11 *under a contract that requires the entity to demonstrate to*  
12 *the satisfaction of the Department of Defense that armor*  
13 *piercing projectiles are either: (1) rendered incapable of*  
14 *reuse by the demilitarization process; or (2) used to manu-*  
15 *facture ammunition pursuant to a contract with the De-*  
16 *partment of Defense or the manufacture of ammunition for*  
17 *export pursuant to a License for Permanent Export of Un-*  
18 *classified Military Articles issued by the Department of*  
19 *State.*

20       *SEC. 8068. Notwithstanding any other provision of*  
21 *law, the Chief of the National Guard Bureau, or his des-*  
22 *ignee, may waive payment of all or part of the consider-*  
23 *ation that otherwise would be required under section 2667*  
24 *of title 10, United States Code, in the case of a lease of*  
25 *personal property for a period not in excess of 1 year to*

1 *any organization specified in section 508(d) of title 32,*  
2 *United States Code, or any other youth, social, or fraternal*  
3 *nonprofit organization as may be approved by the Chief*  
4 *of the National Guard Bureau, or his designee, on a case-*  
5 *by-case basis.*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *SEC. 8069. Of the amounts appropriated in this Act*  
8 *under the heading “Operation and Maintenance, Army”,*  
9 *\$75,950,170 shall remain available until expended: Pro-*  
10 *vided, That, notwithstanding any other provision of law,*  
11 *the Secretary of Defense is authorized to transfer such funds*  
12 *to other activities of the Federal Government: Provided fur-*  
13 *ther, That the Secretary of Defense is authorized to enter*  
14 *into and carry out contracts for the acquisition of real*  
15 *property, construction, personal services, and operations re-*  
16 *lated to projects carrying out the purposes of this section:*  
17 *Provided further, That contracts entered into under the au-*  
18 *thority of this section may provide for such indemnification*  
19 *as the Secretary determines to be necessary: Provided fur-*  
20 *ther, That projects authorized by this section shall comply*  
21 *with applicable Federal, State, and local law to the max-*  
22 *imum extent consistent with the national security, as deter-*  
23 *mined by the Secretary of Defense.*



1        *SEC. 8070. (a) None of the funds appropriated in this*  
2 *or any other Act may be used to take any action to mod-*  
3 *ify—*

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

8            *(2) how the National Intelligence Program budg-*  
9 *et request is presented in the unclassified P-1, R-1,*  
10 *and O-1 documents supporting the Department of*  
11 *Defense budget request;*

12            *(3) the process by which the National Intelligence*  
13 *Program appropriations are apportioned to the exe-*  
14 *cuting agencies; or*

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

18        *(b) Nothing in section (a) shall be construed to prohibit*  
19 *the merger of programs or changes to the National Intel-*  
20 *ligence Program budget at or below the Expenditure Center*  
21 *level, provided such change is otherwise in accordance with*  
22 *paragraphs (a)(1)–(3).*

23        *(c) The Director of National Intelligence and the Sec-*  
24 *retary of Defense may jointly, only for the purposes of*  
25 *achieving auditable financial statements and improving fis-*

1 *cal reporting, study and develop detailed proposals for al-*  
2 *ternative financial management processes. Such study shall*  
3 *include a comprehensive counterintelligence risk assessment*  
4 *to ensure that none of the alternative processes will ad-*  
5 *versely affect counterintelligence.*

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

9 *(1) provide the proposed alternatives to all af-*  
10 *ected agencies;*

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

15 *(3) not later than 30 days after receiving all nec-*  
16 *essary certifications under paragraph (2), present the*  
17 *proposed alternatives and certifications to the con-*  
18 *gressional defense and intelligence committees.*

19 *SEC. 8071. In addition to amounts provided elsewhere*  
20 *in this Act, \$5,000,000 is hereby appropriated to the De-*  
21 *partment of Defense, to remain available for obligation*  
22 *until expended: Provided, That notwithstanding any other*  
23 *provision of law, that upon the determination of the Sec-*  
24 *retary of Defense that it shall serve the national interest,*  
25 *these funds shall be available only for a grant to the Fisher*

1 *House Foundation, Inc., only for the construction and fur-*  
2 *nishing of additional Fisher Houses to meet the needs of*  
3 *military family members when confronted with the illness*  
4 *or hospitalization of an eligible military beneficiary.*

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 8072. *Of the amounts appropriated in this Act*  
7 *under the headings “Procurement, Defense-Wide” and “Re-*  
8 *search, Development, Test and Evaluation, Defense-Wide”,*  
9 *\$600,735,000 shall be for the Israeli Cooperative Programs:*  
10 *Provided, That of this amount, \$62,000,000 shall be for the*  
11 *Secretary of Defense to provide to the Government of Israel*  
12 *for the procurement of the Iron Dome defense system to*  
13 *counter short-range rocket threats, subject to the U.S.-Israel*  
14 *Iron Dome Procurement Agreement, as amended;*  
15 *\$266,511,000 shall be for the Short Range Ballistic Missile*  
16 *Defense (SRBMD) program, including cruise missile de-*  
17 *fense research and development under the SRBMD pro-*  
18 *gram, of which \$150,000,000 shall be for co-production ac-*  
19 *tivities of SRBMD missiles in the United States and in*  
20 *Israel to meet Israel’s defense requirements consistent with*  
21 *each nation’s laws, regulations, and procedures, of which*  
22 *not more than \$90,000,000, subject to previously established*  
23 *transfer procedures, may be obligated or expended until es-*  
24 *tablishment of a U.S.-Israeli co-production agreement for*  
25 *SRBMD; \$204,893,000 shall be for an upper-tier compo-*

1 *ment to the Israeli Missile Defense Architecture, of which*  
2 *\$120,000,000 shall be for co-production activities of Arrow*  
3 *3 Upper Tier missiles in the United States and in Israel*  
4 *to meet Israel's defense requirements consistent with each*  
5 *nation's laws, regulations, and procedures, of which not*  
6 *more than \$70,000,000 subject to previously established*  
7 *transfer procedures, may be obligated or expended until es-*  
8 *tablishment of a U.S.-Israeli co-production agreement for*  
9 *Arrow 3 Upper Tier; and \$67,331,000 shall be for the*  
10 *Arrow System Improvement Program including develop-*  
11 *ment of a long range, ground and airborne, detection suite:*  
12 *Provided further, That the transfer authority provided*  
13 *under this provision is in addition to any other transfer*  
14 *authority contained in this Act.*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *SEC. 8073. Of the amounts appropriated in this Act*  
17 *under the heading "Shipbuilding and Conversion, Navy",*  
18 *\$160,274,000 shall be available until September 30, 2017,*  
19 *to fund prior year shipbuilding cost increases: Provided,*  
20 *That upon enactment of this Act, the Secretary of the Navy*  
21 *shall transfer funds to the following appropriations in the*  
22 *amounts specified: Provided further, That the amounts*  
23 *transferred shall be merged with and be available for the*  
24 *same purposes as the appropriations to which transferred*  
25 *to:*

1           (1) *Under the heading “Shipbuilding and Con-*  
2           *version, Navy”, 2012/2017: LPD–17 Amphibious*  
3           *Transport Dock Program \$45,060,000;*

4           (2) *Under the heading “Shipbuilding and Con-*  
5           *version, Navy”, 2011/2017: DDG–51 Destroyer*  
6           *\$15,959,000;*

7           (3) *Under the heading “Shipbuilding and Con-*  
8           *version, Navy”, 2012/2017: Littoral Combat Ship*  
9           *\$3,600,000;*

10          (4) *Under the heading “Shipbuilding and Con-*  
11          *version, Navy”, 2013/2017: Littoral Combat Ship*  
12          *\$82,400,000;*

13          (5) *Under the heading “Shipbuilding and Con-*  
14          *version, Navy”, 2012/2017: Expeditionary Fast*  
15          *Transport \$6,710,000; and*

16          (6) *Under the heading “Shipbuilding and Con-*  
17          *version, Navy”, 2013/2017: Expeditionary Fast*  
18          *Transport \$6,545,000.*

19          *SEC. 8074. Funds appropriated by this Act, or made*  
20          *available by the transfer of funds in this Act, for intelligence*  
21          *activities are deemed to be specifically authorized by the*  
22          *Congress for purposes of section 504 of the National Secu-*  
23          *rity Act of 1947 (50 U.S.C. 3094) during fiscal year 2017*  
24          *until the enactment of the Intelligence Authorization Act*  
25          *for Fiscal Year 2017.*

1       *SEC. 8075. None of the funds provided in this Act shall*  
2 *be available for obligation or expenditure through a re-*  
3 *programming of funds that creates or initiates a new pro-*  
4 *gram, project, or activity unless such program, project, or*  
5 *activity must be undertaken immediately in the interest of*  
6 *national security and only after written prior notification*  
7 *to the congressional defense committees.*

8       *SEC. 8076. The budget of the President for fiscal year*  
9 *2018 submitted to the Congress pursuant to section 1105*  
10 *of title 31, United States Code, shall include separate budget*  
11 *justification documents for costs of United States Armed*  
12 *Forces' participation in contingency operations for the*  
13 *Military Personnel accounts, the Operation and Mainte-*  
14 *nance accounts, the Procurement accounts, and the Re-*  
15 *search, Development, Test and Evaluation accounts: Pro-*  
16 *vided, That these documents shall include a description of*  
17 *the funding requested for each contingency operation, for*  
18 *each military service, to include all Active and Reserve*  
19 *components, and for each appropriations account: Provided*  
20 *further, That these documents shall include estimated costs*  
21 *for each element of expense or object class, a reconciliation*  
22 *of increases and decreases for each contingency operation,*  
23 *and programmatic data including, but not limited to, troop*  
24 *strength for each Active and Reserve component, and esti-*  
25 *mates of the major weapons systems deployed in support*

1 of each contingency: *Provided further, That these documents*  
2 *shall include budget exhibits OP-5 and OP-32 (as defined*  
3 *in the Department of Defense Financial Management Regu-*  
4 *lation) for all contingency operations for the budget year*  
5 *and the two preceding fiscal years.*

6       *SEC. 8077. None of the funds in this Act may be used*  
7 *for research, development, test, evaluation, procurement or*  
8 *deployment of nuclear armed interceptors of a missile de-*  
9 *fense system.*

10       *SEC. 8078. Notwithstanding any other provision of*  
11 *this Act, to reflect savings due to favorable foreign exchange*  
12 *rates, the total amount appropriated in this Act is hereby*  
13 *reduced by \$157,000,000.*

14       *SEC. 8079. None of the funds appropriated or made*  
15 *available in this Act shall be used to reduce or disestablish*  
16 *the operation of the 53rd Weather Reconnaissance Squad-*  
17 *ron of the Air Force Reserve, if such action would reduce*  
18 *the WC-130 Weather Reconnaissance mission below the lev-*  
19 *els funded in this Act: Provided, That the Air Force shall*  
20 *allow the 53rd Weather Reconnaissance Squadron to per-*  
21 *form other missions in support of national defense require-*  
22 *ments during the non-hurricane season.*

23       *SEC. 8080. None of the funds provided in this Act shall*  
24 *be available for integration of foreign intelligence informa-*  
25 *tion unless the information has been lawfully collected and*

1 *processed during the conduct of authorized foreign intel-*  
2 *ligence activities: Provided, That information pertaining to*  
3 *United States persons shall only be handled in accordance*  
4 *with protections provided in the Fourth Amendment of the*  
5 *United States Constitution as implemented through Execu-*  
6 *tive Order No. 12333.*

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

11       *(b) The Army shall retain responsibility for and oper-*  
12 *ational control of the MQ-1C Gray Eagle Unmanned Aerial*  
13 *Vehicle (UAV) in order to support the Secretary of Defense*  
14 *in matters relating to the employment of unmanned aerial*  
15 *vehicles.*

16       *SEC. 8082. Up to \$10,120,000 of the funds appro-*  
17 *priated under the heading “Operation and Maintenance,*  
18 *Navy” may be made available for the Asia Pacific Regional*  
19 *Initiative Program for the purpose of enabling the Pacific*  
20 *Command to execute Theater Security Cooperation activi-*  
21 *ties such as humanitarian assistance, and payment of in-*  
22 *cremental and personnel costs of training and exercising*  
23 *with foreign security forces: Provided, That funds made*  
24 *available for this purpose may be used, notwithstanding*  
25 *any other funding authorities for humanitarian assistance,*



1 *security assistance or combined exercise expenses: Provided*  
2 *further, That funds may not be obligated to provide assist-*  
3 *ance to any foreign country that is otherwise prohibited*  
4 *from receiving such type of assistance under any other pro-*  
5 *vision of law.*

6 *SEC. 8083. None of the funds appropriated by this Act*  
7 *for programs of the Office of the Director of National Intel-*  
8 *ligence shall remain available for obligation beyond the cur-*  
9 *rent fiscal year, except for funds appropriated for research*  
10 *and technology, which shall remain available until Sep-*  
11 *tember 30, 2018.*

12 *SEC. 8084. For purposes of section 1553(b) of title 31,*  
13 *United States Code, any subdivision of appropriations*  
14 *made in this Act under the heading “Shipbuilding and*  
15 *Conversion, Navy” shall be considered to be for the same*  
16 *purpose as any subdivision under the heading “Ship-*  
17 *building and Conversion, Navy” appropriations in any*  
18 *prior fiscal year, and the 1 percent limitation shall apply*  
19 *to the total amount of the appropriation.*

20 *SEC. 8085. (a) Not later than 60 days after the date*  
21 *of enactment of this Act, the Director of National Intel-*  
22 *ligence shall submit a report to the congressional intel-*  
23 *ligence committees to establish the baseline for application*  
24 *of reprogramming and transfer authorities for fiscal year*  
25 *2017: Provided, That the report shall include—*

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

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

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

10          (b) None of the funds provided for the National Intelligence  
11          Program in this Act shall be available for re-  
12          programming or transfer until the report identified in sub-  
13          section (a) is submitted to the congressional intelligence  
14          committees, unless the Director of National Intelligence cer-  
15          tifies in writing to the congressional intelligence committees  
16          that such reprogramming or transfer is necessary as an  
17          emergency requirement.

18          SEC. 8086. None of the funds made available by this  
19          Act may be used to eliminate, restructure, or realign Army  
20          Contracting Command—New Jersey or make disproportionate  
21          personnel reductions at any Army Contracting  
22          Command—New Jersey sites without 30-day prior notification  
23          to the congressional defense committees.

*(RESCISSION)*

1  
2       *SEC. 8087. Of the unobligated balances available to the*  
3 *Department of Defense, the following funds are permanently*  
4 *rescinded from the following accounts and programs in the*  
5 *specified amounts to reflect excess cash balances in Depart-*  
6 *ment of Defense Acquisition Workforce Development Fund:*  
7 *Provided, That no amounts may be rescinded from amounts*  
8 *that were designated by the Congress for Overseas Contin-*  
9 *gency Operations/Global War on Terrorism or as an emer-*  
10 *gency requirement pursuant to the Concurrent Resolution*  
11 *on the Budget or the Balanced Budget and Emergency Def-*  
12 *icit Control Act of 1985, as amended:*

13               *From “Department of Defense Acquisition Work-*  
14 *force Development Fund, Defense”, \$531,000,000.*

15       *SEC. 8088. None of the funds made available by this*  
16 *Act for excess defense articles, assistance under section 1206*  
17 *of the National Defense Authorization Act for Fiscal Year*  
18 *2006 (Public Law 109–163; 119 Stat. 3456), or peace-*  
19 *keeping operations for the countries designated annually to*  
20 *be in violation of the standards of the Child Soldiers Pre-*  
21 *vention Act of 2008 (Public Law 110–457; 22 U.S.C.*  
22 *2370c–1) may be used to support any military training*  
23 *or operation that includes child soldiers, as defined by the*  
24 *Child Soldiers Prevention Act of 2008, unless such assist-*

1 *ance is otherwise permitted under section 404 of the Child*  
2 *Soldiers Prevention Act of 2008.*

3       *SEC. 8089. Of the amounts appropriated for “Oper-*  
4 *ation and Maintenance, Defense-Wide”, \$67,500,000, to re-*  
5 *main available until expended, shall be available, notwith-*  
6 *standing any other provision of law, to the Secretary of*  
7 *Defense acting through the Office of Economic Adjustment*  
8 *of the Department of Defense to make grants, conclude coop-*  
9 *erative agreements, and supplement other Federal funds to*  
10 *address the need for assistance to support critical existing*  
11 *and enduring military installations and missions on*  
12 *Guam, as well as any potential Department of Defense*  
13 *growth, for purposes of addressing the need for civilian*  
14 *water and wastewater improvements.*

15       *SEC. 8090. (a) None of the funds provided for the Na-*  
16 *tional Intelligence Program in this or any prior appropria-*  
17 *tions Act shall be available for obligation or expenditure*  
18 *through a reprogramming or transfer of funds in accord-*  
19 *ance with section 102A(d) of the National Security Act of*  
20 *1947 (50 U.S.C. 3024(d)) that—*

21               *(1) creates a new start effort;*

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

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

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

6           (b) *None of the funds provided for the National Intel-*  
7           *ligence Program in this or any prior appropriations Act*  
8           *shall be available for obligation or expenditure through a*  
9           *reprogramming or transfer of funds in accordance with sec-*  
10          *tion 102A(d) of the National Security Act of 1947 (50*  
11          *U.S.C. 3024(d)) that results in a cumulative increase or*  
12          *decrease of the levels specified in the classified annex accom-*  
13          *panying the Act unless the congressional intelligence com-*  
14          *mittees are notified 30 days in advance of such reprogram-*  
15          *ming of funds; this notification period may be reduced for*  
16          *urgent national security requirements.*

17          *SEC. 8091. The Director of National Intelligence shall*  
18          *submit to Congress each year, at or about the time that*  
19          *the President's budget is submitted to Congress that year*  
20          *under section 1105(a) of title 31, United States Code, a fu-*  
21          *ture-years intelligence program (including associated an-*  
22          *nexes) reflecting the estimated expenditures and proposed*  
23          *appropriations included in that budget. Any such future-*  
24          *years intelligence program shall cover the fiscal year with*

1 *respect to which the budget is submitted and at least the*  
2 *four succeeding fiscal years.*

3       *SEC. 8092. For the purposes of this Act, the term “con-*  
4 *gressional intelligence committees” means the Permanent*  
5 *Select Committee on Intelligence of the House of Represent-*  
6 *atives, the Select Committee on Intelligence of the Senate,*  
7 *the Subcommittee on Defense of the Committee on Appro-*  
8 *priations of the House of Representatives, and the Sub-*  
9 *committee on Defense of the Committee on Appropriations*  
10 *of the Senate.*

11                     *(INCLUDING TRANSFER OF FUNDS)*

12       *SEC. 8093. During the current fiscal year, not to ex-*  
13 *ceed \$11,000,000 from each of the appropriations made in*  
14 *title II of this Act for “Operation and Maintenance, Army”,*  
15 *“Operation and Maintenance, Navy”, and “Operation and*  
16 *Maintenance, Air Force” may be transferred by the mili-*  
17 *tary department concerned to its central fund established*  
18 *for Fisher Houses and Suites pursuant to section 2493(d)*  
19 *of title 10, United States Code.*

20                     *(INCLUDING TRANSFER OF FUNDS)*

21       *SEC. 8094. Funds appropriated by this Act for oper-*  
22 *ation and maintenance may be available for the purpose*  
23 *of making remittances and transfer to the Defense Acquisi-*  
24 *tion Workforce Development Fund in accordance with sec-*  
25 *tion 1705 of title 10, United States Code.*

1       *SEC. 8095. (a) Any agency receiving funds made*  
2 *available in this Act, shall, subject to subsections (b) and*  
3 *(c), post on the public Web site of that agency any report*  
4 *required to be submitted by the Congress in this or any*  
5 *other Act, upon the determination by the head of the agency*  
6 *that it shall serve the national interest.*

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

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

10            *(2) the report contains proprietary information.*

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

15       *SEC. 8096. (a) None of the funds appropriated or oth-*  
16 *erwise made available by this Act may be expended for any*  
17 *Federal contract for an amount in excess of \$1,000,000, un-*  
18 *less the contractor agrees not to—*

19             *(1) enter into any agreement with any of its em-*  
20 *ployees or independent contractors that requires, as a*  
21 *condition of employment, that the employee or inde-*  
22 *pendent contractor agree to resolve through arbitra-*  
23 *tion any claim under title VII of the Civil Rights Act*  
24 *of 1964 or any tort related to or arising out of sexual*  
25 *assault or harassment, including assault and battery,*

1 *intentional infliction of emotional distress, false im-*  
2 *prisonment, or negligent hiring, supervision, or reten-*  
3 *tion; or*

4 *(2) take any action to enforce any provision of*  
5 *an existing agreement with an employee or inde-*  
6 *pendent contractor that mandates that the employee*  
7 *or independent contractor resolve through arbitration*  
8 *any claim under title VII of the Civil Rights Act of*  
9 *1964 or any tort related to or arising out of sexual*  
10 *assault or harassment, including assault and battery,*  
11 *intentional infliction of emotional distress, false im-*  
12 *prisonment, or negligent hiring, supervision, or reten-*  
13 *tion.*

14 *(b) None of the funds appropriated or otherwise made*  
15 *available by this Act may be expended for any Federal con-*  
16 *tract unless the contractor certifies that it requires each cov-*  
17 *ered subcontractor to agree not to enter into, and not to*  
18 *take any action to enforce any provision of, any agreement*  
19 *as described in paragraphs (1) and (2) of subsection (a),*  
20 *with respect to any employee or independent contractor per-*  
21 *forming work related to such subcontract. For purposes of*  
22 *this subsection, a “covered subcontractor” is an entity that*  
23 *has a subcontract in excess of \$1,000,000 on a contract sub-*  
24 *ject to subsection (a).*





1 *in this Act, up to \$122,375,000, shall be available for trans-*  
2 *fer to the Joint Department of Defense-Department of Vet-*  
3 *erans Affairs Medical Facility Demonstration Fund in ac-*  
4 *cordance with the provisions of section 1704 of the National*  
5 *Defense Authorization Act for Fiscal Year 2010, Public Law*  
6 *111–84: Provided, That for purposes of section 1704(b), the*  
7 *facility operations funded are operations of the integrated*  
8 *Captain James A. Lovell Federal Health Care Center, con-*  
9 *sisting of the North Chicago Veterans Affairs Medical Cen-*  
10 *ter, the Navy Ambulatory Care Center, and supporting fa-*  
11 *cilities designated as a combined Federal medical facility*  
12 *as described by section 706 of Public Law 110–417: Pro-*  
13 *vided further, That additional funds may be transferred*  
14 *from funds appropriated for operation and maintenance for*  
15 *the Defense Health Program to the Joint Department of De-*  
16 *fense-Department of Veterans Affairs Medical Facility*  
17 *Demonstration Fund upon written notification by the Sec-*  
18 *retary of Defense to the Committees on Appropriations of*  
19 *the House of Representatives and the Senate.*

20       *SEC. 8098. None of the funds appropriated or other-*  
21 *wise made available by this Act may be used by the Depart-*  
22 *ment of Defense or a component thereof in contravention*  
23 *of the provisions of section 130h of title 10, United States*  
24 *Code.*



1 *or within the United States, its territories, or possessions*  
2 *Khalid Sheikh Mohammed or any other detainee who—*

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

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

8 *SEC. 8102. (a) None of the funds appropriated or oth-*  
9 *erwise made available in this or any other Act may be used*  
10 *to construct, acquire, or modify any facility in the United*  
11 *States, its territories, or possessions to house any individual*  
12 *described in subsection (c) for the purposes of detention or*  
13 *imprisonment in the custody or under the effective control*  
14 *of the Department of Defense.*

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

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

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

23 *(2) is—*

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

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

3           SEC. 8103. None of the funds appropriated or other-  
4 wise made available in this Act may be used to transfer  
5 any individual detained at United States Naval Station  
6 Guantanamo Bay, Cuba, to the custody or control of the  
7 individual's country of origin, any other foreign country,  
8 or any other foreign entity except in accordance with sec-  
9 tion 1034 of the National Defense Authorization Act for Fis-  
10 cal Year 2016 (Public Law 114–92) and section 1034 of  
11 the National Defense Authorization Act for Fiscal Year  
12 2017 (Public Law 114–328).

13           SEC. 8104. None of the funds made available by this  
14 Act may be used in contravention of the War Powers Reso-  
15 lution (50 U.S.C. 1541 et seq.).

16           SEC. 8105. (a) None of the funds appropriated or oth-  
17 erwise made available by this or any other Act may be used  
18 by the Secretary of Defense, or any other official or officer  
19 of the Department of Defense, to enter into a contract,  
20 memorandum of understanding, or cooperative agreement  
21 with, or make a grant to, or provide a loan or loan guar-  
22 antee to Rosoboronexport or any subsidiary of  
23 Rosoboronexport.

24           (b) The Secretary of Defense may waive the limitation  
25 in subsection (a) if the Secretary, in consultation with the

1 *Secretary of State and the Director of National Intelligence,*  
2 *determines that it is in the vital national security interest*  
3 *of the United States to do so, and certifies in writing to*  
4 *the congressional defense committees that, to the best of the*  
5 *Secretary's knowledge:*

6           (1) *Rosoboronexport has ceased the transfer of le-*  
7 *thal military equipment to, and the maintenance of*  
8 *existing lethal military equipment for, the Govern-*  
9 *ment of the Syrian Arab Republic;*

10           (2) *The armed forces of the Russian Federation*  
11 *have withdrawn from Crimea, other than armed*  
12 *forces present on military bases subject to agreements*  
13 *in force between the Government of the Russian Fed-*  
14 *eration and the Government of Ukraine; and*

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

18           (c) *The Inspector General of the Department of Defense*  
19 *shall conduct a review of any action involving*  
20 *Rosoboronexport with respect to a waiver issued by the Sec-*  
21 *retary of Defense pursuant to subsection (b), and not later*  
22 *than 90 days after the date on which such a waiver is issued*  
23 *by the Secretary of Defense, the Inspector General shall sub-*  
24 *mit to the congressional defense committees a report con-*

1 *taining the results of the review conducted with respect to*  
2 *such waiver.*

3 *SEC. 8106. None of the funds made available in this*  
4 *Act may be used for the purchase or manufacture of a flag*  
5 *of the United States unless such flags are treated as covered*  
6 *items under section 2533a(b) of title 10, United States*  
7 *Code.*

8 *SEC. 8107. (a) Of the funds appropriated in this Act*  
9 *for the Department of Defense, amounts may be made avail-*  
10 *able, under such regulations as the Secretary of Defense*  
11 *may prescribe, to local military commanders appointed by*  
12 *the Secretary, or by an officer or employee designated by*  
13 *the Secretary, to provide at their discretion ex gratia pay-*  
14 *ments in amounts consistent with subsection (d) of this sec-*  
15 *tion for damage, personal injury, or death that is incident*  
16 *to combat operations of the Armed Forces in a foreign coun-*  
17 *try.*

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

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

23 *(2) a claim for damages would not be compen-*  
24 *sable under chapter 163 of title 10, United States*

1        *Code (commonly known as the “Foreign Claims*  
2        *Act”); and*

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

5        *(c) NATURE OF PAYMENTS.—Any payments provided*  
6        *under a program under subsection (a) shall not be consid-*  
7        *ered an admission or acknowledgement of any legal obliga-*  
8        *tion to compensate for any damage, personal injury, or*  
9        *death.*

10        *(d) AMOUNT OF PAYMENTS.—If the Secretary of De-*  
11        *fense determines a program under subsection (a) to be ap-*  
12        *propriate in a particular setting, the amounts of payments,*  
13        *if any, to be provided to civilians determined to have suf-*  
14        *fered harm incident to combat operations of the Armed*  
15        *Forces under the program should be determined pursuant*  
16        *to regulations prescribed by the Secretary and based on an*  
17        *assessment, which should include such factors as cultural*  
18        *appropriateness and prevailing economic conditions.*

19        *(e) LEGAL ADVICE.—Local military commanders shall*  
20        *receive legal advice before making ex gratia payments under*  
21        *this subsection. The legal advisor, under regulations of the*  
22        *Department of Defense, shall advise on whether an ex gratia*  
23        *payment is proper under this section and applicable De-*  
24        *partment of Defense regulations.*



1           (f) *WRITTEN RECORD.*—A written record of any ex  
2 gratia payment offered or denied shall be kept by the local  
3 commander and on a timely basis submitted to the appro-  
4 priate office in the Department of Defense as determined  
5 by the Secretary of Defense.

6           (g) *REPORT.*—The Secretary of Defense shall report to  
7 the congressional defense committees on an annual basis the  
8 efficacy of the ex gratia payment program including the  
9 number of types of cases considered, amounts offered, the  
10 response from ex gratia payment recipients, and any rec-  
11 ommended modifications to the program.

12           *SEC. 8108.* None of the funds available in this Act to  
13 the Department of Defense, other than appropriations made  
14 for necessary or routine refurbishments, upgrades or main-  
15 tenance activities, shall be used to reduce or to prepare to  
16 reduce the number of deployed and non-deployed strategic  
17 delivery vehicles and launchers below the levels set forth in  
18 the report submitted to Congress in accordance with section  
19 1042 of the National Defense Authorization Act for Fiscal  
20 Year 2012.

21           *SEC. 8109.* The Secretary of Defense shall post grant  
22 awards on a public Web site in a searchable format.

23           *SEC. 8110.* None of the funds made available by this  
24 Act may be used to fund the performance of a flight dem-  
25 onstration team at a location outside of the United States:

1 *Provided, That this prohibition applies only if a perform-*  
2 *ance of a flight demonstration team at a location within*  
3 *the United States was canceled during the current fiscal*  
4 *year due to insufficient funding.*

5 *SEC. 8111. None of the funds made available by this*  
6 *Act may be used by the National Security Agency to—*

7 *(1) conduct an acquisition pursuant to section*  
8 *702 of the Foreign Intelligence Surveillance Act of*  
9 *1978 for the purpose of targeting a United States per-*  
10 *son; or*

11 *(2) acquire, monitor, or store the contents (as*  
12 *such term is defined in section 2510(8) of title 18,*  
13 *United States Code) of any electronic communication*  
14 *of a United States person from a provider of elec-*  
15 *tronic communication services to the public pursuant*  
16 *to section 501 of the Foreign Intelligence Surveillance*  
17 *Act of 1978.*

18 *SEC. 8112. None of the funds made available by this*  
19 *Act may be obligated or expended to implement the Arms*  
20 *Trade Treaty until the Senate approves a resolution of rati-*  
21 *fication for the Treaty.*

22 *SEC. 8113. None of the funds made available in this*  
23 *or any other Act may be used to pay the salary of any*  
24 *officer or employee of any agency funded by this Act who*  
25 *approves or implements the transfer of administrative re-*

1 *sponsibilities or budgetary resources of any program,*  
2 *project, or activity financed by this Act to the jurisdiction*  
3 *of another Federal agency not financed by this Act without*  
4 *the express authorization of Congress: Provided, That this*  
5 *limitation shall not apply to transfers of funds expressly*  
6 *provided for in Defense Appropriations Acts, or provisions*  
7 *of Acts providing supplemental appropriations for the De-*  
8 *partment of Defense.*

9       *SEC. 8114. None of the funds made available in this*  
10 *Act may be obligated for activities authorized under section*  
11 *1208 of the Ronald W. Reagan National Defense Authoriza-*  
12 *tion Act for Fiscal Year 2005 (Public Law 112–81; 125*  
13 *Stat. 1621) to initiate support for, or expand support to,*  
14 *foreign forces, irregular forces, groups, or individuals unless*  
15 *the congressional defense committees are notified in accord-*  
16 *ance with the direction contained in the classified annex*  
17 *accompanying this Act, not less than 15 days before initi-*  
18 *ating such support: Provided, That none of the funds made*  
19 *available in this Act may be used under section 1208 for*  
20 *any activity that is not in support of an ongoing military*  
21 *operation being conducted by United States Special Oper-*  
22 *ations Forces to combat terrorism: Provided further, That*  
23 *the Secretary of Defense may waive the prohibitions in this*  
24 *section if the Secretary determines that such waiver is re-*  
25 *quired by extraordinary circumstances and, by not later*

1 *than 72 hours after making such waiver, notifies the con-*  
2 *gressional defense committees of such waiver.*

3       *SEC. 8115. None of the funds made available by this*  
4 *Act may be used with respect to Iraq in contravention of*  
5 *the War Powers Resolution (50 U.S.C. 1541 et seq.), includ-*  
6 *ing for the introduction of United States armed forces into*  
7 *hostilities in Iraq, into situations in Iraq where imminent*  
8 *involvement in hostilities is clearly indicated by the cir-*  
9 *cumstances, or into Iraqi territory, airspace, or waters*  
10 *while equipped for combat, in contravention of the congres-*  
11 *sional consultation and reporting requirements of sections*  
12 *3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).*

13       *SEC. 8116. None of the funds made available by this*  
14 *Act may be used to divest, retire, transfer, or place in stor-*  
15 *age or on backup aircraft inventory status, or prepare to*  
16 *divest, retire, transfer, or place in storage or on backup air-*  
17 *craft inventory status, any A-10 aircraft, or to disestablish*  
18 *any units of the active or reserve component associated with*  
19 *such aircraft.*

20       *SEC. 8117. None of the funds provided in this Act for*  
21 *the T-AO(X) program shall be used to award a new con-*  
22 *tract that provides for the acquisition of the following com-*  
23 *ponents unless those components are manufactured in the*  
24 *United States: Auxiliary equipment (including pumps) for*  
25 *shipboard services; propulsion equipment (including en-*

1 gines, reduction gears, and propellers); shipboard cranes;  
2 and spreaders for shipboard cranes.

3       *SEC. 8118. The amount appropriated in title II of this*  
4 *Act for “Operation and Maintenance, Army” is hereby re-*  
5 *duced by \$336,000,000 to reflect excess cash balances in De-*  
6 *partment of Defense Working Capital Funds.*

7       *SEC. 8119. Notwithstanding any other provision of*  
8 *this Act, to reflect savings due to lower than anticipated*  
9 *fuel costs, the total amount appropriated in title II of this*  
10 *Act is hereby reduced by \$1,155,000,000.*

11       *SEC. 8120. None of the funds made available by this*  
12 *Act may be used to divest or retire, or to prepare to divest*  
13 *or retire, KC-10 aircraft.*

14       *SEC. 8121. None of the funds made available by this*  
15 *Act may be used to divest, retire, transfer, or place in stor-*  
16 *age or on backup aircraft inventory status, or prepare to*  
17 *divest, retire, transfer, or place in storage or on backup air-*  
18 *craft inventory status, any EC-130H aircraft.*

19       *SEC. 8122. None of the funds made available by this*  
20 *Act may be used for Government Travel Charge Card ex-*  
21 *penses by military or civilian personnel of the Department*  
22 *of Defense for gaming, or for entertainment that includes*  
23 *topless or nude entertainers or participants, as prohibited*  
24 *by Department of Defense FMR, Volume 9, Chapter 3 and*

1 *Department of Defense Instruction 1015.10 (enclosure 3,*  
2 *14a and 14b).*

3 *SEC. 8123. None of the funds made available by this*  
4 *Act may be used to propose, plan for, or execute a new or*  
5 *additional Base Realignment and Closure (BRAC) round.*

6 *SEC. 8124. Of the amounts appropriated in this Act*  
7 *for “Operation and Maintenance, Navy”, \$274,524,000, to*  
8 *remain available until expended, may be used for any pur-*  
9 *poses related to the National Defense Reserve Fleet estab-*  
10 *lished under section 11 of the Merchant Ship Sales Act of*  
11 *1946 (50 U.S.C. 4405): Provided, That such amounts are*  
12 *available for reimbursements to the Ready Reserve Force,*  
13 *Maritime Administration account of the United States De-*  
14 *partment of Transportation for programs, projects, activi-*  
15 *ties, and expenses related to the National Defense Reserve*  
16 *Fleet.*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *SEC. 8125. Of the amounts appropriated in this Act,*  
19 *the Secretary of Defense may use up to \$20,000,000 under*  
20 *the heading “Operation and Maintenance, Defense-Wide”,*  
21 *and up to \$75,000,000 under the heading “Research, Devel-*  
22 *opment, Test and Evaluation, Defense-Wide” to develop, re-*  
23 *place, and sustain Federal Government security and suit-*  
24 *ability background investigation information technology*  
25 *systems of the Office of Personnel Management or other Fed-*







1        *(b) Any unobligated balances in the Ship Moderniza-*  
2 *tion, Operations and Sustainment Fund as of the date of*  
3 *the enactment of this Act are hereby rescinded.*

4        *SEC. 8131. None of the funds made available by this*  
5 *Act may be used to provide arms, training, or other assist-*  
6 *ance to the Azov Battalion.*

7        *SEC. 8132. Notwithstanding any other provision of*  
8 *law, any transfer of funds appropriated or otherwise made*  
9 *available by this Act to the Global Engagement Center pur-*  
10 *suant to section 1287 of the National Defense Authorization*  
11 *Act for Fiscal Year 2017 (Public Law 114–328) shall be*  
12 *made in accordance with section 8005 or 9002 of this Act,*  
13 *as applicable.*

14        *SEC. 8133. No amounts credited or otherwise made*  
15 *available in this or any other Act to the Department of De-*  
16 *fense Acquisition Workforce Development Fund may be*  
17 *transferred to:*

18            *(1) the Rapid Prototyping Fund established*  
19 *under section 804(d) of the National Defense Author-*  
20 *ization Act for Fiscal Year 2016 (10 U.S.C. 2302*  
21 *note); or*

22            *(2) credited to a military-department specific*  
23 *fund established under section 804(d)(2) of the Na-*  
24 *tional Defense Authorization Act for Fiscal Year 2016*

1        *(as amended by section 897 of the National Defense*  
2        *Authorization Act for Fiscal Year 2017).*

3        *SEC. 8134. No funds provided in this Act shall be used*  
4        *to deny an Inspector General funded under this Act timely*  
5        *access to any records, documents, or other materials avail-*  
6        *able to the department or agency over which that Inspector*  
7        *General has responsibilities under the Inspector General Act*  
8        *of 1978, or to prevent or impede that Inspector General's*  
9        *access to such records, documents, or other materials, under*  
10       *any provision of law, except a provision of law that ex-*  
11       *pressly refers to the Inspector General and expressly limits*  
12       *the Inspector General's right of access. A department or*  
13       *agency covered by this section shall provide its Inspector*  
14       *General with access to all such records, documents, and*  
15       *other materials in a timely manner. Each Inspector Gen-*  
16       *eral shall ensure compliance with statutory limitations on*  
17       *disclosure relevant to the information provided by the estab-*  
18       *lishment over which that Inspector General has responsibil-*  
19       *ities under the Inspector General Act of 1978. Each Inspec-*  
20       *tor General covered by this section shall report to the Com-*  
21       *mittees on Appropriations of the House of Representatives*  
22       *and the Senate within 5 calendar days any failures to com-*  
23       *ply with this requirement.*

1 *TITLE IX*  
2 *OVERSEAS CONTINGENCY OPERATIONS/GLOBAL*  
3 *WAR ON TERRORISM*  
4 *MILITARY PERSONNEL*  
5 *MILITARY PERSONNEL, ARMY*

6 *For an additional amount for “Military Personnel,*  
7 *Army”, \$1,948,648,000: Provided, That such amount is des-*  
8 *ignated by the Congress for Overseas Contingency Oper-*  
9 *ations/Global War on Terrorism pursuant to section*  
10 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
11 *Deficit Control Act of 1985.*

12 *MILITARY PERSONNEL, NAVY*  
13 *For an additional amount for “Military Personnel,*  
14 *Navy”, \$327,427,000: Provided, That such amount is des-*  
15 *ignated by the Congress for Overseas Contingency Oper-*  
16 *ations/Global War on Terrorism pursuant to section*  
17 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
18 *Deficit Control Act of 1985.*

19 *MILITARY PERSONNEL, MARINE CORPS*  
20 *For an additional amount for “Military Personnel,*  
21 *Marine Corps”, \$179,733,000: Provided, That such amount*  
22 *is designated by the Congress for Overseas Contingency Op-*  
23 *erations/Global War on Terrorism pursuant to section*  
24 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
25 *Deficit Control Act of 1985.*

1                    *MILITARY PERSONNEL, AIR FORCE*

2            *For an additional amount for “Military Personnel,*  
3 *Air Force”, \$705,706,000: Provided, That such amount is*  
4 *designated by the Congress for Overseas Contingency Oper-*  
5 *ations/Global War on Terrorism pursuant to section*  
6 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
7 *Deficit Control Act of 1985.*

8                    *RESERVE PERSONNEL, ARMY*

9            *For an additional amount for “Reserve Personnel,*  
10 *Army”, \$42,506,000: Provided, That such amount is des-*  
11 *ignated by the Congress for Overseas Contingency Oper-*  
12 *ations/Global War on Terrorism pursuant to section*  
13 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
14 *Deficit Control Act of 1985.*

15                    *RESERVE PERSONNEL, NAVY*

16            *For an additional amount for “Reserve Personnel,*  
17 *Navy”, \$11,929,000: Provided, That such amount is des-*  
18 *ignated by the Congress for Overseas Contingency Oper-*  
19 *ations/Global War on Terrorism pursuant to section*  
20 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
21 *Deficit Control Act of 1985.*

22                    *RESERVE PERSONNEL, MARINE CORPS*

23            *For an additional amount for “Reserve Personnel, Ma-*  
24 *rine Corps”, \$3,764,000: Provided, That such amount is*  
25 *designated by the Congress for Overseas Contingency Oper-*

1 *ations/Global War on Terrorism pursuant to section*  
2 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
3 *Deficit Control Act of 1985.*

4 *RESERVE PERSONNEL, AIR FORCE*

5 *For an additional amount for “Reserve Personnel, Air*  
6 *Force”, \$20,535,000: Provided, That such amount is des-*  
7 *ignated by the Congress for Overseas Contingency Oper-*  
8 *ations/Global War on Terrorism pursuant to section*  
9 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
10 *Deficit Control Act of 1985.*

11 *NATIONAL GUARD PERSONNEL, ARMY*

12 *For an additional amount for “National Guard Per-*  
13 *sonnel, Army”, \$196,472,000: Provided, That such amount*  
14 *is designated by the Congress for Overseas Contingency Op-*  
15 *erations/Global War on Terrorism pursuant to section*  
16 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18 *NATIONAL GUARD PERSONNEL, AIR FORCE*

19 *For an additional amount for “National Guard Per-*  
20 *sonnel, Air Force”, \$5,288,000: Provided, That such*  
21 *amount is designated by the Congress for Overseas Contin-*  
22 *gency Operations/Global War on Terrorism pursuant to sec-*  
23 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
24 *gency Deficit Control Act of 1985.*

1                    *OPERATION AND MAINTENANCE*2                    *OPERATION AND MAINTENANCE, ARMY*

3            *For an additional amount for “Operation and Mainte-*  
4 *nance, Army”, \$15,693,068,000: Provided, That such*  
5 *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.*

9                    *OPERATION AND MAINTENANCE, NAVY*

10           *For an additional amount for “Operation and Mainte-*  
11 *nance, Navy”, \$7,887,349,000: Provided, That such amount*  
12 *is designated by the Congress for Overseas Contingency Op-*  
13 *erations/Global War on Terrorism pursuant to section*  
14 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
15 *Deficit Control Act of 1985.*

16                    *OPERATION AND MAINTENANCE, MARINE CORPS*

17           *For an additional amount for “Operation and Mainte-*  
18 *nance, Marine Corps”, \$1,607,259,000: Provided, That such*  
19 *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.*

23                    *OPERATION AND MAINTENANCE, AIR FORCE*

24           *For an additional amount for “Operation and Mainte-*  
25 *nance, Air Force”, \$10,556,598,000: Provided, That such*

1 amount is designated by the Congress for Overseas Contin-  
2 gency Operations/Global War on Terrorism pursuant to sec-  
3 tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-  
4 gency Deficit Control Act of 1985.

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 For an additional amount for “Operation and Mainte-  
7 nance, Defense-Wide”, \$6,476,649,000: Provided, That of  
8 the funds provided under this heading, not to exceed  
9 \$920,000,000, to remain available until September 30,  
10 2018, shall be for payments to reimburse key cooperating  
11 nations for logistical, military, and other support, includ-  
12 ing access, provided to United States military and stability  
13 operations in Afghanistan and to counter the Islamic State  
14 of Iraq and the Levant: Provided further, That such reim-  
15 bursement payments may be made in such amounts as the  
16 Secretary of Defense, with the concurrence of the Secretary  
17 of State, and in consultation with the Director of the Office  
18 of Management and Budget, may determine, based on docu-  
19 mentation determined by the Secretary of Defense to ade-  
20 quately account for the support provided, and such deter-  
21 mination is final and conclusive upon the accounting offi-  
22 cers of the United States, and 15 days following notification  
23 to the appropriate congressional committees: Provided fur-  
24 ther, That these funds may be used for the purpose of pro-  
25 viding specialized training and procuring supplies and spe-

1 cialized equipment and providing such supplies and loan-  
2 ing such equipment on a non-reimbursable basis to coal-  
3 tion forces supporting United States military and stability  
4 operations in Afghanistan and to counter the Islamic State  
5 of Iraq and the Levant, and 15 days following notification  
6 to the appropriate congressional committees: Provided fur-  
7 ther, That these funds may be used to support the Govern-  
8 ment of Jordan, in such amounts as the Secretary of De-  
9 fense may determine, to enhance the ability of the armed  
10 forces of Jordan to increase or sustain security along its  
11 borders, upon 15 days prior written notification to the con-  
12 gressional defense committees outlining the amounts in-  
13 tended to be provided and the nature of the expenses in-  
14 curred: Provided further, That of the funds provided under  
15 this heading, not to exceed \$750,000,000, to remain avail-  
16 able until September 30, 2018, shall be available to provide  
17 support and assistance to foreign security forces or other  
18 groups or individuals to conduct, support or facilitate  
19 counterterrorism, crisis response, or other Department of  
20 Defense security cooperation programs: Provided further,  
21 That of the funds provided under this heading, up to  
22 \$30,000,000 shall be for Operation Observant Compass:  
23 Provided further, That the Secretary of Defense shall pro-  
24 vide quarterly reports to the congressional defense commit-  
25 tees on the use of funds provided in this paragraph: Pro-



1 *vided further, That such amount is designated by the Con-*  
2 *gress for Overseas Contingency Operations/Global War on*  
3 *Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-*  
4 *anced Budget and Emergency Deficit Control Act of 1985.*

5 *OPERATION AND MAINTENANCE, ARMY RESERVE*

6 *For an additional amount for “Operation and Mainte-*  
7 *nance, Army Reserve”, \$38,679,000: Provided, That such*  
8 *amount is designated by the Congress for Overseas Contin-*  
9 *gency Operations/Global War on Terrorism pursuant to sec-*  
10 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
11 *gency Deficit Control Act of 1985.*

12 *OPERATION AND MAINTENANCE, NAVY RESERVE*

13 *For an additional amount for “Operation and Mainte-*  
14 *nance, Navy Reserve”, \$26,265,000: Provided, That such*  
15 *amount is designated by the Congress for Overseas Contin-*  
16 *gency Operations/Global War on Terrorism pursuant to sec-*  
17 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
18 *gency Deficit Control Act of 1985.*

19 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

20 *For an additional amount for “Operation and Mainte-*  
21 *nance, Marine Corps Reserve”, \$3,304,000: Provided, That*  
22 *such amount is designated by the Congress for Overseas*  
23 *Contingency Operations/Global War on Terrorism pursu-*  
24 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
25 *Emergency Deficit Control Act of 1985.*

1     *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

2           *For an additional amount for “Operation and Mainte-*  
3 *nance, Air Force Reserve”, \$57,586,000: Provided, That*  
4 *such amount is designated by the Congress for Overseas*  
5 *Contingency Operations/Global War on Terrorism pursu-*  
6 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
7 *Emergency Deficit Control Act of 1985.*

8     *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

9           *For an additional amount for “Operation and Mainte-*  
10 *nance, Army National Guard”, \$127,035,000: Provided,*  
11 *That such amount is designated by the Congress for Over-*  
12 *seas Contingency Operations/Global War on Terrorism pur-*  
13 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
14 *and Emergency Deficit Control Act of 1985.*

15     *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

16           *For an additional amount for “Operation and Mainte-*  
17 *nance, Air National Guard”, \$20,000,000: Provided, That*  
18 *such amount is designated by the Congress for Overseas*  
19 *Contingency Operations/Global War on Terrorism pursu-*  
20 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
21 *Emergency Deficit Control Act of 1985.*

22           *AFGHANISTAN SECURITY FORCES FUND*

23           *For the “Afghanistan Security Forces Fund”,*  
24 *\$4,262,715,000, to remain available until September 30,*  
25 *2018: Provided, That such funds shall be available to the*

1 *Secretary of Defense, notwithstanding any other provision*  
2 *of law, for the purpose of allowing the Commander, Com-*  
3 *bined Security Transition Command—Afghanistan, or the*  
4 *Secretary’s designee, to provide assistance, with the concur-*  
5 *rence of the Secretary of State, to the security forces of Af-*  
6 *ghanistan, including the provision of equipment, supplies,*  
7 *services, training, facility and infrastructure repair, ren-*  
8 *ovation, construction, and funding: Provided further, That*  
9 *the Secretary of Defense may obligate and expend funds*  
10 *made available to the Department of Defense in this title*  
11 *for additional costs associated with existing projects pre-*  
12 *viously funded with amounts provided under the heading*  
13 *“Afghanistan Infrastructure Fund” in prior Acts: Provided*  
14 *further, That such costs shall be limited to contract changes*  
15 *resulting from inflation, market fluctuation, rate adjust-*  
16 *ments, and other necessary contract actions to complete ex-*  
17 *isting projects, and associated supervision and administra-*  
18 *tion costs and costs for design during construction: Pro-*  
19 *vided further, That the Secretary may not use more than*  
20 *\$50,000,000 under the authority provided in this section:*  
21 *Provided further, That the Secretary shall notify in advance*  
22 *such contract changes and adjustments in annual reports*  
23 *to the congressional defense committees: Provided further,*  
24 *That the authority to provide assistance under this heading*  
25 *is in addition to any other authority to provide assistance*

1 *to foreign nations: Provided further, That contributions of*  
2 *funds for the purposes provided herein from any person,*  
3 *foreign government, or international organization may be*  
4 *credited to this Fund, to remain available until expended,*  
5 *and used for such purposes: Provided further, That the Sec-*  
6 *retary of Defense shall notify the congressional defense com-*  
7 *mittees in writing upon the receipt and upon the obligation*  
8 *of any contribution, delineating the sources and amounts*  
9 *of the funds received and the specific use of such contribu-*  
10 *tions: Provided further, That the Secretary of Defense shall,*  
11 *not fewer than 15 days prior to obligating from this appro-*  
12 *priation account, notify the congressional defense commit-*  
13 *tees in writing of the details of any such obligation: Pro-*  
14 *vided further, That the Secretary of Defense shall notify the*  
15 *congressional defense committees of any proposed new*  
16 *projects or transfer of funds between budget sub-activity*  
17 *groups in excess of \$20,000,000: Provided further, That the*  
18 *United States may accept equipment procured using funds*  
19 *provided under this heading in this or prior Acts that was*  
20 *transferred to the security forces of Afghanistan and re-*  
21 *turned by such forces to the United States: Provided further,*  
22 *That equipment procured using funds provided under this*  
23 *heading in this or prior Acts, and not yet transferred to*  
24 *the security forces of Afghanistan or transferred to the secu-*  
25 *rity forces of Afghanistan and returned by such forces to*

1 *the United States, may be treated as stocks of the Depart-*  
2 *ment of Defense upon written notification to the congres-*  
3 *sional defense committees: Provided further, That of the*  
4 *funds provided under this heading, not less than*  
5 *\$10,000,000 shall be for recruitment and retention of*  
6 *women in the Afghanistan National Security Forces, and*  
7 *the recruitment and training of female security personnel:*  
8 *Provided further, That such amount is designated by the*  
9 *Congress for Overseas Contingency Operations/Global War*  
10 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
11 *Balanced Budget and Emergency Deficit Control Act of*  
12 *1985.*

13 *COUNTER-ISIL TRAIN AND EQUIP FUND*

14 *For the “Counter-Islamic State of Iraq and the Levant*  
15 *Train and Equip Fund”, \$980,000,000, to remain available*  
16 *until September 30, 2018: Provided, That such funds shall*  
17 *be available to the Secretary of Defense in coordination*  
18 *with the Secretary of State, to provide assistance, including*  
19 *training; equipment; logistics support, supplies, and serv-*  
20 *ices; stipends; infrastructure repair and renovation; and*  
21 *sustainment, to foreign security forces, irregular forces,*  
22 *groups, or individuals participating, or preparing to par-*  
23 *ticipate in activities to counter the Islamic State of Iraq*  
24 *and the Levant, and their affiliated or associated groups:*  
25 *Provided further, That these funds may be used, in such*

1 amounts as the Secretary of Defense may determine, to en-  
2 hance the border security of nations adjacent to conflict  
3 areas, including Jordan and Lebanon, resulting from ac-  
4 tions of the Islamic State of Iraq and the Levant: Provided  
5 further, That amounts made available under this heading  
6 shall be available to provide assistance only for activities  
7 in a country designated by the Secretary of Defense, in co-  
8 ordination with the Secretary of State, as having a security  
9 mission to counter the Islamic State of Iraq and the Levant,  
10 and following written notification to the congressional de-  
11 fense committees of such designation: Provided further, That  
12 the Secretary of Defense shall ensure that prior to providing  
13 assistance to elements of any forces or individuals, such ele-  
14 ments or individuals are appropriately vetted, including at  
15 a minimum, assessing such elements for associations with  
16 terrorist groups or groups associated with the Government  
17 of Iran; and receiving commitments from such elements to  
18 promote respect for human rights and the rule of law: Pro-  
19 vided further, That the Secretary of Defense shall, not fewer  
20 than 15 days prior to obligating from this appropriation  
21 account, notify the congressional defense committees in  
22 writing of the details of any such obligation: Provided fur-  
23 ther, That the Secretary of Defense may accept and retain  
24 contributions, including assistance in-kind, from foreign  
25 governments, including the Government of Iraq and other

1 *entities, to carry out assistance authorized under this head-*  
2 *ing: Provided further, That contributions of funds for the*  
3 *purposes provided herein from any foreign government or*  
4 *other entity may be credited to this Fund, to remain avail-*  
5 *able until expended, and used for such purposes: Provided*  
6 *further, That the Secretary of Defense may waive a provi-*  
7 *sion of law relating to the acquisition of items and support*  
8 *services or sections 40 and 40A of the Arms Export Control*  
9 *Act (22 U.S.C. 2780 and 2785) if the Secretary determines*  
10 *that such provision of law would prohibit, restrict, delay*  
11 *or otherwise limit the provision of such assistance and a*  
12 *notice of and justification for such waiver is submitted to*  
13 *the congressional defense committees, the Committees on Ap-*  
14 *propriations and Foreign Relations of the Senate and the*  
15 *Committees on Appropriations and Foreign Affairs of the*  
16 *House of Representatives: Provided further, That the United*  
17 *States may accept equipment procured using funds pro-*  
18 *vided under this heading, or under the heading, “Iraq*  
19 *Train and Equip Fund” in prior Acts, that was transferred*  
20 *to security forces, irregular forces, or groups participating,*  
21 *or preparing to participate in activities to counter the Is-*  
22 *lamic State of Iraq and the Levant and returned by such*  
23 *forces or groups to the United States, may be treated as*  
24 *stocks of the Department of Defense upon written notifica-*  
25 *tion to the congressional defense committees: Provided fur-*

1 *ther, That equipment procured using funds provided under*  
2 *this heading, or under the heading, “Iraq Train and Equip*  
3 *Fund” in prior Acts, and not yet transferred to security*  
4 *forces, irregular forces, or groups participating, or pre-*  
5 *paring to participate in activities to counter the Islamic*  
6 *State of Iraq and the Levant may be treated as stocks of*  
7 *the Department of Defense when determined by the Sec-*  
8 *retary to no longer be required for transfer to such forces*  
9 *or groups and upon written notification to the congres-*  
10 *sional defense committees: Provided further, That the Sec-*  
11 *retary of Defense shall provide quarterly reports to the con-*  
12 *gressional defense committees on the use of funds provided*  
13 *under this heading, including, but not limited to, the num-*  
14 *ber of individuals trained, the nature and scope of support*  
15 *and sustainment provided to each group or individual, the*  
16 *area of operations for each group, and the contributions of*  
17 *other countries, groups, or individuals: Provided further,*  
18 *That such amount is designated by the Congress for Over-*  
19 *seas Contingency Operations/Global War on Terrorism pur-*  
20 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
21 *and Emergency Deficit Control Act of 1985.*

## 22 *PROCUREMENT*

### 23 *AIRCRAFT PROCUREMENT, ARMY*

24 *For an additional amount for “Aircraft Procurement,*  
25 *Army”, \$313,171,000, to remain available until September*



1 30, 2019: *Provided, That such amount is designated by the*  
2 *Congress for Overseas Contingency Operations/Global War*  
3 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
4 *Balanced Budget and Emergency Deficit Control Act of*  
5 *1985.*

6 *MISSILE PROCUREMENT, ARMY*

7 *For an additional amount for “Missile Procurement,*  
8 *Army”, \$405,317,000, to remain available until September*  
9 *30, 2019: Provided, That such amount is designated by the*  
10 *Congress for Overseas Contingency Operations/Global War*  
11 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
12 *Balanced Budget and Emergency Deficit Control Act of*  
13 *1985.*

14 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*

15 *VEHICLES, ARMY*

16 *For an additional amount for “Procurement of Weap-*  
17 *ons and Tracked Combat Vehicles, Army”, \$395,944,000, to*  
18 *remain available until September 30, 2019: Provided, That*  
19 *such amount is designated by the Congress for Overseas*  
20 *Contingency Operations/Global War on Terrorism pursu-*  
21 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
22 *Emergency Deficit Control Act of 1985.*

23 *PROCUREMENT OF AMMUNITION, ARMY*

24 *For an additional amount for “Procurement of Am-*  
25 *munition, Army”, \$290,670,000, to remain available until*

1 *September 30, 2019: Provided, That such amount is des-*  
2 *ignated by the Congress for Overseas Contingency Oper-*  
3 *ations/Global War on Terrorism pursuant to section*  
4 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
5 *Deficit Control Act of 1985.*

6 *OTHER PROCUREMENT, ARMY*

7 *For an additional amount for “Other Procurement,*  
8 *Army”, \$1,343,010,000, to remain available until Sep-*  
9 *tember 30, 2019: Provided, That such amount is designated*  
10 *by the Congress for Overseas Contingency Operations/Glob-*  
11 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
12 *of the Balanced Budget and Emergency Deficit Control Act*  
13 *of 1985.*

14 *AIRCRAFT PROCUREMENT, NAVY*

15 *For an additional amount for “Aircraft Procurement,*  
16 *Navy”, \$367,930,000, to remain available until September*  
17 *30, 2019: Provided, That such amount is designated by the*  
18 *Congress for Overseas Contingency Operations/Global War*  
19 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
20 *Balanced Budget and Emergency Deficit Control Act of*  
21 *1985.*

22 *WEAPONS PROCUREMENT, NAVY*

23 *For an additional amount for “Weapons Procurement,*  
24 *Navy”, \$8,600,000, to remain available until September 30,*  
25 *2019: Provided, That such amount is designated by the*

1 *Congress for Overseas Contingency Operations/Global War*  
2 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
3 *Balanced Budget and Emergency Deficit Control Act of*  
4 *1985.*

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

7 *For an additional amount for “Procurement of Am-*  
8 *munition, Navy and Marine Corps”, \$65,380,000, to re-*  
9 *main available until September 30, 2019: Provided, That*  
10 *such amount is designated by the Congress for Overseas*  
11 *Contingency Operations/Global War on Terrorism pursu-*  
12 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
13 *Emergency Deficit Control Act of 1985.*

14 *OTHER PROCUREMENT, NAVY*

15 *For an additional amount for “Other Procurement,*  
16 *Navy”, \$99,786,000, to remain available until September*  
17 *30, 2019: Provided, That such amount is designated by the*  
18 *Congress for Overseas Contingency Operations/Global War*  
19 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
20 *Balanced Budget and Emergency Deficit Control Act of*  
21 *1985.*

22 *PROCUREMENT, MARINE CORPS*

23 *For an additional amount for “Procurement, Marine*  
24 *Corps”, \$118,939,000, to remain available until September*  
25 *30, 2019: Provided, That such amount is designated by the*

1 *Congress for Overseas Contingency Operations/Global War*  
2 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
3 *Balanced Budget and Emergency Deficit Control Act of*  
4 *1985.*

5 *AIRCRAFT PROCUREMENT, AIR FORCE*

6 *For an additional amount for “Aircraft Procurement,*  
7 *Air Force”, \$927,249,000, to remain available until Sep-*  
8 *tember 30, 2019: Provided, That such amount is designated*  
9 *by the Congress for Overseas Contingency Operations/Glob-*  
10 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
11 *of the Balanced Budget and Emergency Deficit Control Act*  
12 *of 1985.*

13 *MISSILE PROCUREMENT, AIR FORCE*

14 *For an additional amount for “Missile Procurement,*  
15 *Air Force”, \$235,095,000, to remain available until Sep-*  
16 *tember 30, 2019: Provided, That such amount is designated*  
17 *by the Congress for Overseas Contingency Operations/Glob-*  
18 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
19 *of the Balanced Budget and Emergency Deficit Control Act*  
20 *of 1985.*

21 *PROCUREMENT OF AMMUNITION, AIR FORCE*

22 *For an additional amount for “Procurement of Am-*  
23 *munition, Air Force”, \$273,345,000, to remain available*  
24 *until September 30, 2019: Provided, That such amount is*  
25 *designated by the Congress for Overseas Contingency Oper-*

1 *ations/Global War on Terrorism pursuant to section*  
2 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
3 *Deficit Control Act of 1985.*

4 *OTHER PROCUREMENT, AIR FORCE*

5 *For an additional amount for “Other Procurement,*  
6 *Air Force”, \$3,529,456,000, to remain available until Sep-*  
7 *tember 30, 2019: Provided, That such amount is designated*  
8 *by the Congress for Overseas Contingency Operations/Glob-*  
9 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
10 *of the Balanced Budget and Emergency Deficit Control Act*  
11 *of 1985.*

12 *PROCUREMENT, DEFENSE-WIDE*

13 *For an additional amount for “Procurement, Defense-*  
14 *Wide”, \$244,184,000, to remain available until September*  
15 *30, 2019: Provided, That such amount is designated by the*  
16 *Congress for Overseas Contingency Operations/Global War*  
17 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
18 *Balanced Budget and Emergency Deficit Control Act of*  
19 *1985.*

20 *NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT*

21 *For procurement of rotary-wing aircraft; combat, tac-*  
22 *tical and support vehicles; other weapons; and other pro-*  
23 *curement items for the reserve components of the Armed*  
24 *Forces, \$750,000,000, to remain available for obligation*  
25 *until September 30, 2019: Provided, That the Chiefs of Na-*

1 *tional Guard and Reserve components shall, not later than*  
2 *30 days after enactment of this Act, individually submit*  
3 *to the congressional defense committees the modernization*  
4 *priority assessment for their respective National Guard or*  
5 *Reserve component: Provided further, That none of the*  
6 *funds made available by this paragraph may be used to*  
7 *procure manned fixed wing aircraft, or procure or modify*  
8 *missiles, munitions, or ammunition: Provided further, That*  
9 *such amount is designated by the Congress for Overseas*  
10 *Contingency Operations/Global War on Terrorism pursu-*  
11 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
12 *Emergency Deficit Control Act of 1985.*

13 *RESEARCH, DEVELOPMENT, TEST AND*  
14 *EVALUATION*

15 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

16 *For an additional amount for “Research, Develop-*  
17 *ment, Test and Evaluation, Army”, \$100,522,000, to re-*  
18 *main available until September 30, 2018: Provided, That*  
19 *such amount is designated by the Congress for Overseas*  
20 *Contingency Operations/Global War on Terrorism pursu-*  
21 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
22 *Emergency Deficit Control Act of 1985.*

23 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

24 *For an additional amount for “Research, Develop-*  
25 *ment, Test and Evaluation, Navy”, \$78,323,000, to remain*

1 *available until September 30, 2018: Provided, That such*  
2 *amount is designated by the Congress for Overseas Contingency*  
3 *Operations/Global War on Terrorism pursuant to section*  
4 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
5 *Deficit Control Act of 1985.*

6 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
7 *FORCE*

8 *For an additional amount for “Research, Development,*  
9 *Test and Evaluation, Air Force”, \$67,905,000, to remain*  
10 *available until September 30, 2018: Provided, That*  
11 *such amount is designated by the Congress for Overseas*  
12 *Contingency Operations/Global War on Terrorism pursuant*  
13 *to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
14 *Emergency Deficit Control Act of 1985.*

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

17 *For an additional amount for “Research, Development,*  
18 *Test and Evaluation, Defense-Wide”, \$159,919,000,*  
19 *to remain available until September 30, 2018: Provided,*  
20 *That such amount is designated by the Congress for Overseas*  
21 *Contingency Operations/Global War on Terrorism pursuant*  
22 *to section 251(b)(2)(A)(ii) of the Balanced Budget*  
23 *and Emergency Deficit Control Act of 1985.*

1            *REVOLVING AND MANAGEMENT FUNDS*2                            *DEFENSE WORKING CAPITAL FUNDS*

3            *For an additional amount for “Defense Working Cap-*  
4 *ital Funds”, \$140,633,000: Provided, That such amount is*  
5 *designated by the Congress for Overseas Contingency Oper-*  
6 *ations/Global War on Terrorism pursuant to section*  
7 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
8 *Deficit Control Act of 1985.*

9            *OTHER DEPARTMENT OF DEFENSE PROGRAMS*10                            *DEFENSE HEALTH PROGRAM*

11            *For an additional amount for “Defense Health Pro-*  
12 *gram”, \$331,764,000, which shall be for operation and*  
13 *maintenance: Provided, That such amount is designated by*  
14 *the Congress for Overseas Contingency Operations/Global*  
15 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*  
16 *the Balanced Budget and Emergency Deficit Control Act*  
17 *of 1985.*

18            *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*19                            *DEFENSE*

20            *For an additional amount for “Drug Interdiction and*  
21 *Counter-Drug Activities, Defense”, \$215,333,000: Provided,*  
22 *That such amount is designated by the Congress for Over-*  
23 *seas Contingency Operations/Global War on Terrorism pur-*  
24 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
25 *and Emergency Deficit Control Act of 1985.*



1            *JOINT IMPROVISED-THREAT DEFEAT FUND*  
2                            *(INCLUDING TRANSFER OF FUNDS)*

3            *For the “Joint Improvised-Threat Defeat Fund”,*  
4            *\$339,472,000, to remain available until September 30,*  
5            *2019: Provided, That such funds shall be available to the*  
6            *Secretary of Defense, notwithstanding any other provision*  
7            *of law, for the purpose of allowing the Director of the Joint*  
8            *Improvised-Threat Defeat Organization to investigate, de-*  
9            *velop and provide equipment, supplies, services, training,*  
10           *facilities, personnel and funds to assist United States forces*  
11           *in the defeat of improvised explosive devices: Provided fur-*  
12           *ther, That the Secretary of Defense may transfer funds pro-*  
13           *vided herein to appropriations for military personnel; oper-*  
14           *ation and maintenance; procurement; research, develop-*  
15           *ment, test and evaluation; and defense working capital*  
16           *funds to accomplish the purpose provided herein: Provided*  
17           *further, That this transfer authority is in addition to any*  
18           *other transfer authority available to the Department of De-*  
19           *fense: Provided further, That the Secretary of Defense shall,*  
20           *not fewer than 5 days prior to making transfers from this*  
21           *appropriation, notify the congressional defense committees*  
22           *in writing of the details of any such transfer: Provided fur-*  
23           *ther, That such amount is designated by the Congress for*  
24           *Overseas Contingency Operations/Global War on Terrorism*

1 *pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
2 *and Emergency Deficit Control Act of 1985.*

3 *OFFICE OF THE INSPECTOR GENERAL*

4 *For an additional amount for the “Office of the Inspec-*  
5 *tor General”, \$22,062,000: Provided, That such amount is*  
6 *designated by the Congress for Overseas Contingency Oper-*  
7 *ations/Global War on Terrorism pursuant to section*  
8 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
9 *Deficit Control Act of 1985.*

10 *GENERAL PROVISIONS—THIS TITLE*

11 *SEC. 9001. Notwithstanding any other provision of*  
12 *law, funds made available in this title are in addition to*  
13 *amounts appropriated or otherwise made available for the*  
14 *Department of Defense for fiscal year 2017.*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *SEC. 9002. Upon the determination of the Secretary*  
17 *of Defense that such action is necessary in the national in-*  
18 *terest, the Secretary may, with the approval of the Office*  
19 *of Management and Budget, transfer up to \$2,500,000,000*  
20 *between the appropriations or funds made available to the*  
21 *Department of Defense in this title: Provided, That the Sec-*  
22 *retary shall notify the Congress promptly of each transfer*  
23 *made pursuant to the authority in this section: Provided*  
24 *further, That the authority provided in this section is in*  
25 *addition to any other transfer authority available to the*

1 *Department of Defense and is subject to the same terms and*  
2 *conditions as the authority provided in section 8005 of this*  
3 *Act.*

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

14 *SEC. 9004. From funds made available in this title,*  
15 *the Secretary of Defense may purchase for use by military*  
16 *and civilian employees of the Department of Defense in the*  
17 *United States Central Command area of responsibility: (1)*  
18 *passenger motor vehicles up to a limit of \$75,000 per vehi-*  
19 *cle; and (2) heavy and light armored vehicles for the phys-*  
20 *ical security of personnel or for force protection purposes*  
21 *up to a limit of \$450,000 per vehicle, notwithstanding price*  
22 *or other limitations applicable to the purchase of passenger*  
23 *carrying vehicles.*

24 *SEC. 9005. Not to exceed \$5,000,000 of the amounts*  
25 *appropriated by this title under the heading “Operation*

1 *and Maintenance, Army” may be used, notwithstanding*  
2 *any other provision of law, to fund the Commanders’ Emer-*  
3 *gency Response Program (CERP), for the purpose of ena-*  
4 *bling military commanders in Afghanistan to respond to*  
5 *urgent, small-scale, humanitarian relief and reconstruction*  
6 *requirements within their areas of responsibility: Provided,*  
7 *That each project (including any ancillary or related ele-*  
8 *ments in connection with such project) executed under this*  
9 *authority shall not exceed \$2,000,000: Provided further,*  
10 *That not later than 45 days after the end of each 6 months*  
11 *of the fiscal year, the Secretary of Defense shall submit to*  
12 *the congressional defense committees a report regarding the*  
13 *source of funds and the allocation and use of funds during*  
14 *that 6-month period that were made available pursuant to*  
15 *the authority provided in this section or under any other*  
16 *provision of law for the purposes described herein: Provided*  
17 *further, That, not later than 30 days after the end of each*  
18 *fiscal year quarter, the Army shall submit to the congres-*  
19 *sional defense committees quarterly commitment, obliga-*  
20 *tion, and expenditure data for the CERP in Afghanistan:*  
21 *Provided further, That, not less than 15 days before making*  
22 *funds available pursuant to the authority provided in this*  
23 *section or under any other provision of law for the purposes*  
24 *described herein for a project with a total anticipated cost*  
25 *for completion of \$500,000 or more, the Secretary shall sub-*

1 *mit to the congressional defense committees a written notice*  
2 *containing each of the following:*

3           (1) *The location, nature and purpose of the pro-*  
4 *posed project, including how the project is intended to*  
5 *advance the military campaign plan for the country*  
6 *in which it is to be carried out.*

7           (2) *The budget, implementation timeline with*  
8 *milestones, and completion date for the proposed*  
9 *project, including any other CERP funding that has*  
10 *been or is anticipated to be contributed to the comple-*  
11 *tion of the project.*

12           (3) *A plan for the sustainment of the proposed*  
13 *project, including the agreement with either the host*  
14 *nation, a non-Department of Defense agency of the*  
15 *United States Government or a third-party contrib-*  
16 *utor to finance the sustainment of the activities and*  
17 *maintenance of any equipment or facilities to be pro-*  
18 *vided through the proposed project.*

19       *SEC. 9006. Funds available to the Department of De-*  
20 *fense for operation and maintenance may be used, notwith-*  
21 *standing any other provision of law, to provide supplies,*  
22 *services, transportation, including airlift and sealift, and*  
23 *other logistical support to allied forces participating in a*  
24 *combined operation with the armed forces of the United*  
25 *States and coalition forces supporting military and sta-*

1 *bility operations in Afghanistan and to counter the Islamic*  
2 *State of Iraq and the Levant: Provided, That the Secretary*  
3 *of Defense shall provide quarterly reports to the congres-*  
4 *sional defense committees regarding support provided under*  
5 *this section.*

6 *SEC. 9007. None of the funds appropriated or other-*  
7 *wise made available by this or any other Act shall be obli-*  
8 *gated or expended by the United States Government for a*  
9 *purpose as follows:*

10 *(1) To establish any military installation or base*  
11 *for the purpose of providing for the permanent sta-*  
12 *tioning of United States Armed Forces in Iraq.*

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

15 *(3) To establish any military installation or base*  
16 *for the purpose of providing for the permanent sta-*  
17 *tioning of United States Armed Forces in Afghani-*  
18 *stan.*

19 *SEC. 9008. None of the funds made available in this*  
20 *Act may be used in contravention of the following laws en-*  
21 *acted or regulations promulgated to implement the United*  
22 *Nations Convention Against Torture and Other Cruel, In-*  
23 *human or Degrading Treatment or Punishment (done at*  
24 *New York on December 10, 1984):*

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

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

10           (3) *Sections 1002 and 1003 of the Department of*  
11           *Defense, Emergency Supplemental Appropriations to*  
12           *Address Hurricanes in the Gulf of Mexico, and Pan-*  
13           *demic Influenza Act, 2006 (Public Law 109–148).*

14           *SEC. 9009. None of the funds provided for the “Afghan-*  
15           *istan Security Forces Fund” (ASFF) may be obligated*  
16           *prior to the approval of a financial and activity plan by*  
17           *the Afghanistan Resources Oversight Council (AROC) of the*  
18           *Department of Defense: Provided, That the AROC must ap-*  
19           *prove the requirement and acquisition plan for any service*  
20           *requirements in excess of \$50,000,000 annually and any*  
21           *non-standard equipment requirements in excess of*  
22           *\$100,000,000 using ASFF: Provided further, That the De-*  
23           *partment of Defense must certify to the congressional de-*  
24           *fense committees that the AROC has convened and approved*  
25           *a process for ensuring compliance with the requirements in*

1 *the preceding proviso and accompanying report language*  
2 *for the ASFF.*

3       *SEC. 9010. Funds made available in this title to the*  
4 *Department of Defense for operation and maintenance may*  
5 *be used to purchase items having an investment unit cost*  
6 *of not more than \$250,000: Provided, That, upon deter-*  
7 *mination by the Secretary of Defense that such action is*  
8 *necessary to meet the operational requirements of a Com-*  
9 *mander of a Combatant Command engaged in contingency*  
10 *operations overseas, such funds may be used to purchase*  
11 *items having an investment item unit cost of not more than*  
12 *\$500,000.*

13       *SEC. 9011. From funds made available to the Depart-*  
14 *ment of Defense in this title under the heading “Operation*  
15 *and Maintenance, Air Force”, up to \$60,000,000 may be*  
16 *used by the Secretary of Defense, notwithstanding any other*  
17 *provision of law, to support United States Government*  
18 *transition activities in Iraq by funding the operations and*  
19 *activities of the Office of Security Cooperation in Iraq and*  
20 *security assistance teams, including life support, transpor-*  
21 *tation and personal security, and facilities renovation and*  
22 *construction, and site closeout activities prior to returning*  
23 *sites to the Government of Iraq: Provided, That to the extent*  
24 *authorized under the National Defense Authorization Act*  
25 *for Fiscal Year 2017, the operations and activities that may*



1 *be carried out by the Office of Security Cooperation in Iraq*  
2 *may, with the concurrence of the Secretary of State, include*  
3 *non-operational training activities in support of Iraqi Min-*  
4 *ister of Defense and Counter Terrorism Service personnel*  
5 *in an institutional environment to address capability gaps,*  
6 *integrate processes relating to intelligence, air sovereignty,*  
7 *combined arms, logistics and maintenance, and to manage*  
8 *and integrate defense-related institutions: Provided further,*  
9 *That not later than 30 days following the enactment of this*  
10 *Act, the Secretary of Defense and the Secretary of State*  
11 *shall submit to the congressional defense committees a plan*  
12 *for transitioning any such training activities that they de-*  
13 *termine are needed after the end of fiscal year 2017, to exist-*  
14 *ing or new contracts for the sale of defense articles or de-*  
15 *fense services consistent with the provisions of the Arms Ex-*  
16 *port Control Act (22 U.S.C. 2751 et seq.): Provided further,*  
17 *That, not less than 15 days before making funds available*  
18 *pursuant to the authority provided in this section, the Sec-*  
19 *retary of Defense shall submit to the congressional defense*  
20 *committees a written notice containing a detailed justifica-*  
21 *tion and timeline for the operations and activities of the*  
22 *Office of Security Cooperation in Iraq at each site where*  
23 *such operations and activities will be conducted during fis-*  
24 *cal year 2017: Provided further, That amounts made avail-*  
25 *able by this section are designated by the Congress for Over-*

1 *seas Contingency Operations/Global War on Terrorism pur-*  
2 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
3 *and Emergency Deficit Control Act of 1985.*

4 *SEC. 9012. Up to \$500,000,000 of funds appropriated*  
5 *by this Act for the Defense Security Cooperation Agency*  
6 *in “Operation and Maintenance, Defense-Wide” may be*  
7 *used to provide assistance to the Government of Jordan to*  
8 *support the armed forces of Jordan and to enhance security*  
9 *along its borders.*

10 *SEC. 9013. None of the funds made available by this*  
11 *Act under the heading “Counter-ISIL Train and Equip*  
12 *Fund” may be used to procure or transfer man-portable air*  
13 *defense systems.*

14 *SEC. 9014. For the “Ukraine Security Assistance Ini-*  
15 *tiative”, \$150,000,000 is hereby appropriated, to remain*  
16 *available until September 30, 2017: Provided, That such*  
17 *funds shall be available to the Secretary of Defense, in co-*  
18 *ordination with the Secretary of State, to provide assist-*  
19 *ance, including training; equipment; lethal weapons of a*  
20 *defensive nature; logistics support, supplies and services;*  
21 *sustainment; and intelligence support to the military and*  
22 *national security forces of Ukraine, and for replacement of*  
23 *any weapons or defensive articles provided to the Govern-*  
24 *ment of Ukraine from the inventory of the United States:*  
25 *Provided further, That the Secretary of Defense shall, not*

1 *less than 15 days prior to obligating funds provided under*  
2 *this heading, notify the congressional defense committees in*  
3 *writing of the details of any such obligation: Provided fur-*  
4 *ther, That the United States may accept equipment pro-*  
5 *cured using funds provided under this heading in this or*  
6 *prior Acts that was transferred to the security forces of*  
7 *Ukraine and returned by such forces to the United States:*  
8 *Provided further, That equipment procured using funds*  
9 *provided under this heading in this or prior Acts, and not*  
10 *yet transferred to the military or National Security Forces*  
11 *of Ukraine or returned by such forces to the United States,*  
12 *may be treated as stocks of the Department of Defense upon*  
13 *written notification to the congressional defense committees:*  
14 *Provided further, That amounts made available by this sec-*  
15 *tion are designated by the Congress for Overseas Contin-*  
16 *gency Operations/Global War on Terrorism pursuant to sec-*  
17 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
18 *gency Deficit Control Act of 1985.*

19 *SEC. 9015. Funds appropriated in this title shall be*  
20 *available for replacement of funds for items provided to the*  
21 *Government of Ukraine from the inventory of the United*  
22 *States to the extent specifically provided for in section 9014*  
23 *of this Act.*

24 *SEC. 9016. None of the funds made available by this*  
25 *Act under section 9014 for “Assistance and Sustainment*

1 *to the Military and National Security Forces of Ukraine”*  
2 *may be used to procure or transfer man-portable air defense*  
3 *systems.*

4 *SEC. 9017. (a) None of the funds appropriated or oth-*  
5 *erwise made available by this Act under the heading “Oper-*  
6 *ation and Maintenance, Defense-Wide” for payments under*  
7 *section 1233 of Public Law 110–181 for reimbursement to*  
8 *the Government of Pakistan may be made available unless*  
9 *the Secretary of Defense, in coordination with the Secretary*  
10 *of State, certifies to the congressional defense committees*  
11 *that the Government of Pakistan is—*

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

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

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

4           (4) preventing the proliferation of nuclear-re-  
5           lated material and expertise;

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

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

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

14          (b) The Secretary of Defense, in coordination with the  
15          Secretary of State, may waive the restriction in subsection  
16          (a) on a case-by-case basis by certifying in writing to the  
17          congressional defense committees that it is in the national  
18          security interest to do so: Provided, That if the Secretary  
19          of Defense, in coordination with the Secretary of State, ex-  
20          ercises such waiver authority, the Secretaries shall report  
21          to the congressional defense committees on both the justifica-  
22          tion for the waiver and on the requirements of this section  
23          that the Government of Pakistan was not able to meet: Pro-  
24          vided further, That such report may be submitted in classi-  
25          fied form if necessary.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 9018. In addition to amounts otherwise made  
3 available in this Act, \$500,000,000 is hereby appropriated  
4 to the Department of Defense and made available for trans-  
5 fer only to the operation and maintenance, military per-  
6 sonnel, and procurement accounts, to improve the intel-  
7 ligence, surveillance, and reconnaissance capabilities of the  
8 Department of Defense: Provided, That the transfer author-  
9 ity provided in this section is in addition to any other  
10 transfer authority provided elsewhere in this Act: Provided  
11 further, That not later than 30 days prior to exercising the  
12 transfer authority provided in this section, the Secretary  
13 of Defense shall submit a report to the congressional defense  
14 committees on the proposed uses of these funds: Provided  
15 further, That the funds provided in this section may not  
16 be transferred to any program, project, or activity specifi-  
17 cally limited or denied by this Act: Provided further, That  
18 amounts made available by this section are designated by  
19 the Congress for Overseas Contingency Operations/Global  
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
21 the Balanced Budget and Emergency Deficit Control Act  
22 of 1985: Provided further, That the authority to provide  
23 funding under this section shall terminate on September 30,  
24 2017.









1 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
2 *Deficit Control Act of 1985.*

3 *OPERATION AND MAINTENANCE*

4 *OPERATION AND MAINTENANCE, ARMY*

5 *For an additional amount for “Operation and Mainte-*  
6 *nance, Army”, \$986,754,000: Provided, That such amount*  
7 *is designated by the Congress for Overseas Contingency Op-*  
8 *erations/Global War on Terrorism pursuant to section*  
9 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
10 *Deficit Control Act of 1985.*

11 *OPERATION AND MAINTENANCE, NAVY*

12 *For an additional amount for “Operation and Mainte-*  
13 *nance, Navy”, \$1,772,631,000: Provided, That such amount*  
14 *is designated by the Congress for Overseas Contingency Op-*  
15 *erations/Global War on Terrorism pursuant to section*  
16 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18 *OPERATION AND MAINTENANCE, MARINE CORPS*

19 *For an additional amount for “Operation and Mainte-*  
20 *nance, Marine Corps”, \$255,250,000: Provided, That such*  
21 *amount is designated by the Congress for Overseas Contin-*  
22 *gency Operations/Global War on Terrorism pursuant to sec-*  
23 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
24 *gency Deficit Control Act of 1985.*

1            *OPERATION AND MAINTENANCE, AIR FORCE*

2            *For an additional amount for “Operation and Mainte-*  
3 *nance, Air Force”, \$1,566,272,000: Provided, That such*  
4 *amount is designated by the Congress for Overseas Contin-*  
5 *gency Operations/Global War on Terrorism pursuant to sec-*  
6 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
7 *gency Deficit Control Act of 1985.*

8            *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

9            *For an additional amount for “Operation and Mainte-*  
10 *nance, Defense-Wide”, \$650,951,000: Provided, That such*  
11 *amount is designated by the Congress for Overseas Contin-*  
12 *gency Operations/Global War on Terrorism pursuant to sec-*  
13 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
14 *gency Deficit Control Act of 1985.*

15           *OPERATION AND MAINTENANCE, NAVY RESERVE*

16           *For an additional amount for “Operation and Mainte-*  
17 *nance, Navy Reserve”, \$3,208,000: Provided, That such*  
18 *amount is designated by the Congress for Overseas Contin-*  
19 *gency Operations/Global War on Terrorism pursuant to sec-*  
20 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
21 *gency Deficit Control Act of 1985.*

22           *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

23           *For an additional amount for “Operation and Mainte-*  
24 *nance, Air Force Reserve”, \$115,099,000: Provided, That*  
25 *such amount is designated by the Congress for Overseas*

1 *Contingency Operations/Global War on Terrorism pursu-*  
2 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
3 *Emergency Deficit Control Act of 1985.*

4 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

5 *For an additional amount for “Operation and Mainte-*  
6 *nance, Army National Guard”, \$87,868,000: Provided,*  
7 *That such amount is designated by the Congress for Over-*  
8 *seas Contingency Operations/Global War on Terrorism pur-*  
9 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
10 *and Emergency Deficit Control Act of 1985.*

11 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

12 *For an additional amount for “Operation and Mainte-*  
13 *nance, Air National Guard”, \$23,000,000: Provided, That*  
14 *such amount is designated by the Congress for Overseas*  
15 *Contingency Operations/Global War on Terrorism pursu-*  
16 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
17 *Emergency Deficit Control Act of 1985.*

18 *COUNTER-ISIL TRAIN AND EQUIP FUND*

19 *For an additional amount for the “Counter-Islamic*  
20 *State of Iraq and the Levant Train and Equip Fund”,*  
21 *\$626,400,000, to remain available until September 30,*  
22 *2018: Provided, That such amounts shall not be obligated*  
23 *or expended until 15 days after the President submits a*  
24 *plan in accordance with section 10005 of this Act: Provided*  
25 *further, That such amount is designated by the Congress*

1 *for Overseas Contingency Operations/Global War on Ter-*  
2 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
3 *Budget and Emergency Deficit Control Act of 1985.*

4 *COUNTER-ISIL OVERSEAS CONTINGENCY OPERATIONS*  
5 *TRANSFER FUND*  
6 *(INCLUDING TRANSFER OF FUNDS)*

7 *In addition to amounts provided elsewhere in this Act,*  
8 *there is appropriated \$1,610,000,000, for the “Counter-Is-*  
9 *lamic State of Iraq and the Levant Overseas Contingency*  
10 *Operations Transfer Fund”, for expenses directly relating*  
11 *to overseas contingency operations by United States mili-*  
12 *tary forces, to remain available until expended: Provided,*  
13 *That of the funds made available in this section, the Sec-*  
14 *retary of Defense may transfer these funds only to military*  
15 *personnel accounts, operation and maintenance accounts,*  
16 *procurement accounts, and working capital fund accounts:*  
17 *Provided further, That such amounts shall not be trans-*  
18 *ferred until 15 days after the President submits a plan in*  
19 *accordance with section 10005 of this Act: Provided further,*  
20 *That the funds transferred shall be merged with and shall*  
21 *be available for the same purposes and for the same time*  
22 *period, as the appropriation to which transferred: Provided*  
23 *further, That the Secretary shall notify the congressional*  
24 *defense committees 15 days prior to such transfer or any*  
25 *subsequent transfer: Provided further, That the transfer au-*

1 *thority provided under this heading is in addition to any*  
2 *other transfer authority available to the Department of De-*  
3 *fense: Provided further, That such amount is designated by*  
4 *the Congress for Overseas Contingency Operations/Global*  
5 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*  
6 *the Balanced Budget and Emergency Deficit Control Act*  
7 *of 1985.*

## 8 *PROCUREMENT*

### 9 *AIRCRAFT PROCUREMENT, ARMY*

10 *For an additional amount for “Aircraft Procurement,*  
11 *Army”, \$316,784,000, to remain available until September*  
12 *30, 2019: Provided, That such amount is designated by the*  
13 *Congress for Overseas Contingency Operations/Global War*  
14 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
15 *Balanced Budget and Emergency Deficit Control Act of*  
16 *1985.*

### 17 *MISSILE PROCUREMENT, ARMY*

18 *For an additional amount for “Missile Procurement,*  
19 *Army”, \$579,754,000, to remain available until September*  
20 *30, 2019: Provided, That such amount is designated by the*  
21 *Congress for Overseas Contingency Operations/Global War*  
22 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
23 *Balanced Budget and Emergency Deficit Control Act of*  
24 *1985.*

1      *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*  
2                                 *VEHICLES, ARMY*

3      *For an additional amount for “Procurement of Weap-*  
4 *ons and Tracked Combat Vehicles, Army”, \$61,218,000, to*  
5 *remain available until September 30, 2019: Provided, That*  
6 *such amount is designated by the Congress for Overseas*  
7 *Contingency Operations/Global War on Terrorism pursu-*  
8 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
9 *Emergency Deficit Control Act of 1985.*

10                             *PROCUREMENT OF AMMUNITION, ARMY*

11      *For an additional amount for “Procurement of Am-*  
12 *munition, Army”, \$447,685,000, to remain available until*  
13 *September 30, 2019: Provided, That such amount is des-*  
14 *ignated by the Congress for Overseas Contingency Oper-*  
15 *ations/Global War on Terrorism pursuant to section*  
16 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18                             *OTHER PROCUREMENT, ARMY*

19      *For an additional amount for “Other Procurement,*  
20 *Army”, \$412,109,000, to remain available until September*  
21 *30, 2019: Provided, That such amount is designated by the*  
22 *Congress for Overseas Contingency Operations/Global War*  
23 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
24 *Balanced Budget and Emergency Deficit Control Act of*  
25 *1985.*

1                    *AIRCRAFT PROCUREMENT, NAVY*

2            *For an additional amount for “Aircraft Procurement,*  
3 *Navy”, \$314,257,000, to remain available until September*  
4 *30, 2019: Provided, That such amount is designated by the*  
5 *Congress for Overseas Contingency Operations/Global War*  
6 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
7 *Balanced Budget and Emergency Deficit Control Act of*  
8 *1985.*

9                    *WEAPONS PROCUREMENT, NAVY*

10          *For an additional amount for “Weapons Procurement,*  
11 *Navy”, \$129,000,000, to remain available until September*  
12 *30, 2019: Provided, That such amount is designated by the*  
13 *Congress for Overseas Contingency Operations/Global War*  
14 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
15 *Balanced Budget and Emergency Deficit Control Act of*  
16 *1985.*

17            *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*18                                    *CORPS*

19          *For an additional amount for “Procurement of Am-*  
20 *munition, Navy and Marine Corps”, \$103,100,000, to re-*  
21 *main available until September 30, 2019: Provided, That*  
22 *such amount is designated by the Congress for Overseas*  
23 *Contingency Operations/Global War on Terrorism pursu-*  
24 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
25 *Emergency Deficit Control Act of 1985.*



1                    *OTHER PROCUREMENT, NAVY*

2            *For an additional amount for “Other Procurement,*  
3 *Navy”, \$151,297,000, to remain available until September*  
4 *30, 2019: Provided, That such amount is designated by the*  
5 *Congress for Overseas Contingency Operations/Global War*  
6 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
7 *Balanced Budget and Emergency Deficit Control Act of*  
8 *1985.*

9                    *PROCUREMENT, MARINE CORPS*

10          *For an additional amount for “Procurement, Marine*  
11 *Corps”, \$212,280,000, to remain available until September*  
12 *30, 2019: Provided, That such amount is designated by the*  
13 *Congress for Overseas Contingency Operations/Global War*  
14 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
15 *Balanced Budget and Emergency Deficit Control Act of*  
16 *1985.*

17                    *AIRCRAFT PROCUREMENT, AIR FORCE*

18          *For an additional amount for “Aircraft Procurement,*  
19 *Air Force”, \$856,820,000, to remain available until Sep-*  
20 *tember 30, 2019: Provided, That such amount is designated*  
21 *by the Congress for Overseas Contingency Operations/Glob-*  
22 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
23 *of the Balanced Budget and Emergency Deficit Control Act*  
24 *of 1985.*

1                    *SPACE PROCUREMENT, AIR FORCE*

2            *For an additional amount for “Space Procurement,*  
3 *Air Force”, \$19,900,000, to remain available until Sep-*  
4 *tember 30, 2019: Provided, That such amount is designated*  
5 *by the Congress for Overseas Contingency Operations/Glob-*  
6 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
7 *of the Balanced Budget and Emergency Deficit Control Act*  
8 *of 1985.*

9                    *PROCUREMENT OF AMMUNITION, AIR FORCE*

10          *For an additional amount for “Procurement of Am-*  
11 *munition, Air Force”, \$70,000,000, to remain available*  
12 *until September 30, 2019: Provided, That such amount is*  
13 *designated by the Congress for Overseas Contingency Oper-*  
14 *ations/Global War on Terrorism pursuant to section*  
15 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
16 *Deficit Control Act of 1985.*

17                    *OTHER PROCUREMENT, AIR FORCE*

18          *For an additional amount for “Other Procurement,*  
19 *Air Force”, \$1,335,381,000, to remain available until Sep-*  
20 *tember 30, 2019: Provided, That such amount is designated*  
21 *by the Congress for Overseas Contingency Operations/Glob-*  
22 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
23 *of the Balanced Budget and Emergency Deficit Control Act*  
24 *of 1985.*

1                    *PROCUREMENT, DEFENSE-WIDE*

2            *For an additional amount for “Procurement, Defense-*  
3 *Wide”, \$510,635,000, to remain available until September*  
4 *30, 2019: Provided, That such amount is designated by the*  
5 *Congress for Overseas Contingency Operations/Global War*  
6 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
7 *Balanced Budget and Emergency Deficit Control Act of*  
8 *1985.*

9                    *RESEARCH, DEVELOPMENT, TEST AND*  
10                    *EVALUATION*11 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

12            *For an additional amount for “Research, Develop-*  
13 *ment, Test and Evaluation, Army”, \$163,134,000, to re-*  
14 *main available until September 30, 2018: Provided, That*  
15 *such amount is designated by the Congress for Overseas*  
16 *Contingency Operations/Global War on Terrorism pursu-*  
17 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
18 *Emergency Deficit Control Act of 1985.*

19 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

20            *For an additional amount for “Research, Develop-*  
21 *ment, Test and Evaluation, Navy”, \$248,214,000, to re-*  
22 *main available until September 30, 2018: Provided, That*  
23 *such amount is designated by the Congress for Overseas*  
24 *Contingency Operations/Global War on Terrorism pursu-*

1 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
2 *Emergency Deficit Control Act of 1985.*

3 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
4 *FORCE*

5 *For an additional amount for “Research, Develop-*  
6 *ment, Test and Evaluation, Air Force”, \$297,300,000, to*  
7 *remain available until September 30, 2018: Provided, That*  
8 *such amount is designated by the Congress for Overseas*  
9 *Contingency Operations/Global War on Terrorism pursu-*  
10 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
11 *Emergency Deficit Control Act of 1985.*

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

14 *For an additional amount for “Research, Develop-*  
15 *ment, Test and Evaluation, Defense-Wide”, \$279,185,000,*  
16 *to remain available until September 30, 2018: Provided,*  
17 *That such amount is designated by the Congress for Over-*  
18 *seas Contingency Operations/Global War on Terrorism pur-*  
19 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
20 *and Emergency Deficit Control Act of 1985.*

21 *OPERATIONAL TEST AND EVALUATION, DEFENSE*

22 *For an additional amount for “Operational Test and*  
23 *Evaluation, Defense”, \$2,725,000, to remain available until*  
24 *September 30, 2018: Provided, That such amount is des-*  
25 *ignated by the Congress for Overseas Contingency Oper-*

1 *ations/Global War on Terrorism pursuant to section*  
 2 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
 3 *Deficit Control Act of 1985.*

4 *REVOLVING AND MANAGEMENT FUNDS*

5 *DEFENSE WORKING CAPITAL FUNDS*

6 *For an additional amount for “Defense Working Cap-*  
 7 *ital Funds”, \$285,681,000: Provided, That such amount is*  
 8 *designated by the Congress for Overseas Contingency Oper-*  
 9 *ations/Global War on Terrorism pursuant to section*  
 10 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
 11 *Deficit Control Act of 1985.*

12 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

13 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*

14 *DEFENSE*

15 *For an additional amount for “Chemical Agents and*  
 16 *Munitions Destruction, Defense”, \$127,000,000, to remain*  
 17 *available until September 30, 2018, shall be for research,*  
 18 *development, test and evaluation: Provided, That such*  
 19 *amount is designated by the Congress for Overseas Contin-*  
 20 *gency Operations/Global War on Terrorism pursuant to sec-*  
 21 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
 22 *gency Deficit Control Act of 1985.*

23 *GENERAL PROVISIONS—THIS TITLE*

24 *SEC. 10001. Notwithstanding any other provision of*  
 25 *law, funds made available in this title are in addition to*

1 amounts appropriated or otherwise made available for the  
2 Department of Defense for fiscal year 2017: Provided, That  
3 except as otherwise explicitly provided for in this title, such  
4 amounts shall be subject to the terms and conditions set  
5 forth in titles VIII and IX of this division.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 10002. Upon the determination of the Secretary  
8 of Defense that such action is necessary in the national in-  
9 terest, the Secretary may, with the approval of the Office  
10 of Management and Budget, transfer up to \$250,000,000  
11 between the appropriations or funds made available to the  
12 Department of Defense in this title: Provided, That the Sec-  
13 retary shall notify the Congress promptly of each transfer  
14 made pursuant to the authority in this section: Provided  
15 further, That the authority provided in this section is in  
16 addition to any other transfer authority available to the  
17 Department of Defense and is subject to the same terms and  
18 conditions as the authority provided in section 8005 of the  
19 Department of Defense Appropriations Act, 2017.

20 SEC. 10003. Funds appropriated by this title, or made  
21 available by the transfer of funds in this title, for intel-  
22 ligence or intelligence related activities are deemed to be  
23 specifically authorized by the Congress for purposes of sec-  
24 tion 504 of the National Security Act of 1947 (50 U.S.C.  
25 414).

1        *SEC. 10004. In addition to funds made available in*  
2 *section 8124 of this division, \$7,000,000 of the amounts ap-*  
3 *propriated in this Act for “Operation and Maintenance,*  
4 *Navy”, may be used for any purposes related to the Na-*  
5 *tional Defense Reserve Fleet established under section 11 of*  
6 *the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405): Pro-*  
7 *vided, That such amounts are available for reimbursements*  
8 *to the Ready Reserve Force, Maritime Administration ac-*  
9 *count of the United States Department of Transportation*  
10 *for programs, projects, activities, and expenses related to*  
11 *the National Defense Reserve Fleet.*

12        *SEC. 10005. (a) Of the amounts appropriated in this*  
13 *title, \$2,476,200,000 shall not be obligated or expended until*  
14 *15 days after the President provides the appropriate com-*  
15 *mittees a report on the United States strategy for the defeat*  
16 *of the Islamic State of Iraq and al Sham.*

17        *(b) Such report, which may include a classified annex,*  
18 *shall include, at a minimum, the following—*

19            *(1) a description of the objectives of the United*  
20 *States to defeat the Islamic State of Iraq and al*  
21 *Sham, including the desired end states in Iraq and*  
22 *Syria to achieve such objectives;*

23            *(2) a description of the roles and responsibilities*  
24 *of the Department of Defense in the strategy, the re-*  
25 *gions covered by the strategy, and the specific allies*

1        *and coalition partners required to carry out the strat-*  
2        *egy, including the expected lines of effort of such coa-*  
3        *lition;*

4            *(3) a description of the roles and responsibilities*  
5        *of the Department of State in the strategy, the diplo-*  
6        *matic and regional engagement necessary to achieve*  
7        *the objectives of the strategy, to include plans for sta-*  
8        *bilizing territory formerly held by the Islamic State*  
9        *of Iraq and al Sham;*

10           *(4) an estimate of the resources required to un-*  
11        *dertake the strategy, and a description of the plan for*  
12        *the use of funds provided in this Act to implement the*  
13        *strategy;*

14           *(5) a description of the benchmarks to be used to*  
15        *measure progress in achieving the objectives of the*  
16        *strategy; and*

17           *(6) an assessment of how the actions of the Gov-*  
18        *ernment of Syria and other state and non-state actors*  
19        *in the region impact the ability to achieve the objec-*  
20        *tives of the strategy.*

21        *(c) Not more than 90 days after the initial report, and*  
22        *every 90 days thereafter, the Secretary of Defense and the*  
23        *Secretary of State shall submit to the appropriate congres-*  
24        *sional committees an update on the progress toward the*  
25        *benchmarks established in the initial report, and if applica-*



1 ble, a description of any changes to the objectives of the  
2 strategy.

3 (d) For purposes of this section, the term “appropriate  
4 congressional committees” means—

5 (1) the Committee on Armed Services, the Com-  
6 mittee on Foreign Affairs, the Permanent Select Com-  
7 mittee on Intelligence, and the Committee on Appro-  
8 priations of the House of Representatives; and

9 (2) the Committee on Armed Services, the Com-  
10 mittee on Foreign Affairs, the Select Committee on  
11 Intelligence, and the Committee on Appropriations of  
12 the Senate.

13 SEC. 10006. (a) Not later than 90 days after the date  
14 of enactment of this Act, the President shall transmit a re-  
15 port to the appropriate congressional committees describing  
16 a strategy for Syria.

17 (b) Such report, which may include a classified annex,  
18 shall include, at a minimum, the following—

19 (1) a description of the United States political  
20 and military objectives regarding the Government of  
21 Syria;

22 (2) a description of United States and multilat-  
23 eral efforts to address the needs of civilians affected by  
24 the conflict in Syria, to include efforts to protect the  
25 civilian population from the use of chemical weapons

1       *and the deliberate targeting of civilians by the Gov-*  
2       *ernment of Syria;*

3             *(3) a description of the efforts of the United*  
4       *States to engage regional and international partners*  
5       *in support of such objectives; and*

6             *(4) a description of the efforts undertaken by the*  
7       *relevant agencies to achieve such objectives.*

8       *(c) For purposes of this section, the term “appropriate*  
9       *congressional committees” means—*

10            *(1) the Committee on Armed Services, the Com-*  
11        *mittee on Foreign Affairs, and the Committee on Ap-*  
12        *propriations of the House of Representatives; and*

13            *(2) the Committee on Armed Services, the Com-*  
14        *mittee on Foreign Affairs, and the Committee on Ap-*  
15        *propriations of the Senate.*

16        *This division may be cited as the “Department of De-*  
17        *fense Appropriations Act, 2017”.*

1 ***DIVISION D—ENERGY AND WATER DEVEL-***  
2 ***OPMENT AND RELATED AGENCIES AP-***  
3 ***PROPRIATIONS ACT, 2017***

4 *TITLE I*

5 *CORPS OF ENGINEERS—CIVIL*

6 *DEPARTMENT OF THE ARMY*

7 *CORPS OF ENGINEERS—CIVIL*

8 *The following appropriations shall be expended under*  
9 *the direction of the Secretary of the Army and the super-*  
10 *vision of the Chief of Engineers for authorized civil func-*  
11 *tions of the Department of the Army pertaining to river*  
12 *and harbor, flood and storm damage reduction, shore pro-*  
13 *tection, aquatic ecosystem restoration, and related efforts.*

14 *INVESTIGATIONS*

15 *For expenses necessary where authorized by law for the*  
16 *collection and study of basic information pertaining to*  
17 *river and harbor, flood and storm damage reduction, shore*  
18 *protection, aquatic ecosystem restoration, and related needs;*  
19 *for surveys and detailed studies, and plans and specifica-*  
20 *tions of proposed river and harbor, flood and storm damage*  
21 *reduction, shore protection, and aquatic ecosystem restora-*  
22 *tion projects, and related efforts prior to construction; for*  
23 *restudy of authorized projects; and for miscellaneous inves-*  
24 *tigations, and, when authorized by law, surveys and de-*  
25 *tailed studies, and plans and specifications of projects prior*

1 to construction, \$121,000,000, to remain available until ex-  
2 pended: Provided, That the Secretary may initiate up to,  
3 but not more than, six new study starts during fiscal year  
4 2017: Provided further, That the new study starts will con-  
5 sist of five studies where the majority of the benefits are  
6 derived from navigation transportation savings or from  
7 flood and storm damage reduction and one study where the  
8 majority of benefits are derived from environmental restora-  
9 tion: Provided further, That the Secretary shall not deviate  
10 from the new starts proposed in the work plan, once the  
11 plan has been submitted to the Committees on Appropria-  
12 tions of both Houses of Congress.

13 *CONSTRUCTION*

14 *For expenses necessary for the construction of river*  
15 *and harbor, flood and storm damage reduction, shore pro-*  
16 *tection, aquatic ecosystem restoration, and related projects*  
17 *authorized by law; for conducting detailed studies, and*  
18 *plans and specifications, of such projects (including those*  
19 *involving participation by States, local governments, or*  
20 *private groups) authorized or made eligible for selection by*  
21 *law (but such detailed studies, and plans and specifications,*  
22 *shall not constitute a commitment of the Government to*  
23 *construction); \$1,876,000,000, to remain available until ex-*  
24 *pended; of which such sums as are necessary to cover the*  
25 *Federal share of construction costs for facilities under the*

1 *Dredged Material Disposal Facilities* program shall be de-  
2 rived from the Harbor Maintenance Trust Fund as author-  
3 ized by Public Law 104–303; and of which such sums as  
4 are necessary to cover one-half of the costs of construction,  
5 replacement, rehabilitation, and expansion of inland water-  
6 ways projects shall be derived from the Inland Waterways  
7 Trust Fund, except as otherwise specifically provided for  
8 in law: Provided, That the Secretary may initiate up to,  
9 but not more than, six new construction starts during fiscal  
10 year 2017: Provided further, That the new construction  
11 starts will consist of five projects where the majority of the  
12 benefits are derived from navigation transportation savings  
13 or from flood and storm damage reduction and one project  
14 where the majority of the benefits are derived from environ-  
15 mental restoration: Provided further, That for new con-  
16 struction projects, project cost sharing agreements shall be  
17 executed as soon as practicable but no later than September  
18 30, 2017: Provided further, That no allocation for a new  
19 start shall be considered final and no work allowance shall  
20 be made until the Secretary provides to the Committees on  
21 Appropriations of both Houses of Congress an out-year  
22 funding scenario demonstrating the affordability of the se-  
23 lected new starts and the impacts on other projects: Pro-  
24 vided further, That the Secretary may not deviate from the  
25 new starts proposed in the work plan, once the plan has

1 *been submitted to the Committees on Appropriations of both*  
2 *Houses of Congress.*

3 *MISSISSIPPI RIVER AND TRIBUTARIES*

4 *For expenses necessary for flood damage reduction*  
5 *projects and related efforts in the Mississippi River alluvial*  
6 *valley below Cape Girardeau, Missouri, as authorized by*  
7 *law, \$362,000,000, to remain available until expended, of*  
8 *which such sums as are necessary to cover the Federal share*  
9 *of eligible operation and maintenance costs for inland har-*  
10 *bors shall be derived from the Harbor Maintenance Trust*  
11 *Fund.*

12 *OPERATION AND MAINTENANCE*

13 *For expenses necessary for the operation, maintenance,*  
14 *and care of existing river and harbor, flood and storm dam-*  
15 *age reduction, aquatic ecosystem restoration, and related*  
16 *projects authorized by law; providing security for infra-*  
17 *structure owned or operated by the Corps, including admin-*  
18 *istrative buildings and laboratories; maintaining harbor*  
19 *channels provided by a State, municipality, or other public*  
20 *agency that serve essential navigation needs of general com-*  
21 *merce, where authorized by law; surveying and charting*  
22 *northern and northwestern lakes and connecting waters;*  
23 *clearing and straightening channels; and removing obstruc-*  
24 *tions to navigation, \$3,149,000,000, to remain available*  
25 *until expended, of which such sums as are necessary to cover*

1 *the Federal share of eligible operation and maintenance*  
2 *costs for coastal harbors and channels, and for inland har-*  
3 *bors shall be derived from the Harbor Maintenance Trust*  
4 *Fund; of which such sums as become available from the spe-*  
5 *cial account for the Corps of Engineers established by the*  
6 *Land and Water Conservation Fund Act of 1965 shall be*  
7 *derived from that account for resource protection, research,*  
8 *interpretation, and maintenance activities related to re-*  
9 *source protection in the areas at which outdoor recreation*  
10 *is available; and of which such sums as become available*  
11 *from fees collected under section 217 of Public Law 104-*  
12 *303 shall be used to cover the cost of operation and mainte-*  
13 *nance of the dredged material disposal facilities for which*  
14 *such fees have been collected: Provided, That 1 percent of*  
15 *the total amount of funds provided for each of the programs,*  
16 *projects, or activities funded under this heading shall not*  
17 *be allocated to a field operating activity prior to the begin-*  
18 *ning of the fourth quarter of the fiscal year and shall be*  
19 *available for use by the Chief of Engineers to fund such*  
20 *emergency activities as the Chief of Engineers determines*  
21 *to be necessary and appropriate, and that the Chief of Engi-*  
22 *neers shall allocate during the fourth quarter any remain-*  
23 *ing funds which have not been used for emergency activities*  
24 *proportionally in accordance with the amounts provided for*  
25 *the programs, projects, or activities.*





1 *locable to the civil works program, \$181,000,000, to remain*  
2 *available until September 30, 2018, of which not to exceed*  
3 *\$5,000 may be used for official reception and representation*  
4 *purposes and only during the current fiscal year: Provided,*  
5 *That no part of any other appropriation provided in this*  
6 *title shall be available to fund the civil works activities of*  
7 *the Office of the Chief of Engineers or the civil works execu-*  
8 *tive direction and management activities of the division of-*  
9 *ices: Provided further, That any Flood Control and Coastal*  
10 *Emergencies appropriation may be used to fund the super-*  
11 *vision and general administration of emergency operations,*  
12 *repairs, and other activities in response to any flood, hurri-*  
13 *cane, or other natural disaster.*

14 *OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR*  
15 *CIVIL WORKS*

16 *For the Office of the Assistant Secretary of the Army*  
17 *for Civil Works as authorized by 10 U.S.C. 3016(b)(3),*  
18 *\$4,764,000, to remain available until September 30, 2018:*  
19 *Provided, That not more than 75 percent of such amount*  
20 *may be obligated or expended until the Assistant Secretary*  
21 *submits to the Committees on Appropriations of both*  
22 *Houses of Congress a work plan that allocates at least 95*  
23 *percent of the additional funding provided under each head-*  
24 *ing in this title (as designated under such heading in the*  
25 *explanatory statement described in section 4 (in the matter*

1 preceding division A of this consolidated Act)) to specific  
2 programs, projects, or activities.

3 *GENERAL PROVISIONS—CORPS OF ENGINEERS—*

4 *CIVIL*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *SEC. 101. (a) None of the funds provided in title I*  
7 *of this Act, or provided by previous appropriations Acts*  
8 *to the agencies or entities funded in title I of this Act that*  
9 *remain available for obligation or expenditure in fiscal year*  
10 *2017, shall be available for obligation or expenditure*  
11 *through a reprogramming of funds that:*

12 *(1) creates or initiates a new program, project,*  
13 *or activity;*

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

15 *(3) increases funds or personnel for any pro-*  
16 *gram, project, or activity for which funds have been*  
17 *denied or restricted by this Act, unless prior approval*  
18 *is received from the House and Senate Committees on*  
19 *Appropriations;*

20 *(4) proposes to use funds directed for a specific*  
21 *activity for a different purpose, unless prior approval*  
22 *is received from the House and Senate Committees on*  
23 *Appropriations;*

24 *(5) augments or reduces existing programs,*  
25 *projects, or activities in excess of the amounts con-*

1 *tained in paragraphs (6) through (10), unless prior*  
2 *approval is received from the House and Senate Com-*  
3 *mittees on Appropriations;*

4 (6) *INVESTIGATIONS.—For a base level over*  
5 *\$100,000, reprogramming of 25 percent of the base*  
6 *amount up to a limit of \$150,000 per project, study*  
7 *or activity is allowed: Provided, That for a base level*  
8 *less than \$100,000, the reprogramming limit is*  
9 *\$25,000: Provided further, That up to \$25,000 may be*  
10 *reprogrammed into any continuing study or activity*  
11 *that did not receive an appropriation for existing ob-*  
12 *ligations and concomitant administrative expenses;*

13 (7) *CONSTRUCTION.—For a base level over*  
14 *\$2,000,000, reprogramming of 15 percent of the base*  
15 *amount up to a limit of \$3,000,000 per project, study*  
16 *or activity is allowed: Provided, That for a base level*  
17 *less than \$2,000,000, the reprogramming limit is*  
18 *\$300,000: Provided further, That up to \$3,000,000*  
19 *may be reprogrammed for settled contractor claims,*  
20 *changed conditions, or real estate deficiency judg-*  
21 *ments: Provided further, That up to \$300,000 may be*  
22 *reprogrammed into any continuing study or activity*  
23 *that did not receive an appropriation for existing ob-*  
24 *ligations and concomitant administrative expenses;*

1           (8) *OPERATION AND MAINTENANCE.*—*Unlimited*  
2           *reprogramming authority is granted for the Corps to*  
3           *be able to respond to emergencies: Provided, That the*  
4           *Chief of Engineers shall notify the House and Senate*  
5           *Committees on Appropriations of these emergency ac-*  
6           *tions as soon thereafter as practicable: Provided fur-*  
7           *ther, That for a base level over \$1,000,000, re-*  
8           *programming of 15 percent of the base amount up to*  
9           *a limit of \$5,000,000 per project, study, or activity*  
10           *is allowed: Provided further, That for a base level less*  
11           *than \$1,000,000, the reprogramming limit is*  
12           *\$150,000: Provided further, That \$150,000 may be re-*  
13           *programmed into any continuing study or activity*  
14           *that did not receive an appropriation;*

15           (9) *MISSISSIPPI RIVER AND TRIBUTARIES.*—*The*  
16           *reprogramming guidelines in paragraphs (6), (7),*  
17           *and (8) shall apply to the Investigations, Construc-*  
18           *tion, and Operation and Maintenance portions of the*  
19           *Mississippi River and Tributaries Account, respec-*  
20           *tively; and*

21           (10) *FORMERLY UTILIZED SITES REMEDIAL AC-*  
22           *TION PROGRAM.*—*Reprogramming of up to 15 percent*  
23           *of the base of the receiving project is permitted.*

1       (b) *DE MINIMUS REPROGRAMMINGS.*—*In no case*  
2 *should a reprogramming for less than \$50,000 be submitted*  
3 *to the House and Senate Committees on Appropriations.*

4       (c) *CONTINUING AUTHORITIES PROGRAM.*—*Subsection*  
5 *(a)(1) shall not apply to any project or activity funded*  
6 *under the continuing authorities program.*

7       (d) *Not later than 60 days after the date of enactment*  
8 *of this Act, the Secretary shall submit a report to the House*  
9 *and Senate Committees on Appropriations to establish the*  
10 *baseline for application of reprogramming and transfer au-*  
11 *thorities for the current fiscal year which shall include:*

12           (1) *A table for each appropriation with a sepa-*  
13 *rate column to display the President's budget request,*  
14 *adjustments made by Congress, adjustments due to*  
15 *enacted rescissions, if applicable, and the fiscal year*  
16 *enacted level; and*

17           (2) *A delineation in the table for each appro-*  
18 *priation both by object class and program, project*  
19 *and activity as detailed in the budget appendix for*  
20 *the respective appropriations; and*

21           (3) *An identification of items of special congres-*  
22 *sional interest.*

23       *SEC. 102. The Secretary shall allocate funds made*  
24 *available in this Act solely in accordance with the provi-*  
25 *sions of this Act and the explanatory statement described*

1 *in section 4 (in the matter preceding division A of this con-*  
2 *solidated Act), including the determination and designation*  
3 *of new starts.*

4       *SEC. 103. None of the funds made available in this*  
5 *title may be used to award or modify any contract that*  
6 *commits funds beyond the amounts appropriated for that*  
7 *program, project, or activity that remain unobligated, ex-*  
8 *cept that such amounts may include any funds that have*  
9 *been made available through reprogramming pursuant to*  
10 *section 101.*

11       *SEC. 104. The Secretary of the Army may transfer to*  
12 *the Fish and Wildlife Service, and the Fish and Wildlife*  
13 *Service may accept and expend, up to \$5,400,000 of funds*  
14 *provided in this title under the heading “Operation and*  
15 *Maintenance” to mitigate for fisheries lost due to Corps of*  
16 *Engineers projects.*

17       *SEC. 105. None of the funds in this Act shall be used*  
18 *for an open lake placement alternative for dredged material,*  
19 *after evaluating the least costly, environmentally acceptable*  
20 *manner for the disposal or management of dredged material*  
21 *originating from Lake Erie or tributaries thereto, unless it*  
22 *is approved under a State water quality certification pur-*  
23 *suant to section 401 of the Federal Water Pollution Control*  
24 *Act (33 U.S.C. 1341); Provided further, That until an open*  
25 *lake placement alternative for dredged material is approved*

1 *under a State water quality certification, the Corps of En-*  
2 *gineers shall continue upland placement of such dredged*  
3 *material consistent with the requirements of section 101 of*  
4 *the Water Resources Development Act of 1986 (33 U.S.C.*  
5 *2211).*

6 *SEC. 106. None of the funds made available in this*  
7 *title may be used for any acquisition that is not consistent*  
8 *with 48 CFR 225.7007.*

9 *SEC. 107. None of the funds made available by this*  
10 *Act may be used to carry out any water supply reallocation*  
11 *study under the Wolf Creek Dam, Lake Cumberland, Ken-*  
12 *tucky, project authorized under the Act of July 24, 1946*  
13 *(60 Stat. 636, ch. 595).*

14 *SEC. 108. None of the funds made available in this*  
15 *or any other Act making appropriations for Energy and*  
16 *Water Development for any fiscal year may be used by the*  
17 *Corps of Engineers during the fiscal year ending September*  
18 *30, 2017, to develop, adopt, implement, administer, or en-*  
19 *force any change to the regulations in effect on October 1,*  
20 *2012, pertaining to the definitions of the terms “fill mate-*  
21 *rial” or “discharge of fill material” for the purposes of the*  
22 *Federal Water Pollution Control Act (33 U.S.C. 1251 et*  
23 *seq.).*

24 *SEC. 109. None of the funds made available by this*  
25 *Act may be used to require a permit for the discharge of*

1 *dredged or fill material under the Federal Water Pollution*  
2 *Control Act (33 U.S.C. 1251 et seq.) for the activities identi-*  
3 *fied in subparagraphs (A) and (C) of section 404(f)(1) of*  
4 *the Act (33 U.S.C. 1344(f)(1)(A), (C)).*

5

*TITLE II*

6

*DEPARTMENT OF THE INTERIOR*

7

*CENTRAL UTAH PROJECT*

8

*CENTRAL UTAH PROJECT COMPLETION ACCOUNT*

9

*For carrying out activities authorized by the Central*  
10 *Utah Project Completion Act, \$10,500,000, to remain avail-*  
11 *able until expended, of which \$1,300,000 shall be deposited*  
12 *into the Utah Reclamation Mitigation and Conservation*  
13 *Account for use by the Utah Reclamation Mitigation and*  
14 *Conservation Commission: Provided, That of the amount*  
15 *provided under this heading, \$1,350,000 shall be available*  
16 *until September 30, 2018, for expenses necessary in car-*  
17 *rying out related responsibilities of the Secretary of the In-*  
18 *terior: Provided further, That for fiscal year 2017, of the*  
19 *amount made available to the Commission under this Act*  
20 *or any other Act, the Commission may use an amount not*  
21 *to exceed \$1,500,000 for administrative expenses.*

22

*BUREAU OF RECLAMATION*

23

*The following appropriations shall be expended to exe-*  
24 *cute authorized functions of the Bureau of Reclamation:*



1                    *WATER AND RELATED RESOURCES*2                    *(INCLUDING TRANSFERS OF FUNDS)*

3            *For management, development, and restoration of*  
4 *water and related natural resources and for related activi-*  
5 *ties, including the operation, maintenance, and rehabilita-*  
6 *tion of reclamation and other facilities, participation in*  
7 *fulfilling related Federal responsibilities to Native Ameri-*  
8 *cans, and related grants to, and cooperative and other*  
9 *agreements with, State and local governments, federally rec-*  
10 *ognized Indian tribes, and others, \$1,155,894,000, to re-*  
11 *main available until expended, of which \$22,000 shall be*  
12 *available for transfer to the Upper Colorado River Basin*  
13 *Fund and \$5,551,000 shall be available for transfer to the*  
14 *Lower Colorado River Basin Development Fund; of which*  
15 *such amounts as may be necessary may be advanced to the*  
16 *Colorado River Dam Fund: Provided, That such transfers*  
17 *may be increased or decreased within the overall appropria-*  
18 *tion under this heading: Provided further, That of the total*  
19 *appropriated, the amount for program activities that can*  
20 *be financed by the Reclamation Fund or the Bureau of Rec-*  
21 *lamation special fee account established by 16 U.S.C. 6806*  
22 *shall be derived from that Fund or account: Provided fur-*  
23 *ther, That funds contributed under 43 U.S.C. 395 are avail-*  
24 *able until expended for the purposes for which the funds*  
25 *were contributed: Provided further, That funds advanced*

1 *under 43 U.S.C. 397a shall be credited to this account and*  
2 *are available until expended for the same purposes as the*  
3 *sums appropriated under this heading: Provided further,*  
4 *That of the amounts provided herein, funds may be used*  
5 *for high-priority projects which shall be carried out by the*  
6 *Youth Conservation Corps, as authorized by 16 U.S.C.*  
7 *1706.*

8 *CENTRAL VALLEY PROJECT RESTORATION FUND*

9 *For carrying out the programs, projects, plans, habitat*  
10 *restoration, improvement, and acquisition provisions of the*  
11 *Central Valley Project Improvement Act, \$55,606,000, to be*  
12 *derived from such sums as may be collected in the Central*  
13 *Valley Project Restoration Fund pursuant to sections*  
14 *3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575,*  
15 *to remain available until expended: Provided, That the Bu-*  
16 *reau of Reclamation is directed to assess and collect the full*  
17 *amount of the additional mitigation and restoration pay-*  
18 *ments authorized by section 3407(d) of Public Law 102-*  
19 *575: Provided further, That none of the funds made avail-*  
20 *able under this heading may be used for the acquisition or*  
21 *leasing of water for in-stream purposes if the water is al-*  
22 *ready committed to in-stream purposes by a court adopted*  
23 *decree or order.*

## 1 CALIFORNIA BAY-DELTA RESTORATION

2 (INCLUDING TRANSFERS OF FUNDS)

3 *For carrying out activities authorized by the Water*  
4 *Supply, Reliability, and Environmental Improvement Act,*  
5 *consistent with plans to be approved by the Secretary of*  
6 *the Interior, \$36,000,000, to remain available until ex-*  
7 *pendent, of which such amounts as may be necessary to*  
8 *carry out such activities may be transferred to appropriate*  
9 *accounts of other participating Federal agencies to carry*  
10 *out authorized purposes: Provided, That funds appro-*  
11 *riated herein may be used for the Federal share of the costs*  
12 *of CALFED Program management: Provided further, That*  
13 *CALFED implementation shall be carried out in a bal-*  
14 *anced manner with clear performance measures dem-*  
15 *onstrating concurrent progress in achieving the goals and*  
16 *objectives of the Program.*

## 17 POLICY AND ADMINISTRATION

18 *For expenses necessary for policy, administration, and*  
19 *related functions in the Office of the Commissioner, the*  
20 *Denver office, and offices in the five regions of the Bureau*  
21 *of Reclamation, to remain available until September 30,*  
22 *2018, \$59,000,000, to be derived from the Reclamation*  
23 *Fund and be nonreimbursable as provided in 43 U.S.C.*  
24 *377: Provided, That no part of any other appropriation in*

1 *this Act shall be available for activities or functions budg-*  
2 *eted as policy and administration expenses.*

3 *ADMINISTRATIVE PROVISION*

4 *Appropriations for the Bureau of Reclamation shall*  
5 *be available for purchase of not to exceed five passenger*  
6 *motor vehicles, which are for replacement only.*

7 *GENERAL PROVISIONS—DEPARTMENT OF THE*  
8 *INTERIOR*

9 *SEC. 201. (a) None of the funds provided in title II*  
10 *of this Act for Water and Related Resources, or provided*  
11 *by previous or subsequent appropriations Acts to the agen-*  
12 *cies or entities funded in title II of this Act for Water and*  
13 *Related Resources that remain available for obligation or*  
14 *expenditure in fiscal year 2017, shall be available for obli-*  
15 *gation or expenditure through a reprogramming of funds*  
16 *that—*

17 *(1) initiates or creates a new program, project,*  
18 *or activity;*

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

20 *(3) increases funds for any program, project, or*  
21 *activity for which funds have been denied or restricted*  
22 *by this Act, unless prior approval is received from the*  
23 *Committees on Appropriations of the House of Rep-*  
24 *resentatives and the Senate;*

1           (4) restarts or resumes any program, project or  
2 activity for which funds are not provided in this Act,  
3 unless prior approval is received from the Committees  
4 on Appropriations of the House of Representatives  
5 and the Senate;

6           (5) transfers funds in excess of the following lim-  
7 its, unless prior approval is received from the Com-  
8 mittees on Appropriations of the House of Represent-  
9 atives and the Senate:

10           (A) 15 percent for any program, project or  
11 activity for which \$2,000,000 or more is avail-  
12 able at the beginning of the fiscal year; or

13           (B) \$400,000 for any program, project or  
14 activity for which less than \$2,000,000 is avail-  
15 able at the beginning of the fiscal year;

16           (6) transfers more than \$500,000 from either the  
17 Facilities Operation, Maintenance, and Rehabilita-  
18 tion category or the Resources Management and De-  
19 velopment category to any program, project, or activ-  
20 ity in the other category, unless prior approval is re-  
21 ceived from the Committees on Appropriations of the  
22 House of Representatives and the Senate; or

23           (7) transfers, where necessary to discharge legal  
24 obligations of the Bureau of Reclamation, more than  
25 \$5,000,000 to provide adequate funds for settled con-

1        *tractor claims, increased contractor earnings due to*  
2        *accelerated rates of operations, and real estate defi-*  
3        *ciency judgments, unless prior approval is received*  
4        *from the Committees on Appropriations of the House*  
5        *of Representatives and the Senate.*

6        *(b) Subsection (a)(5) shall not apply to any transfer*  
7        *of funds within the Facilities Operation, Maintenance, and*  
8        *Rehabilitation category.*

9        *(c) For purposes of this section, the term transfer*  
10       *means any movement of funds into or out of a program,*  
11       *project, or activity.*

12       *(d) The Bureau of Reclamation shall submit reports*  
13       *on a quarterly basis to the Committees on Appropriations*  
14       *of the House of Representatives and the Senate detailing*  
15       *all the funds reprogrammed between programs, projects, ac-*  
16       *tivities, or categories of funding. The first quarterly report*  
17       *shall be submitted not later than 60 days after the date of*  
18       *enactment of this Act.*

19       *SEC. 202. (a) None of the funds appropriated or other-*  
20       *wise made available by this Act may be used to determine*  
21       *the final point of discharge for the interceptor drain for*  
22       *the San Luis Unit until development by the Secretary of*  
23       *the Interior and the State of California of a plan, which*  
24       *shall conform to the water quality standards of the State*  
25       *of California as approved by the Administrator of the Envi-*

1 *ronmental Protection Agency, to minimize any detrimental*  
2 *effect of the San Luis drainage waters.*

3       *(b) The costs of the Kesterson Reservoir Cleanup Pro-*  
4 *gram and the costs of the San Joaquin Valley Drainage*  
5 *Program shall be classified by the Secretary of the Interior*  
6 *as reimbursable or nonreimbursable and collected until fully*  
7 *repaid pursuant to the “Cleanup Program—Alternative*  
8 *Repayment Plan” and the “SJVDP—Alternative Repay-*  
9 *ment Plan” described in the report entitled “Repayment*  
10 *Report, Kesterson Reservoir Cleanup Program and San*  
11 *Joaquin Valley Drainage Program, February 1995”, pre-*  
12 *pared by the Department of the Interior, Bureau of Rec-*  
13 *lamation. Any future obligations of funds by the United*  
14 *States relating to, or providing for, drainage service or*  
15 *drainage studies for the San Luis Unit shall be fully reim-*  
16 *bursable by San Luis Unit beneficiaries of such service or*  
17 *studies pursuant to Federal reclamation law.*

18       *SEC. 203. Section 205(2) of division D of Public Law*  
19 *114–113 is amended by striking “2016” and inserting*  
20 *“2017”.*

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*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: Pro-*



1 *vided, That of such amount, \$28,500,000 shall be available*  
2 *until September 30, 2018, for program direction.*

3 *NUCLEAR ENERGY*

4 *For Department of Energy expenses including the pur-*  
5 *chase, construction, and acquisition of plant and capital*  
6 *equipment, and other expenses necessary for nuclear energy*  
7 *activities in carrying out the purposes of the Department*  
8 *of Energy Organization Act (42 U.S.C. 7101 et seq.), in-*  
9 *cluding the acquisition or condemnation of any real prop-*  
10 *erty or any facility or for plant or facility acquisition, con-*  
11 *struction, or expansion and the purchase of no more than*  
12 *three emergency service vehicles for replacement only,*  
13 *\$1,016,616,000, to remain available until expended: Pro-*  
14 *vided, That of such amount, \$80,000,000 shall be available*  
15 *until September 30, 2018, for program direction.*

16 *FOSSIL ENERGY RESEARCH AND DEVELOPMENT*

17 *For Department of Energy expenses necessary in car-*  
18 *rying out fossil energy research and development activities,*  
19 *under the authority of the Department of Energy Organiza-*  
20 *tion Act (42 U.S.C. 7101 et seq.), including the acquisition*  
21 *of interest, including defeasible and equitable interests in*  
22 *any real property or any facility or for plant or facility*  
23 *acquisition or expansion, and for conducting inquiries,*  
24 *technological investigations and research concerning the ex-*  
25 *traction, processing, use, and disposal of mineral substances*

1 *without objectionable social and environmental costs (30*  
2 *U.S.C. 3, 1602, and 1603), \$618,000,000, to remain avail-*  
3 *able until expended: Provided, That of such amount*  
4 *\$60,000,000 shall be available until September 30, 2018,*  
5 *for program direction: Provided further, That in addition,*  
6 *\$50,000,000, to remain available until expended, shall be*  
7 *for the transformational coal technologies pilot program de-*  
8 *scribed in the explanatory statement described in section*  
9 *4 (in the matter preceding division A of this consolidated*  
10 *Act).*

11 *NAVAL PETROLEUM AND OIL SHALE RESERVES*

12 *For Department of Energy expenses necessary to carry*  
13 *out naval petroleum and oil shale reserve activities,*  
14 *\$14,950,000, to remain available until expended: Provided,*  
15 *That notwithstanding any other provision of law, unobli-*  
16 *gated funds remaining from prior years shall be available*  
17 *for all naval petroleum and oil shale reserve activities.*

18 *STRATEGIC PETROLEUM RESERVE*

19 *For Department of Energy expenses necessary for*  
20 *Strategic Petroleum Reserve facility development and oper-*  
21 *ations and program management activities pursuant to the*  
22 *Energy Policy and Conservation Act (42 U.S.C. 6201 et*  
23 *seq.), \$223,000,000, to remain available until expended:*  
24 *Provided, That the proceeds from the drawdown and sale*  
25 *under section 159 of the Continuing Appropriations Act,*

1 2017 (division C of Public Law 114–223), as amended by  
2 the Further Continuing and Security Assistance Appro-  
3 priations Act, 2017 (Public Law 114–254), which have been  
4 or will be deposited into the “Energy Security and Infra-  
5 structure Modernization Fund” during fiscal year 2017  
6 shall be made available and shall remain available until  
7 expended for necessary expenses in carrying out the Life  
8 Extension II project for the Strategic Petroleum Reserve.

9 *NORTHEAST HOME HEATING OIL RESERVE*

10 *For Department of Energy expenses necessary for*  
11 *Northeast Home Heating Oil Reserve storage, operation,*  
12 *and management activities pursuant to the Energy Policy*  
13 *and Conservation Act (42 U.S.C. 6201 et seq.), \$6,500,000,*  
14 *to remain available until expended.*

15 *ENERGY INFORMATION ADMINISTRATION*

16 *For Department of Energy expenses necessary in car-*  
17 *rying out the activities of the Energy Information Adminis-*  
18 *tration, \$122,000,000, to remain available until expended.*

19 *NON-DEFENSE ENVIRONMENTAL CLEANUP*

20 *For Department of Energy expenses, including the*  
21 *purchase, construction, and acquisition of plant and cap-*  
22 *ital equipment and other expenses necessary for non-defense*  
23 *environmental cleanup activities in carrying out the pur-*  
24 *poses of the Department of Energy Organization Act (42*  
25 *U.S.C. 7101 et seq.), including the acquisition or con-*

1 *demnation of any real property or any facility or for plant*  
2 *or facility acquisition, construction, or expansion,*  
3 *\$247,000,000, to remain available until expended.*

4 *URANIUM ENRICHMENT DECONTAMINATION AND*  
5 *DECOMMISSIONING FUND*

6 *For Department of Energy expenses necessary in car-*  
7 *rying out uranium enrichment facility decontamination*  
8 *and decommissioning, remedial actions, and other activities*  
9 *of title II of the Atomic Energy Act of 1954, and title X,*  
10 *subtitle A, of the Energy Policy Act of 1992, \$768,000,000,*  
11 *to be derived from the Uranium Enrichment Decontamina-*  
12 *tion and Decommissioning Fund, to remain available until*  
13 *expended, of which \$30,000,000 shall be available in accord-*  
14 *ance with title X, subtitle A, of the Energy Policy Act of*  
15 *1992.*

16 *SCIENCE*

17 *For Department of Energy expenses including the pur-*  
18 *chase, construction, and acquisition of plant and capital*  
19 *equipment, and other expenses necessary for science activi-*  
20 *ties in carrying out the purposes of the Department of En-*  
21 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*  
22 *the acquisition or condemnation of any real property or*  
23 *facility or for plant or facility acquisition, construction, or*  
24 *expansion, and purchase of not more than 17 passenger*  
25 *motor vehicles for replacement only, including one ambu-*

1 lance and one bus, \$5,392,000,000, to remain available  
2 until expended: Provided, That of such amount,  
3 \$182,000,000 shall be available until September 30, 2018,  
4 for program direction: Provided further, That of such  
5 amount, \$50,000,000 shall be available for the ongoing in-  
6 kind contributions provided by facilities located in the  
7 United States to the ITER project and related support ac-  
8 tivities carried out by such facilities for the ITER project  
9 and, subject to the notification requirement in section  
10 301(e) of this Act, up to an additional \$50,000,000 of such  
11 amount may be made available for in-kind contributions  
12 and related support activities of ITER.

13 *ADVANCED RESEARCH PROJECTS AGENCY—ENERGY*

14 *For Department of Energy expenses necessary in car-*  
15 *rying out the activities authorized by section 5012 of the*  
16 *America COMPETES Act (Public Law 110–69),*  
17 *\$306,000,000, to remain available until expended: Pro-*  
18 *vided, That of such amount, \$29,250,000 shall be available*  
19 *until September 30, 2018, for program direction.*

20 *TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE*

21 *PROGRAM*

22 *Such sums as are derived from amounts received from*  
23 *borrowers pursuant to section 1702(b) of the Energy Policy*  
24 *Act of 2005 under this heading in prior Acts, shall be col-*  
25 *lected in accordance with section 502(7) of the Congres-*

1 *sional Budget Act of 1974: Provided, That for necessary ad-*  
2 *ministrative expenses to carry out this Loan Guarantee*  
3 *program, \$37,000,000 is appropriated from fees collected in*  
4 *prior years pursuant to section 1702(h) of the Energy Pol-*  
5 *icy Act of 2005 which are not otherwise appropriated, to*  
6 *remain available until September 30, 2018: Provided fur-*  
7 *ther, That if the amount in the previous proviso is not*  
8 *available from such fees, an amount for such purposes is*  
9 *also appropriated from the general fund so as to result in*  
10 *a total amount appropriated for such purpose of no more*  
11 *than \$37,000,000: Provided further, That fees collected pur-*  
12 *suant to such section 1702(h) for fiscal year 2017 shall be*  
13 *credited as offsetting collections under this heading and*  
14 *shall not be available until appropriated: Provided further,*  
15 *That the Department of Energy shall not subordinate any*  
16 *loan obligation to other financing in violation of section*  
17 *1702 of the Energy Policy Act of 2005 or subordinate any*  
18 *Guaranteed Obligation to any loan or other debt obligations*  
19 *in violation of section 609.10 of title 10, Code of Federal*  
20 *Regulations.*

21 *ADVANCED TECHNOLOGY VEHICLES MANUFACTURING*

22 *LOAN PROGRAM*

23 *For Department of Energy administrative expenses*  
24 *necessary in carrying out the Advanced Technology Vehicles*

1 *Manufacturing Loan Program, \$5,000,000, to remain*  
2 *available until September 30, 2018.*

3 *TRIBAL ENERGY LOAN GUARANTEE PROGRAM*

4 *(INCLUDING RESCISSION OF FUNDS)*

5 *For the cost of loan guarantees provided under section*  
6 *2602(c) of the Energy Policy Act of 1992 (25 U.S.C.*  
7 *3502(c)), \$8,500,000, to remain available until expended:*  
8 *Provided, That the cost of those loan guarantees (including*  
9 *the costs of modifying loans, as applicable) shall be deter-*  
10 *mined in accordance with section 502 of the Congressional*  
11 *Budget Act of 1974 (2 U.S.C. 661a): Provided further, That,*  
12 *for necessary administrative expenses to carry out that pro-*  
13 *gram, \$500,000 is appropriated, to remain available until*  
14 *expended: Provided further, That, of the subsidy amounts*  
15 *provided by section 1425 of the Department of Defense and*  
16 *Full-Year Continuing Appropriations Act, 2011 (Public*  
17 *Law 112–10; 125 Stat. 126), for the cost of loan guarantees*  
18 *for renewable energy or efficient end-use energy technologies*  
19 *under section 1703 of the Energy Policy Act of 2005 (42*  
20 *U.S.C. 16513), \$9,000,000 is hereby rescinded.*

21 *DEPARTMENTAL ADMINISTRATION*

22 *For salaries and expenses of the Department of Energy*  
23 *necessary for departmental administration in carrying out*  
24 *the purposes of the Department of Energy Organization Act*  
25 *(42 U.S.C. 7101 et seq.), \$246,000,000, to remain available*

1 *until September 30, 2018, including the hire of passenger*  
2 *motor vehicles and official reception and representation ex-*  
3 *penses not to exceed \$30,000, plus such additional amounts*  
4 *as necessary to cover increases in the estimated amount of*  
5 *cost of work for others notwithstanding the provisions of*  
6 *the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided,*  
7 *That such increases in cost of work are offset by revenue*  
8 *increases of the same or greater amount: Provided further,*  
9 *That moneys received by the Department for miscellaneous*  
10 *revenues estimated to total \$103,000,000 in fiscal year 2017*  
11 *may be retained and used for operating expenses within this*  
12 *account, as authorized by section 201 of Public Law 95-*  
13 *238, notwithstanding the provisions of 31 U.S.C. 3302: Pro-*  
14 *vided further, That the sum herein appropriated shall be*  
15 *reduced as collections are received during the fiscal year*  
16 *so as to result in a final fiscal year 2017 appropriation*  
17 *from the general fund estimated at not more than*  
18 *\$143,000,000: Provided further, That the amount made*  
19 *available in the explanatory statement described in section*  
20 *4 (in the matter preceding division A of this consolidated*  
21 *Act) for the Office of Indian Energy Policy and Program*  
22 *shall remain available until September 30, 2022.*

23 *OFFICE OF THE INSPECTOR GENERAL*

24 *For expenses necessary for the Office of the Inspector*  
25 *General in carrying out the provisions of the Inspector Gen-*



1 *eral Act of 1978, \$44,424,000, to remain available until*  
2 *September 30, 2018.*

3 *ATOMIC ENERGY DEFENSE ACTIVITIES*  
4 *NATIONAL NUCLEAR SECURITY ADMINISTRATION*  
5 *WEAPONS ACTIVITIES*  
6 *(INCLUDING RESCISSIONS OF FUNDS)*

7 *For Department of Energy expenses, including the*  
8 *purchase, construction, and acquisition of plant and cap-*  
9 *ital equipment and other incidental expenses necessary for*  
10 *atomic energy defense weapons activities in carrying out*  
11 *the purposes of the Department of Energy Organization Act*  
12 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*  
13 *demnation of any real property or any facility or for plant*  
14 *or facility acquisition, construction, or expansion,*  
15 *\$9,318,093,000, to remain available until expended: Pro-*  
16 *vided, That of such amount, \$97,118,000 shall be available*  
17 *until September 30, 2018, for program direction: Provided*  
18 *further, That of the unobligated balances from prior year*  
19 *appropriations available under this heading, \$8,400,000 is*  
20 *hereby rescinded: Provided further, That of the unobligated*  
21 *balances from prior year appropriations available under*  
22 *this heading that were apportioned in Category C (defined*  
23 *in section 120 of Office of Management and Budget Cir-*  
24 *cular No. A-11), \$64,126,000 is hereby rescinded: Provided*  
25 *further, That no amounts may be rescinded from amounts*

1 *that were designated by the Congress as an emergency re-*  
2 *quirement pursuant to a concurrent resolution on the budg-*  
3 *et or the Balanced Budget and Emergency Deficit Control*  
4 *Act of 1985.*

5 *DEFENSE NUCLEAR NONPROLIFERATION*

6 *(INCLUDING RESCISSION OF FUNDS)*

7 *For Department of Energy expenses, including the*  
8 *purchase, construction, and acquisition of plant and cap-*  
9 *ital equipment and other incidental expenses necessary for*  
10 *defense nuclear nonproliferation activities, in carrying out*  
11 *the purposes of the Department of Energy Organization Act*  
12 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*  
13 *demnation of any real property or any facility or for plant*  
14 *or facility acquisition, construction, or expansion,*  
15 *\$1,902,000,000, to remain available until expended: Pro-*  
16 *vided, That of the unobligated balances from prior year ap-*  
17 *propriations available under this heading that were appor-*  
18 *tioned in Category C (defined in section 120 of Office of*  
19 *Management and Budget Circular No. A-11), \$19,128,000*  
20 *is hereby rescinded: Provided further, That no amounts*  
21 *may be rescinded from amounts that were designated by*  
22 *the Congress as an emergency requirement pursuant to a*  
23 *concurrent resolution on the budget or the Balanced Budget*  
24 *and Emergency Deficit Control Act of 1985.*



1                    *FEDERAL SALARIES AND EXPENSES*

2            *For expenses necessary for Federal Salaries and Ex-*  
3 *penses in the National Nuclear Security Administration,*  
4 *\$390,000,000, to remain available until September 30,*  
5 *2018, including official reception and representation ex-*  
6 *penses not to exceed \$12,000.*

7                    *ENVIRONMENTAL AND OTHER DEFENSE*8                                    *ACTIVITIES*9                                    *DEFENSE ENVIRONMENTAL CLEANUP*

10           *For Department of Energy expenses, including the*  
11 *purchase, construction, and acquisition of plant and cap-*  
12 *ital equipment and other expenses necessary for atomic en-*  
13 *ergy defense environmental cleanup activities in carrying*  
14 *out the purposes of the Department of Energy Organization*  
15 *Act (42 U.S.C. 7101 et seq.), including the acquisition or*  
16 *condemnation of any real property or any facility or for*  
17 *plant or facility acquisition, construction, or expansion,*  
18 *and the purchase of not to exceed one fire apparatus pump-*  
19 *er truck, one aerial lift truck, one refuse truck, and one*  
20 *semi-truck for replacement only, \$5,405,000,000, to remain*  
21 *available until expended: Provided, That of such amount,*  
22 *\$290,050,000 shall be available until September 30, 2018,*  
23 *for program direction: Provided further, That of the amount*  
24 *provided under this heading, \$26,800,000 shall be available*  
25 *for the purpose of a payment by the Secretary of Energy*

1 *to the State of New Mexico for road improvements in ac-*  
2 *cordance with section 15(b) of the Waste Isolation Pilot*  
3 *Plant Land Withdrawal Act (Public Law 102–579): Pro-*  
4 *vided further, That the amount made available by the pre-*  
5 *vious proviso shall be separate from any appropriations of*  
6 *funds for the Waste Isolation Pilot Plant.*

7 *DEFENSE URANIUM ENRICHMENT DECONTAMINATION AND*  
8 *DECOMMISSIONING*  
9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For an additional amount for atomic energy defense*  
11 *environmental cleanup activities for Department of Energy*  
12 *contributions for uranium enrichment decontamination*  
13 *and decommissioning activities, \$563,000,000, to be depos-*  
14 *ited into the Defense Environmental Cleanup account*  
15 *which shall be transferred to the “Uranium Enrichment De-*  
16 *contamination and Decommissioning Fund”.*

17 *OTHER DEFENSE ACTIVITIES*

18 *For Department of Energy expenses, including the*  
19 *purchase, construction, and acquisition of plant and cap-*  
20 *ital equipment and other expenses, necessary for atomic en-*  
21 *ergy defense, other defense activities, and classified activi-*  
22 *ties, in carrying out the purposes of the Department of En-*  
23 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*  
24 *the acquisition or condemnation of any real property or*  
25 *any facility or for plant or facility acquisition, construc-*

1 *tion, or expansion, \$784,000,000, to remain available until*  
2 *expended: Provided, That of such amount, \$254,230,000*  
3 *shall be available until September 30, 2018, for program*  
4 *direction.*

5 *POWER MARKETING ADMINISTRATIONS*

6 *BONNEVILLE POWER ADMINISTRATION FUND*

7 *Expenditures from the Bonneville Power Administra-*  
8 *tion Fund, established pursuant to Public Law 93–454, are*  
9 *approved for official reception and representation expenses*  
10 *in an amount not to exceed \$5,000: Provided, That during*  
11 *fiscal year 2017, no new direct loan obligations may be*  
12 *made.*

13 *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*

14 *ADMINISTRATION*

15 *For expenses necessary for operation and maintenance*  
16 *of power transmission facilities and for marketing electric*  
17 *power and energy, including transmission wheeling and*  
18 *ancillary services, pursuant to section 5 of the Flood Con-*  
19 *trol Act of 1944 (16 U.S.C. 825s), as applied to the south-*  
20 *eastern power area, \$1,000,000, including official reception*  
21 *and representation expenses in an amount not to exceed*  
22 *\$1,500, to remain available until expended: Provided, That*  
23 *notwithstanding 31 U.S.C. 3302 and section 5 of the Flood*  
24 *Control Act of 1944, up to \$1,000,000 collected by the*  
25 *Southeastern Power Administration from the sale of power*

1 *and related services shall be credited to this account as dis-*  
2 *cretionary offsetting collections, to remain available until*  
3 *expended for the sole purpose of funding the annual ex-*  
4 *penses of the Southeastern Power Administration: Provided*  
5 *further, That the sum herein appropriated for annual ex-*  
6 *penses shall be reduced as collections are received during*  
7 *the fiscal year so as to result in a final fiscal year 2017*  
8 *appropriation estimated at not more than \$0: Provided fur-*  
9 *ther, That notwithstanding 31 U.S.C. 3302, up to*  
10 *\$60,760,000 collected by the Southeastern Power Adminis-*  
11 *tration pursuant to the Flood Control Act of 1944 to recover*  
12 *purchase power and wheeling expenses shall be credited to*  
13 *this account as offsetting collections, to remain available*  
14 *until expended for the sole purpose of making purchase*  
15 *power and wheeling expenditures: Provided further, That*  
16 *for purposes of this appropriation, annual expenses means*  
17 *expenditures that are generally recovered in the same year*  
18 *that they are incurred (excluding purchase power and*  
19 *wheeling expenses).*

20 *OPERATION AND MAINTENANCE, SOUTHWESTERN POWER*  
21 *ADMINISTRATION*

22 *For expenses necessary for operation and maintenance*  
23 *of power transmission facilities and for marketing electric*  
24 *power and energy, for construction and acquisition of*  
25 *transmission lines, substations and appurtenant facilities,*

1 *and for administrative expenses, including official recep-*  
2 *tion and representation expenses in an amount not to ex-*  
3 *ceed \$1,500 in carrying out section 5 of the Flood Control*  
4 *Act of 1944 (16 U.S.C. 825s), as applied to the South-*  
5 *western Power Administration, \$45,643,000, to remain*  
6 *available until expended: Provided, That notwithstanding*  
7 *31 U.S.C. 3302 and section 5 of the Flood Control Act of*  
8 *1944 (16 U.S.C. 825s), up to \$34,586,000 collected by the*  
9 *Southwestern Power Administration from the sale of power*  
10 *and related services shall be credited to this account as dis-*  
11 *cretionary offsetting collections, to remain available until*  
12 *expended, for the sole purpose of funding the annual ex-*  
13 *penses of the Southwestern Power Administration: Provided*  
14 *further, That the sum herein appropriated for annual ex-*  
15 *penses shall be reduced as collections are received during*  
16 *the fiscal year so as to result in a final fiscal year 2017*  
17 *appropriation estimated at not more than \$11,057,000:*  
18 *Provided further, That notwithstanding 31 U.S.C. 3302, up*  
19 *to \$73,000,000 collected by the Southwestern Power Admin-*  
20 *istration pursuant to the Flood Control Act of 1944 to re-*  
21 *cover purchase power and wheeling expenses shall be cred-*  
22 *ited to this account as offsetting collections, to remain avail-*  
23 *able until expended for the sole purpose of making purchase*  
24 *power and wheeling expenditures: Provided further, That*  
25 *for purposes of this appropriation, annual expenses means*



1 *expenditures that are generally recovered in the same year*  
2 *that they are incurred (excluding purchase power and*  
3 *wheeling expenses).*

4 *CONSTRUCTION, REHABILITATION, OPERATION AND*  
5 *MAINTENANCE, WESTERN AREA POWER ADMINISTRATION*

6 *For carrying out the functions authorized by title III,*  
7 *section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C.*  
8 *7152), and other related activities including conservation*  
9 *and renewable resources programs as authorized,*  
10 *\$273,144,000, including official reception and representa-*  
11 *tion expenses in an amount not to exceed \$1,500, to remain*  
12 *available until expended, of which \$265,742,000 shall be de-*  
13 *rived from the Department of the Interior Reclamation*  
14 *Fund: Provided, That notwithstanding 31 U.S.C. 3302, sec-*  
15 *tion 5 of the Flood Control Act of 1944 (16 U.S.C. 825s),*  
16 *and section 1 of the Interior Department Appropriation*  
17 *Act, 1939 (43 U.S.C. 392a), up to \$177,563,000 collected*  
18 *by the Western Area Power Administration from the sale*  
19 *of power and related services shall be credited to this ac-*  
20 *count as discretionary offsetting collections, to remain*  
21 *available until expended, for the sole purpose of funding*  
22 *the annual expenses of the Western Area Power Administra-*  
23 *tion: Provided further, That the sum herein appropriated*  
24 *for annual expenses shall be reduced as collections are re-*  
25 *ceived during the fiscal year so as to result in a final fiscal*

1 *year 2017 appropriation estimated at not more than*  
2 *\$95,581,000, of which \$88,179,000 is derived from the Rec-*  
3 *lamation Fund: Provided further, That notwithstanding 31*  
4 *U.S.C. 3302, up to \$367,009,000 collected by the Western*  
5 *Area Power Administration pursuant to the Flood Control*  
6 *Act of 1944 and the Reclamation Project Act of 1939 to*  
7 *recover purchase power and wheeling expenses shall be cred-*  
8 *ited to this account as offsetting collections, to remain avail-*  
9 *able until expended for the sole purpose of making purchase*  
10 *power and wheeling expenditures: Provided further, That*  
11 *for purposes of this appropriation, annual expenses means*  
12 *expenditures that are generally recovered in the same year*  
13 *that they are incurred (excluding purchase power and*  
14 *wheeling expenses).*

15 *FALCON AND AMISTAD OPERATING AND MAINTENANCE*

16 *FUND*

17 *For operation, maintenance, and emergency costs for*  
18 *the hydroelectric facilities at the Falcon and Amistad*  
19 *Dams, \$4,070,000, to remain available until expended, and*  
20 *to be derived from the Falcon and Amistad Operating and*  
21 *Maintenance Fund of the Western Area Power Administra-*  
22 *tion, as provided in section 2 of the Act of June 18, 1954*  
23 *(68 Stat. 255): Provided, That notwithstanding the provi-*  
24 *sions of that Act and of 31 U.S.C. 3302, up to \$3,838,000*  
25 *collected by the Western Area Power Administration from*

1 *the sale of power and related services from the Falcon and*  
2 *Amistad Dams shall be credited to this account as discre-*  
3 *tionary offsetting collections, to remain available until ex-*  
4 *pended for the sole purpose of funding the annual expenses*  
5 *of the hydroelectric facilities of these Dams and associated*  
6 *Western Area Power Administration activities: Provided*  
7 *further, That the sum herein appropriated for annual ex-*  
8 *penses shall be reduced as collections are received during*  
9 *the fiscal year so as to result in a final fiscal year 2017*  
10 *appropriation estimated at not more than \$232,000: Pro-*  
11 *vided further, That for purposes of this appropriation, an-*  
12 *nual expenses means expenditures that are generally recov-*  
13 *ered in the same year that they are incurred: Provided fur-*  
14 *ther, That for fiscal year 2017, the Administrator of the*  
15 *Western Area Power Administration may accept up to*  
16 *\$323,000 in funds contributed by United States power cus-*  
17 *tomers of the Falcon and Amistad Dams for deposit into*  
18 *the Falcon and Amistad Operating and Maintenance Fund,*  
19 *and such funds shall be available for the purpose for which*  
20 *contributed in like manner as if said sums had been specifi-*  
21 *cally appropriated for such purpose: Provided further, That*  
22 *any such funds shall be available without further appro-*  
23 *priation and without fiscal year limitation for use by the*  
24 *Commissioner of the United States Section of the Inter-*  
25 *national Boundary and Water Commission for the sole pur-*

1 *pose of operating, maintaining, repairing, rehabilitating,*  
2 *replacing, or upgrading the hydroelectric facilities at these*  
3 *Dams in accordance with agreements reached between the*  
4 *Administrator, Commissioner, and the power customers.*

5 *FEDERAL ENERGY REGULATORY COMMISSION*

6 *SALARIES AND EXPENSES*

7 *For expenses necessary for the Federal Energy Regu-*  
8 *latory Commission to carry out the provisions of the De-*  
9 *partment of Energy Organization Act (42 U.S.C. 7101 et*  
10 *seq.), including services as authorized by 5 U.S.C. 3109,*  
11 *official reception and representation expenses not to exceed*  
12 *\$3,000, and the hire of passenger motor vehicles,*  
13 *\$346,800,000, to remain available until expended: Pro-*  
14 *vided, That notwithstanding any other provision of law, not*  
15 *to exceed \$346,800,000 of revenues from fees and annual*  
16 *charges, and other services and collections in fiscal year*  
17 *2017 shall be retained and used for expenses necessary in*  
18 *this account, and shall remain available until expended:*  
19 *Provided further, That the sum herein appropriated from*  
20 *the general fund shall be reduced as revenues are received*  
21 *during fiscal year 2017 so as to result in a final fiscal year*  
22 *2017 appropriation from the general fund estimated at not*  
23 *more than \$0.*

1        *GENERAL PROVISIONS—DEPARTMENT OF*  
2                                *ENERGY*

3        *(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)*

4        *SEC. 301. (a) No appropriation, funds, or authority*  
5 *made available by this title for the Department of Energy*  
6 *shall be used to initiate or resume any program, project,*  
7 *or activity or to prepare or initiate Requests For Proposals*  
8 *or similar arrangements (including Requests for*  
9 *Quotations, Requests for Information, and Funding Oppor-*  
10 *tunity Announcements) for a program, project, or activity*  
11 *if the program, project, or activity has not been funded by*  
12 *Congress.*

13        *(b)(1) Unless the Secretary of Energy notifies the Com-*  
14 *mittees on Appropriations of both Houses of Congress at*  
15 *least 3 full business days in advance, none of the funds*  
16 *made available in this title may be used to—*

17                *(A) make a grant allocation or discretionary*  
18 *grant award totaling \$1,000,000 or more;*

19                *(B) make a discretionary contract award or*  
20 *Other Transaction Agreement totaling \$1,000,000 or*  
21 *more, including a contract covered by the Federal Ac-*  
22 *quisition Regulation;*

23                *(C) issue a letter of intent to make an allocation,*  
24 *award, or Agreement in excess of the limits in sub-*  
25 *paragraph (A) or (B); or*

1           (D) announce publicly the intention to make an  
2           allocation, award, or Agreement in excess of the limits  
3           in subparagraph (A) or (B).

4           (2) The Secretary of Energy shall submit to the Com-  
5           mittees on Appropriations of both Houses of Congress with-  
6           in 15 days of the conclusion of each quarter a report detail-  
7           ing each grant allocation or discretionary grant award to-  
8           taling less than \$1,000,000 provided during the previous  
9           quarter.

10          (3) The notification required by paragraph (1) and the  
11          report required by paragraph (2) shall include the recipient  
12          of the award, the amount of the award, the fiscal year for  
13          which the funds for the award were appropriated, the ac-  
14          count and program, project, or activity from which the  
15          funds are being drawn, the title of the award, and a brief  
16          description of the activity for which the award is made.

17          (c) The Department of Energy may not, with respect  
18          to any program, project, or activity that uses budget au-  
19          thority made available in this title under the heading “De-  
20          partment of Energy—Energy Programs”, enter into a  
21          multiyear contract, award a multiyear grant, or enter into  
22          a multiyear cooperative agreement unless—

23                 (1) the contract, grant, or cooperative agreement  
24                 is funded for the full period of performance as antici-  
25                 pated at the time of award; or

1           (2) *the contract, grant, or cooperative agreement*  
2           *includes a clause conditioning the Federal Govern-*  
3           *ment's obligation on the availability of future year*  
4           *budget authority and the Secretary notifies the Com-*  
5           *mittees on Appropriations of both Houses of Congress*  
6           *at least 3 days in advance.*

7           (d) *Except as provided in subsections (e), (f), and (g),*  
8           *the amounts made available by this title shall be expended*  
9           *as authorized by law for the programs, projects, and activi-*  
10          *ties specified in the "Final Bill" column in the "Depart-*  
11          *ment of Energy" table included under the heading "Title*  
12          *III—Department of Energy" in the explanatory statement*  
13          *described in section 4 (in the matter preceding division A*  
14          *of this consolidated Act).*

15          (e) *The amounts made available by this title may be*  
16          *reprogrammed for any program, project, or activity, and*  
17          *the Department shall notify the Committees on Appropria-*  
18          *tions of both Houses of Congress at least 30 days prior to*  
19          *the use of any proposed reprogramming that would cause*  
20          *any program, project, or activity funding level to increase*  
21          *or decrease by more than \$5,000,000 or 10 percent, which-*  
22          *ever is less, during the time period covered by this Act.*

23          (f) *None of the funds provided in this title shall be*  
24          *available for obligation or expenditure through a re-*  
25          *programming of funds that—*

1           (1) *creates, initiates, or eliminates a program,*  
2           *project, or activity;*

3           (2) *increases funds or personnel for any pro-*  
4           *gram, project, or activity for which funds are denied*  
5           *or restricted by this Act; or*

6           (3) *reduces funds that are directed to be used for*  
7           *a specific program, project, or activity by this Act.*

8           (g)(1) *The Secretary of Energy may waive any re-*  
9           *quirement or restriction in this section that applies to the*  
10          *use of funds made available for the Department of Energy*  
11          *if compliance with such requirement or restriction would*  
12          *pose a substantial risk to human health, the environment,*  
13          *welfare, or national security.*

14          (2) *The Secretary of Energy shall notify the Commit-*  
15          *tees on Appropriations of both Houses of Congress of any*  
16          *waiver under paragraph (1) as soon as practicable, but not*  
17          *later than 3 days after the date of the activity to which*  
18          *a requirement or restriction would otherwise have applied.*  
19          *Such notice shall include an explanation of the substantial*  
20          *risk under paragraph (1) that permitted such waiver.*

21          (h) *The unexpended balances of prior appropriations*  
22          *provided for activities in this Act may be available to the*  
23          *same appropriation accounts for such activities established*  
24          *pursuant to this title. Available balances may be merged*  
25          *with funds in the applicable established accounts and there-*



1 *after may be accounted for as one fund for the same time*  
2 *period as originally enacted.*

3 *SEC. 302. Funds appropriated by this or any other*  
4 *Act, or made available by the transfer of funds in this Act,*  
5 *for intelligence activities are deemed to be specifically au-*  
6 *thorized by the Congress for purposes of section 504 of the*  
7 *National Security Act of 1947 (50 U.S.C. 3094) during fis-*  
8 *cal year 2017 until the enactment of the Intelligence Au-*  
9 *thorization Act for fiscal year 2017.*

10 *SEC. 303. None of the funds made available in this*  
11 *title shall be used for the construction of facilities classified*  
12 *as high-hazard nuclear facilities under 10 CFR Part 830*  
13 *unless independent oversight is conducted by the Office of*  
14 *Enterprise Assessments to ensure the project is in compli-*  
15 *ance with nuclear safety requirements.*

16 *SEC. 304. None of the funds made available in this*  
17 *title may be used to approve critical decision-2 or critical*  
18 *decision-3 under Department of Energy Order 413.3B, or*  
19 *any successive departmental guidance, for construction*  
20 *projects where the total project cost exceeds \$100,000,000,*  
21 *until a separate independent cost estimate has been devel-*  
22 *oped for the project for that critical decision.*

23 *SEC. 305. (a) None of the funds made available in this*  
24 *or any prior Act under the heading “Defense Nuclear Non-*  
25 *proliferation” may be made available to enter into new con-*

1 *tracts with, or new agreements for Federal assistance to,*  
2 *the Russian Federation.*

3 *(b) The Secretary of Energy may waive the prohibition*  
4 *in subsection (a) if the Secretary determines that such ac-*  
5 *tivity is in the national security interests of the United*  
6 *States. This waiver authority may not be delegated.*

7 *(c) A waiver under subsection (b) shall not be effective*  
8 *until 15 days after the date on which the Secretary submits*  
9 *to the Committees on Appropriations of both Houses of Con-*  
10 *gress, in classified form if necessary, a report on the jus-*  
11 *tification for the waiver.*

12 *SEC. 306. (a) NEW REGIONAL RESERVES.—The Sec-*  
13 *retary of Energy may not establish any new regional petro-*  
14 *leum product reserve unless funding for the proposed re-*  
15 *gional petroleum product reserve is explicitly requested in*  
16 *advance in an annual budget submission and approved by*  
17 *the Congress in an appropriations Act.*

18 *(b) The budget request or notification shall include—*

19 *(1) the justification for the new reserve;*

20 *(2) a cost estimate for the establishment, oper-*  
21 *ation, and maintenance of the reserve, including*  
22 *funding sources;*

23 *(3) a detailed plan for operation of the reserve,*  
24 *including the conditions upon which the products*  
25 *may be released;*

1           (4) *the location of the reserve; and*

2           (5) *the estimate of the total inventory of the re-*  
3       *serve.*

4       *SEC. 307. (a) Of the unobligated balances available*  
5 *from amounts appropriated in the accounts and from the*  
6 *fiscal years specified in the “Final Bill” column in the “De-*  
7 *partment of Energy—Sec. 307.” table included under the*  
8 *heading “Title III—Department of Energy” in the explan-*  
9 *atory statement described in section 4 (in the matter pre-*  
10 *ceding division A of this consolidated Act), \$94,803,000 is*  
11 *hereby rescinded.*

12       *(b) No amounts may be rescinded under subsection (a)*  
13 *from amounts that were designated by the Congress as an*  
14 *emergency requirement pursuant to a concurrent resolution*  
15 *on the budget or the Balanced Budget and Emergency Def-*  
16 *icit Control Act of 1985.*

17       *SEC. 308. (a) From unobligated balances available*  
18 *from amounts appropriated in prior fiscal years for “De-*  
19 *partment of Energy—Energy Programs—Fossil Energy*  
20 *Research and Development”, \$240,000,000 is hereby re-*  
21 *scinded.*

22       *(b) No amounts may be rescinded by this section from*  
23 *amounts that were designated by the Congress as an emer-*  
24 *gency requirement pursuant to a concurrent resolution on*

1 *the budget or the Balanced Budget and Emergency Deficit*  
2 *Control Act of 1985.*

3 *SEC. 309. Not to exceed \$2,000,000, in aggregate, of*  
4 *the amounts made available by this title may be made*  
5 *available for project engineering and design of the Consoli-*  
6 *dated Emergency Operations Center.*

7 *TITLE IV*

8 *INDEPENDENT AGENCIES*

9 *APPALACHIAN REGIONAL COMMISSION*

10 *For expenses necessary to carry out the programs au-*  
11 *thorized by the Appalachian Regional Development Act of*  
12 *1965, and for expenses necessary for the Federal Co-Chair-*  
13 *man and the Alternate on the Appalachian Regional Com-*  
14 *mission, for payment of the Federal share of the adminis-*  
15 *trative expenses of the Commission, including services as*  
16 *authorized by 5 U.S.C. 3109, and hire of passenger motor*  
17 *vehicles, \$152,000,000, to remain available until expended.*

18 *DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

19 *SALARIES AND EXPENSES*

20 *For expenses necessary for the Defense Nuclear Facili-*  
21 *ties Safety Board in carrying out activities authorized by*  
22 *the Atomic Energy Act of 1954, as amended by Public Law*  
23 *100–456, section 1441, \$30,872,000, to remain available*  
24 *until September 30, 2018.*

*DELTA REGIONAL AUTHORITY**SALARIES AND EXPENSES*

1  
2  
3       *For expenses necessary for the Delta Regional Author-*  
4 *ity and to carry out its activities, as authorized by the*  
5 *Delta Regional Authority Act of 2000, notwithstanding sec-*  
6 *tions 382C(b)(2), 382F(d), 382M, and 382N of said Act,*  
7 *\$25,000,000, to remain available until expended.*

*DENALI COMMISSION*

8  
9       *For expenses necessary for the Denali Commission in-*  
10 *cluding the purchase, construction, and acquisition of plant*  
11 *and capital equipment as necessary and other expenses,*  
12 *\$15,000,000, to remain available until expended, notwith-*  
13 *standing the limitations contained in section 306(g) of the*  
14 *Denali Commission Act of 1998: Provided, That funds shall*  
15 *be available for construction projects in an amount not to*  
16 *exceed 80 percent of total project cost for distressed commu-*  
17 *nities, as defined by section 307 of the Denali Commission*  
18 *Act of 1998 (division C, title III, Public Law 105–277),*  
19 *as amended by section 701 of appendix D, title VII, Public*  
20 *Law 106–113 (113 Stat. 1501A–280), and an amount not*  
21 *to exceed 50 percent for non-distressed communities: Pro-*  
22 *vided further, That, notwithstanding any other provision*  
23 *of law regarding payment of a non-Federal share in connec-*  
24 *tion with a grant-in-aid program, amounts under this*  
25 *heading shall be available for the payment of such a non-*

1 *Federal share for programs undertaken to carry out the*  
2 *purposes of the Commission.*

3 *NORTHERN BORDER REGIONAL COMMISSION*

4 *For expenses necessary for the Northern Border Re-*  
5 *gional Commission in carrying out activities authorized by*  
6 *subtitle V of title 40, United States Code, \$10,000,000, to*  
7 *remain available until expended: Provided, That such*  
8 *amounts shall be available for administrative expenses, not-*  
9 *withstanding section 15751(b) of title 40, United States*  
10 *Code.*

11 *SOUTHEAST CRESCENT REGIONAL COMMISSION*

12 *For expenses necessary for the Southeast Crescent Re-*  
13 *gional Commission in carrying out activities authorized by*  
14 *subtitle V of title 40, United States Code, \$250,000, to re-*  
15 *main available until expended.*

16 *NUCLEAR REGULATORY COMMISSION*

17 *SALARIES AND EXPENSES*

18 *For expenses necessary for the Commission in carrying*  
19 *out the purposes of the Energy Reorganization Act of 1974*  
20 *and the Atomic Energy Act of 1954, \$905,000,000, includ-*  
21 *ing official representation expenses not to exceed \$25,000,*  
22 *to remain available until expended: Provided, That of the*  
23 *amount appropriated herein, not more than \$7,500,000*  
24 *may be made available for salaries, travel, and other sup-*  
25 *port costs for the Office of the Commission, to remain avail-*

1 able until September 30, 2018, of which, notwithstanding  
2 section 201(a)(2)(c) of the Energy Reorganization Act of  
3 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure  
4 shall only be approved by a majority vote of the Commis-  
5 sion: Provided further, That revenues from licensing fees,  
6 inspection services, and other services and collections esti-  
7 mated at \$794,580,000 in fiscal year 2017 shall be retained  
8 and used for necessary salaries and expenses in this ac-  
9 count, notwithstanding 31 U.S.C. 3302, and shall remain  
10 available until expended: Provided further, That of the  
11 amounts appropriated under this heading, not less than  
12 \$5,000,000 shall be for activities related to the development  
13 of regulatory infrastructure for advanced nuclear reactor  
14 technologies, and \$5,000,000 of that amount shall not be  
15 available from fee revenues, notwithstanding 42 U.S.C.  
16 2214: Provided further, That the sum herein appropriated  
17 shall be reduced by the amount of revenues received during  
18 fiscal year 2017 so as to result in a final fiscal year 2017  
19 appropriation estimated at not more than \$110,420,000:  
20 Provided further, That of the amounts appropriated under  
21 this heading, \$10,000,000 shall be for university research  
22 and development in areas relevant to the Commission's mis-  
23 sion, and \$5,000,000 shall be for a Nuclear Science and  
24 Engineering Grant Program that will support multiyear  
25 projects that do not align with programmatic missions but

1 *are critical to maintaining the discipline of nuclear science*  
2 *and engineering.*

3 *OFFICE OF INSPECTOR GENERAL*

4 *For expenses necessary for the Office of Inspector Gen-*  
5 *eral in carrying out the provisions of the Inspector General*  
6 *Act of 1978, \$12,129,000, to remain available until Sep-*  
7 *tember 30, 2018: Provided, That revenues from licensing*  
8 *fees, inspection services, and other services and collections*  
9 *estimated at \$10,044,000 in fiscal year 2017 shall be re-*  
10 *tained and be available until September 30, 2018, for nec-*  
11 *essary salaries and expenses in this account, notwith-*  
12 *standing section 3302 of title 31, United States Code: Pro-*  
13 *vided further, That the sum herein appropriated shall be*  
14 *reduced by the amount of revenues received during fiscal*  
15 *year 2017 so as to result in a final fiscal year 2017 appro-*  
16 *priation estimated at not more than \$2,085,000: Provided*  
17 *further, That of the amounts appropriated under this head-*  
18 *ing, \$969,000 shall be for Inspector General services for the*  
19 *Defense Nuclear Facilities Safety Board, which shall not*  
20 *be available from fee revenues.*

21 *NUCLEAR WASTE TECHNICAL REVIEW BOARD*

22 *SALARIES AND EXPENSES*

23 *For expenses necessary for the Nuclear Waste Tech-*  
24 *nical Review Board, as authorized by Public Law 100–203,*



1 *section 5051, \$3,600,000, to be derived from the Nuclear*  
2 *Waste Fund, to remain available until September 30, 2018.*

3 **GENERAL PROVISIONS—INDEPENDENT**

4 **AGENCIES**

5 *SEC. 401. The Nuclear Regulatory Commission shall*  
6 *comply with the July 5, 2011, version of Chapter VI of its*  
7 *Internal Commission Procedures when responding to Con-*  
8 *gressional requests for information.*

9 *SEC. 402. (a) The amounts made available by this title*  
10 *for the Nuclear Regulatory Commission may be repro-*  
11 *grammed for any program, project, or activity, and the*  
12 *Commission shall notify the Committees on Appropriations*  
13 *of both Houses of Congress at least 30 days prior to the*  
14 *use of any proposed reprogramming that would cause any*  
15 *program funding level to increase or decrease by more than*  
16 *\$500,000 or 10 percent, whichever is less, during the time*  
17 *period covered by this Act.*

18 *(b)(1) The Nuclear Regulatory Commission may waive*  
19 *the notification requirement in subsection (a) if compliance*  
20 *with such requirement would pose a substantial risk to*  
21 *human health, the environment, welfare, or national secu-*  
22 *rity.*

23 *(2) The Nuclear Regulatory Commission shall notify*  
24 *the Committees on Appropriations of both Houses of Con-*  
25 *gress of any waiver under paragraph (1) as soon as prac-*

1 *ticable, but not later than 3 days after the date of the activ-*  
2 *ity to which a requirement or restriction would otherwise*  
3 *have applied. Such notice shall include an explanation of*  
4 *the substantial risk under paragraph (1) that permitted*  
5 *such waiver and shall provide a detailed report to the Com-*  
6 *mittees of such waiver and changes to funding levels to pro-*  
7 *grams, projects, or activities.*

8 *(c) Except as provided in subsections (a), (b), and (d),*  
9 *the amounts made available by this title for “Nuclear Regu-*  
10 *latory Commission—Salaries and Expenses” shall be ex-*  
11 *pended as directed in the explanatory statement described*  
12 *in section 4 (in the matter preceding division A of this con-*  
13 *solidated Act).*

14 *(d) None of the funds provided for the Nuclear Regu-*  
15 *latory Commission shall be available for obligation or ex-*  
16 *penditure through a reprogramming of funds that increases*  
17 *funds or personnel for any program, project, or activity for*  
18 *which funds are denied or restricted by this Act.*

19 *(e) The Commission shall provide a monthly report to*  
20 *the Committees on Appropriations of both Houses of Con-*  
21 *gress, which includes the following for each program,*  
22 *project, or activity, including any prior year appropria-*  
23 *tions—*

24 *(1) total budget authority;*

25 *(2) total unobligated balances; and*

1           (3) *total unliquidated obligations.*

2                                   **TITLE V**

3                                   **GENERAL PROVISIONS**

4           **SEC. 501.** *None of the funds appropriated by this Act*  
5 *may be used in any way, directly or indirectly, to influence*  
6 *congressional action on any legislation or appropriation*  
7 *matters pending before Congress, other than to commu-*  
8 *nicate to Members of Congress as described in 18 U.S.C.*  
9 *1913.*

10          **SEC. 502.** *(a) None of the funds made available in title*  
11 *III of this Act may be transferred to any department, agen-*  
12 *cy, or instrumentality of the United States Government, ex-*  
13 *cept pursuant to a transfer made by or transfer authority*  
14 *provided in this Act or any other appropriations Act for*  
15 *any fiscal year, transfer authority referenced in the explan-*  
16 *atory statement described in section 4 (in the matter pre-*  
17 *ceding division A of this consolidated Act), or any authority*  
18 *whereby a department, agency, or instrumentality of the*  
19 *United States Government may provide goods or services*  
20 *to another department, agency, or instrumentality.*

21          **(b)** *None of the funds made available for any depart-*  
22 *ment, agency, or instrumentality of the United States Gov-*  
23 *ernment may be transferred to accounts funded in title III*  
24 *of this Act, except pursuant to a transfer made by or trans-*  
25 *fer authority provided in this Act or any other appropria-*

1 *tions Act for any fiscal year, transfer authority referenced*  
2 *in the explanatory statement described in section 4 (in the*  
3 *matter preceding division A of this consolidated Act), or*  
4 *any authority whereby a department, agency, or instru-*  
5 *mentality of the United States Government may provide*  
6 *goods or services to another department, agency, or instru-*  
7 *mentality.*

8 *(c) The head of any relevant department or agency*  
9 *funded in this Act utilizing any transfer authority shall*  
10 *submit to the Committees on Appropriations of both Houses*  
11 *of Congress a semiannual report detailing the transfer au-*  
12 *thorities, except for any authority whereby a department,*  
13 *agency, or instrumentality of the United States Government*  
14 *may provide goods or services to another department, agen-*  
15 *cy, or instrumentality, used in the previous 6 months and*  
16 *in the year-to-date. This report shall include the amounts*  
17 *transferred and the purposes for which they were trans-*  
18 *ferred, and shall not replace or modify existing notification*  
19 *requirements for each authority.*

20 *SEC. 503. None of the funds made available by this*  
21 *Act may be used in contravention of Executive Order No.*  
22 *12898 of February 11, 1994 (Federal Actions to Address*  
23 *Environmental Justice in Minority Populations and Low-*  
24 *Income Populations).*

1        *SEC. 504. (a) None of the funds made available in this*  
2 *Act may be used to maintain or establish a computer net-*  
3 *work unless such network blocks the viewing, downloading,*  
4 *and exchanging of pornography.*

5        *(b) Nothing in subsection (a) shall limit the use of*  
6 *funds necessary for any Federal, State, tribal, or local law*  
7 *enforcement agency or any other entity carrying out crimi-*  
8 *nal investigations, prosecution, or adjudication activities.*

9        *This division may be cited as the “Energy and Water*  
10 *Development and Related Agencies Appropriations Act,*  
11 *2017”.*

12 ***DIVISION E—FINANCIAL SERVICES AND***  
13 ***GENERAL GOVERNMENT APPROPRIA-***  
14 ***TIONS ACT, 2017***

15                                    *TITLE I*

16                                    *DEPARTMENT OF THE TREASURY*

17                                    *DEPARTMENTAL OFFICES*

18                                    *SALARIES AND EXPENSES*

19        *For necessary expenses of the Departmental Offices in-*  
20 *cluding operation and maintenance of the Treasury Build-*  
21 *ing and Freedman’s Bank Building; hire of passenger*  
22 *motor vehicles; maintenance, repairs, and improvements of,*  
23 *and purchase of commercial insurance policies for, real*  
24 *properties leased or owned overseas, when necessary for the*  
25 *performance of official business; executive direction pro-*

1 *gram activities; international affairs and economic policy*  
2 *activities; domestic finance and tax policy activities, in-*  
3 *cluding technical assistance to Puerto Rico; and Treasury-*  
4 *wide management policies and programs activities,*  
5 *\$224,376,000: Provided, That of the amount appropriated*  
6 *under this heading—*

7           (1) *not to exceed \$350,000 is for official recep-*  
8 *tion and representation expenses;*

9           (2) *not to exceed \$258,000 is for unforeseen*  
10 *emergencies of a confidential nature to be allocated*  
11 *and expended under the direction of the Secretary of*  
12 *the Treasury and to be accounted for solely on the*  
13 *Secretary's certificate; and*

14           (3) *not to exceed \$24,000,000 shall remain avail-*  
15 *able until September 30, 2018, for—*

16                   (A) *the Treasury-wide Financial Statement*  
17 *Audit and Internal Control Program;*

18                   (B) *information technology modernization*  
19 *requirements;*

20                   (C) *the audit, oversight, and administration*  
21 *of the Gulf Coast Restoration Trust Fund;*

22                   (D) *the development and implementation of*  
23 *programs within the Office of Critical Infra-*  
24 *structure Protection and Compliance Policy, in-*

1           *cluding entering into cooperative agreements;*  
2           *and*  
3           *(E) international operations.*

4           *OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE*  
5           *SALARIES AND EXPENSES*

6           *For the necessary expenses of the Office of Terrorism*  
7           *and Financial Intelligence to safeguard the financial sys-*  
8           *tem against illicit use and to combat rogue nations, ter-*  
9           *rorist facilitators, weapons of mass destruction*  
10          *proliferators, money launderers, drug kingpins, and other*  
11          *national security threats, \$123,000,000: Provided, That of*  
12          *the amount appropriated under this heading: (1) up to*  
13          *\$28,000,000 may be transferred to the Departmental Offices*  
14          *Salaries and Expenses appropriation and shall be available*  
15          *for administrative support to the Office of Terrorism and*  
16          *Financial Intelligence; and (2) \$5,000,000, to remain avail-*  
17          *able until September 30, 2018.*

18           *CYBERSECURITY ENHANCMENT ACCOUNT*

19          *For salaries and expenses for enhanced cybersecurity*  
20          *for systems operated by the Department of the Treasury,*  
21          *\$47,743,000, to remain available until September 30, 2019:*  
22          *Provided, That such funds shall supplement and not sup-*  
23          *plant any other amounts made available to the Treasury*  
24          *offices and bureaus for cybersecurity: Provided further,*  
25          *That the Chief Information Officer of the individual offices*

1 *and bureaus shall submit a spend plan for each investment*  
2 *to the Treasury Chief Information Officer for approval:*  
3 *Provided further, That the submitted spend plan shall be*  
4 *reviewed and approved by the Treasury Chief Information*  
5 *Officer prior to the obligation of funds under this heading:*  
6 *Provided further, That of the total amount made available*  
7 *under this heading \$1,000,000 shall be available for admin-*  
8 *istrative expenses for the Treasury Chief Information Offi-*  
9 *cer to provide oversight of the investments made under this*  
10 *heading: Provided further, That such funds shall supple-*  
11 *ment and not supplant any other amounts made available*  
12 *to the Treasury Chief Information Officer.*

13 *DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS*

14 *PROGRAMS*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For development and acquisition of automatic data*  
17 *processing equipment, software, and services and for repairs*  
18 *and renovations to buildings owned by the Department of*  
19 *the Treasury, \$3,000,000, to remain available until Sep-*  
20 *tember 30, 2019: Provided, That these funds shall be trans-*  
21 *ferred to accounts and in amounts as necessary to satisfy*  
22 *the requirements of the Department's offices, bureaus, and*  
23 *other organizations: Provided further, That this transfer*  
24 *authority shall be in addition to any other transfer author-*  
25 *ity provided in this Act: Provided further, That none of*



1 *the funds appropriated under this heading shall be used to*  
2 *support or supplement “Internal Revenue Service, Oper-*  
3 *ations Support” or “Internal Revenue Service, Business*  
4 *Systems Modernization”.*

5 *OFFICE OF INSPECTOR GENERAL*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Office of Inspector Gen-*  
8 *eral in carrying out the provisions of the Inspector General*  
9 *Act of 1978, \$37,044,000, including hire of passenger motor*  
10 *vehicles; of which not to exceed \$100,000 shall be available*  
11 *for unforeseen emergencies of a confidential nature, to be*  
12 *allocated and expended under the direction of the Inspector*  
13 *General of the Treasury; of which up to \$2,800,000 to re-*  
14 *main available until September 30, 2018, shall be for audits*  
15 *and investigations conducted pursuant to section 1608 of*  
16 *the Resources and Ecosystems Sustainability, Tourist Op-*  
17 *portunities, and Revived Economies of the Gulf Coast*  
18 *States Act of 2012 (33 U.S.C. 1321 note); and of which*  
19 *not to exceed \$1,000 shall be available for official reception*  
20 *and representation expenses.*

21 *TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Treasury Inspector Gen-*  
24 *eral for Tax Administration in carrying out the Inspector*  
25 *General Act of 1978, as amended, including purchase and*

1 *hire of passenger motor vehicles (31 U.S.C. 1343(b)); and*  
2 *services authorized by 5 U.S.C. 3109, at such rates as may*  
3 *be determined by the Inspector General for Tax Administra-*  
4 *tion; \$169,634,000, of which \$5,000,000 shall remain avail-*  
5 *able until September 30, 2018; of which not to exceed*  
6 *\$6,000,000 shall be available for official travel expenses; of*  
7 *which not to exceed \$500,000 shall be available for unfore-*  
8 *seen emergencies of a confidential nature, to be allocated*  
9 *and expended under the direction of the Inspector General*  
10 *for Tax Administration; and of which not to exceed \$1,500*  
11 *shall be available for official reception and representation*  
12 *expenses.*

13 *SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET*

14 *RELIEF PROGRAM*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Office of the Special In-*  
17 *spector General in carrying out the provisions of the Emer-*  
18 *gency Economic Stabilization Act of 2008 (Public Law*  
19 *110–343), \$41,160,000.*

20 *FINANCIAL CRIMES ENFORCEMENT NETWORK*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of the Financial Crimes En-*  
23 *forcement Network, including hire of passenger motor vehi-*  
24 *cles; travel and training expenses of non-Federal and for-*  
25 *foreign government personnel to attend meetings and training*

1 *concerned with domestic and foreign financial intelligence*  
2 *activities, law enforcement, and financial regulation; serv-*  
3 *ices authorized by 5 U.S.C. 3109; not to exceed \$10,000 for*  
4 *official reception and representation expenses; and for as-*  
5 *sistance to Federal law enforcement agencies, with or with-*  
6 *out reimbursement, \$115,003,000, of which not to exceed*  
7 *\$34,335,000 shall remain available until September 30,*  
8 *2019.*

9 *TREASURY FORFEITURE FUND*

10 *(RESCISSION)*

11 *Of the unobligated balances available under this head-*  
12 *ing, \$1,115,000,000 are hereby rescinded not later than*  
13 *September 30, 2017, of which \$314,000,000 are perma-*  
14 *nently rescinded.*

15 *BUREAU OF THE FISCAL SERVICE*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses of operations of the Bureau of*  
18 *the Fiscal Service, \$353,057,000; of which not to exceed*  
19 *\$4,210,000, to remain available until September 30, 2019,*  
20 *is for information systems modernization initiatives; and*  
21 *of which \$5,000 shall be available for official reception and*  
22 *representation expenses.*

23 *In addition, \$165,000, to be derived from the Oil Spill*  
24 *Liability Trust Fund to reimburse administrative and per-*

1 *sonnel expenses for financial management of the Fund, as*  
2 *authorized by section 1012 of Public Law 101–380.*

3 *ALCOHOL AND TOBACCO TAX AND TRADE BUREAU*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of carrying out section 1111*  
6 *of the Homeland Security Act of 2002, including hire of*  
7 *passenger motor vehicles, \$111,439,000; of which not to ex-*  
8 *ceed \$6,000 for official reception and representation ex-*  
9 *penses; not to exceed \$50,000 for cooperative research and*  
10 *development programs for laboratory services; and provi-*  
11 *sion of laboratory assistance to State and local agencies*  
12 *with or without reimbursement: Provided, That of the*  
13 *amount appropriated under this heading, \$5,000,000 shall*  
14 *be for the costs of accelerating the processing of formula and*  
15 *label applications: Provided further, That of the amount ap-*  
16 *propriated under this heading, \$5,000,000, to remain avail-*  
17 *able until September 30, 2018, shall be for the costs associ-*  
18 *ated with enforcement of the trade practice provisions of*  
19 *the Federal Alcohol Administration Act (27 U.S.C. 201 et*  
20 *seq.).*

21 *UNITED STATES MINT*

22 *UNITED STATES MINT PUBLIC ENTERPRISE FUND*

23 *Pursuant to section 5136 of title 31, United States*  
24 *Code, the United States Mint is provided funding through*  
25 *the United States Mint Public Enterprise Fund for costs*

1 *associated with the production of circulating coins, numis-*  
2 *matic coins, and protective services, including both oper-*  
3 *ating expenses and capital investments: Provided, That the*  
4 *aggregate amount of new liabilities and obligations in-*  
5 *curred during fiscal year 2017 under such section 5136 for*  
6 *circulating coinage and protective service capital invest-*  
7 *ments of the United States Mint shall not exceed*  
8 *\$30,000,000.*

9 *COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS*

10 *FUND PROGRAM ACCOUNT*

11 *To carry out the Riegle Community Development and*  
12 *Regulatory Improvement Act of 1994 (subtitle A of title I*  
13 *of Public Law 103–325), including services authorized by*  
14 *section 3109 of title 5, United States Code, but at rates for*  
15 *individuals not to exceed the per diem rate equivalent to*  
16 *the rate for EX–3, \$248,000,000. Of the amount appro-*  
17 *priated under this heading—*

18 *(1) not less than \$161,500,000, notwithstanding*  
19 *section 108(e) of Public Law 103–325 (12 U.S.C.*  
20 *4707(e)) with regard to Small and/or Emerging Com-*  
21 *munity Development Financial Institutions Assist-*  
22 *ance awards, is available until September 30, 2018,*  
23 *for financial assistance and technical assistance*  
24 *under subparagraphs (A) and (B) of section*  
25 *108(a)(1), respectively, of Public Law 103–325 (12*

1       *U.S.C. 4707(a)(1)(A) and (B)), of which up to*  
2       *\$2,882,500 may be used for the cost of direct loans,*  
3       *and of which up to \$3,000,000, notwithstanding sub-*  
4       *section (d) of section 108 of Public Law 103–325 (12*  
5       *U.S.C. 4707(d)), may be available to provide finan-*  
6       *cial assistance, technical assistance, training, and*  
7       *outreach to community development financial institu-*  
8       *tions to expand investments that benefit individuals*  
9       *with disabilities: Provided, That the cost of direct and*  
10       *guaranteed loans, including the cost of modifying*  
11       *such loans, shall be as defined in section 502 of the*  
12       *Congressional Budget Act of 1974: Provided further,*  
13       *That these funds are available to subsidize gross obli-*  
14       *gations for the principal amount of direct loans not*  
15       *to exceed \$25,000,000;*

16               *(2) not less than \$15,500,000, notwithstanding*  
17       *section 108(e) of Public Law 103–325 (12 U.S.C.*  
18       *4707(e)), is available until September 30, 2018, for fi-*  
19       *nancial assistance, technical assistance, training and*  
20       *outreach programs designed to benefit Native Amer-*  
21       *ican, Native Hawaiian, and Alaska Native commu-*  
22       *nities and provided primarily through qualified com-*  
23       *munity development lender organizations with experi-*  
24       *ence and expertise in community development bank-*  
25       *ing and lending in Indian country, Native American*

1        *organizations, tribes and tribal organizations, and*  
2        *other suitable providers;*

3                *(3) not less than \$23,000,000 is available until*  
4        *September 30, 2018, for the Bank Enterprise Award*  
5        *program;*

6                *(4) not less than \$22,000,000, notwithstanding*  
7        *subsections (d) and (e) of section 108 of Public Law*  
8        *103–325 (12 U.S.C. 4707(d) and (e)), is available*  
9        *until September 30, 2018, for a Healthy Food Fi-*  
10        *ancing Initiative to provide financial assistance,*  
11        *technical assistance, training, and outreach to com-*  
12        *munity development financial institutions for the*  
13        *purpose of offering affordable financing and technical*  
14        *assistance to expand the availability of healthy food*  
15        *options in distressed communities;*

16                *(5) up to \$26,000,000 is available until Sep-*  
17        *tember 30, 2017, for administrative expenses, includ-*  
18        *ing administration of CDFI fund programs and the*  
19        *New Markets Tax Credit Program, of which not less*  
20        *than \$1,000,000 is for development of tools to better*  
21        *assess and inform CDFI investment performance, and*  
22        *up to \$300,000 is for administrative expenses to*  
23        *carry out the direct loan program; and*

24                *(6) during fiscal year 2017, none of the funds*  
25        *available under this heading are available for the*

1 *cost, as defined in section 502 of the Congressional*  
2 *Budget Act of 1974, of commitments to guarantee*  
3 *bonds and notes under section 114A of the Riegle*  
4 *Community Development and Regulatory Improve-*  
5 *ment Act of 1994 (12 U.S.C. 4713a): Provided, That*  
6 *commitments to guarantee bonds and notes under*  
7 *such section 114A shall not exceed \$500,000,000: Pro-*  
8 *vided further, That such section 114A shall remain in*  
9 *effect until September 30, 2017: Provided further,*  
10 *That of the funds awarded under this heading, not*  
11 *less than 10 percent shall be used for awards that*  
12 *support investments that serve populations living in*  
13 *persistent poverty counties: Provided further, That for*  
14 *purposes of this section, the term “persistent poverty*  
15 *counties” means any county that has had 20 percent*  
16 *or more of its population living in poverty over the*  
17 *past 30 years, as measured by the 1990 and 2000 de-*  
18 *cennial censuses and the most recent series of 5-year*  
19 *data available from the American Community Survey*  
20 *from the Census Bureau.*

21 *INTERNAL REVENUE SERVICE*

22 *TAXPAYER SERVICES*

23 *For necessary expenses of the Internal Revenue Service*  
24 *to provide taxpayer services, including pre-filing assistance*  
25 *and education, filing and account services, taxpayer advo-*



1 *cacy services, and other services as authorized by 5 U.S.C.*  
2 *3109, at such rates as may be determined by the Commis-*  
3 *sioner, \$2,156,554,000, of which not less than \$8,890,000*  
4 *shall be for the Tax Counseling for the Elderly Program,*  
5 *of which not less than \$12,000,000 shall be available for*  
6 *low-income taxpayer clinic grants, and of which not less*  
7 *than \$15,000,000, to remain available until September 30,*  
8 *2018, shall be available for a Community Volunteer Income*  
9 *Tax Assistance matching grants program for tax return*  
10 *preparation assistance, of which not less than \$206,000,000*  
11 *shall be available for operating expenses of the Taxpayer*  
12 *Advocate Service: Provided, That of the amounts made*  
13 *available for the Taxpayer Advocate Service, not less than*  
14 *\$5,000,000 shall be for identity theft casework.*

15 *ENFORCEMENT*

16 *For necessary expenses for tax enforcement activities*  
17 *of the Internal Revenue Service to determine and collect*  
18 *owed taxes, to provide legal and litigation support, to con-*  
19 *duct criminal investigations, to enforce criminal statutes*  
20 *related to violations of internal revenue laws and other fi-*  
21 *nancial crimes, to purchase and hire passenger motor vehi-*  
22 *cles (31 U.S.C. 1343(b)), and to provide other services as*  
23 *authorized by 5 U.S.C. 3109, at such rates as may be deter-*  
24 *mined by the Commissioner, \$4,860,000,000, of which not*  
25 *to exceed \$50,000,000 shall remain available until Sep-*

1 tember 30, 2018, and of which not less than \$60,257,000  
2 shall be for the Interagency Crime and Drug Enforcement  
3 program.

4 *OPERATIONS SUPPORT*

5 *For necessary expenses of the Internal Revenue Service*  
6 *to support taxpayer services and enforcement programs, in-*  
7 *cluding rent payments; facilities services; printing; postage;*  
8 *physical security; headquarters and other IRS-wide admin-*  
9 *istration activities; research and statistics of income; tele-*  
10 *communications; information technology development, en-*  
11 *hancement, operations, maintenance, and security; the hire*  
12 *of passenger motor vehicles (31 U.S.C. 1343(b)); the oper-*  
13 *ations of the Internal Revenue Service Oversight Board;*  
14 *and other services as authorized by 5 U.S.C. 3109, at such*  
15 *rates as may be determined by the Commissioner;*  
16 *\$3,638,446,000, of which not to exceed \$50,000,000 shall re-*  
17 *main available until September 30, 2018; of which not to*  
18 *exceed \$10,000,000 shall remain available until expended*  
19 *for acquisition of equipment and construction, repair and*  
20 *renovation of facilities; of which not to exceed \$1,000,000*  
21 *shall remain available until September 30, 2019, for re-*  
22 *search; of which not to exceed \$20,000 shall be for official*  
23 *reception and representation expenses: Provided, That not*  
24 *later than 30 days after the end of each quarter, the Inter-*  
25 *nal Revenue Service shall submit a report to the Committees*

1 *on Appropriations of the House of Representatives and the*  
2 *Senate and the Comptroller General of the United States*  
3 *detailing the cost and schedule performance for its major*  
4 *information technology investments, including the purpose*  
5 *and life-cycle stages of the investments; the reasons for any*  
6 *cost and schedule variances; the risks of such investments*  
7 *and strategies the Internal Revenue Service is using to*  
8 *mitigate such risks; and the expected developmental mile-*  
9 *stones to be achieved and costs to be incurred in the next*  
10 *quarter: Provided further, That the Internal Revenue Serv-*  
11 *ice shall include, in its budget justification for fiscal year*  
12 *2018, a summary of cost and schedule performance infor-*  
13 *mation for its major information technology systems.*

14 *BUSINESS SYSTEMS MODERNIZATION*

15 *For necessary expenses of the Internal Revenue Serv-*  
16 *ice's business systems modernization program,*  
17 *\$290,000,000, to remain available until September 30,*  
18 *2019, for the capital asset acquisition of information tech-*  
19 *nology systems, including management and related contrac-*  
20 *tual costs of said acquisitions, including related Internal*  
21 *Revenue Service labor costs, and contractual costs associ-*  
22 *ated with operations authorized by 5 U.S.C. 3109: Pro-*  
23 *vided, That not later than 30 days after the end of each*  
24 *quarter, the Internal Revenue Service shall submit a report*  
25 *to the Committees on Appropriations of the House of Rep-*

1 *representatives and the Senate and the Comptroller General*  
2 *of the United States detailing the cost and schedule perform-*  
3 *ance for CADE 2 and Modernized e-File information tech-*  
4 *nology investments, including the purposes and life-cycle*  
5 *stages of the investments; the reasons for any cost and sched-*  
6 *ule variances; the risks of such investments and the strate-*  
7 *gies the Internal Revenue Service is using to mitigate such*  
8 *risks; and the expected developmental milestones to be*  
9 *achieved and costs to be incurred in the next quarter.*

10 *ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE*

11 *SERVICE*

12 *(INCLUDING TRANSFERS OF FUNDS)*

13 *SEC. 101. Not to exceed 5 percent of any appropriation*  
14 *made available in this Act to the Internal Revenue Service*  
15 *may be transferred to any other Internal Revenue Service*  
16 *appropriation upon the advance approval of the Commit-*  
17 *tees on Appropriations.*

18 *SEC. 102. The Internal Revenue Service shall main-*  
19 *tain an employee training program, which shall include the*  
20 *following topics: taxpayers' rights, dealing courteously with*  
21 *taxpayers, cross-cultural relations, ethics, and the impartial*  
22 *application of tax law.*

23 *SEC. 103. The Internal Revenue Service shall institute*  
24 *and enforce policies and procedures that will safeguard the*

1 *confidentiality of taxpayer information and protect tax-*  
2 *payers against identity theft.*

3       *SEC. 104. Funds made available by this or any other*  
4 *Act to the Internal Revenue Service shall be available for*  
5 *improved facilities and increased staffing to provide suffi-*  
6 *cient and effective 1–800 help line service for taxpayers. The*  
7 *Commissioner shall continue to make improvements to the*  
8 *Internal Revenue Service 1–800 help line service a priority*  
9 *and allocate resources necessary to enhance the response*  
10 *time to taxpayer communications, particularly with regard*  
11 *to victims of tax-related crimes.*

12       *SEC. 105. None of the funds made available to the In-*  
13 *ternal Revenue Service by this Act may be used to make*  
14 *a video unless the Service-Wide Video Editorial Board de-*  
15 *termines in advance that making the video is appropriate,*  
16 *taking into account the cost, topic, tone, and purpose of the*  
17 *video.*

18       *SEC. 106. The Internal Revenue Service shall issue a*  
19 *notice of confirmation of any address change relating to an*  
20 *employer making employment tax payments, and such no-*  
21 *tice shall be sent to both the employer’s former and new*  
22 *address and an officer or employee of the Internal Revenue*  
23 *Service shall give special consideration to an offer-in-com-*  
24 *promise from a taxpayer who has been the victim of fraud*  
25 *by a third party payroll tax preparer.*

1        *SEC. 107. None of the funds made available under this*  
2 *Act may be used by the Internal Revenue Service to target*  
3 *citizens of the United States for exercising any right guar-*  
4 *anteed under the First Amendment to the Constitution of*  
5 *the United States.*

6        *SEC. 108. None of the funds made available in this*  
7 *Act may be used by the Internal Revenue Service to target*  
8 *groups for regulatory scrutiny based on their ideological be-*  
9 *liefs.*

10        *SEC. 109. None of funds made available by this Act*  
11 *to the Internal Revenue Service shall be obligated or ex-*  
12 *pended on conferences that do not adhere to the procedures,*  
13 *verification processes, documentation requirements, and*  
14 *policies issued by the Chief Financial Officer, Human Cap-*  
15 *ital Office, and Agency-Wide Shared Services as a result*  
16 *of the recommendations in the report published on May 31,*  
17 *2013, by the Treasury Inspector General for Tax Adminis-*  
18 *tration entitled “Review of the August 2010 Small Busi-*  
19 *ness/Self-Employed Division’s Conference in Anaheim,*  
20 *California” (Reference Number 2013–10–037).*

21        *SEC. 110. None of the funds made available in this*  
22 *Act to the Internal Revenue Service may be obligated or*  
23 *expended—*

24                *(1) to make a payment to any employee under*  
25                *a bonus, award, or recognition program; or*

1           (2) *under any hiring or personnel selection proc-*  
2           *ess with respect to re-hiring a former employee, unless*  
3           *such program or process takes into account the con-*  
4           *duct and Federal tax compliance of such employee or*  
5           *former employee.*

6           *SEC. 111. None of the funds made available by this*  
7           *Act may be used in contravention of section 6103 of the*  
8           *Internal Revenue Code of 1986 (relating to confidentiality*  
9           *and disclosure of returns and return information).*

10          *SEC. 112. Except to the extent provided in section*  
11          *6014, 6020, or 6201(d) of the Internal Revenue Code of*  
12          *1986, no funds in this or any other Act shall be available*  
13          *to the Secretary of the Treasury to provide to any person*  
14          *a proposed final return or statement for use by such person*  
15          *to satisfy a filing or reporting requirement under such*  
16          *Code.*

17          *SEC. 113. In addition to the amounts otherwise made*  
18          *available in this Act for the Internal Revenue Service,*  
19          *\$290,000,000, to be available until September 30, 2018,*  
20          *shall be transferred by the Commissioner to the “Taxpayer*  
21          *Services”, “Enforcement”, or “Operations Support” ac-*  
22          *counts of the Internal Revenue Service for an additional*  
23          *amount to be used solely for measurable improvements in*  
24          *the customer service representative level of service rate, to*  
25          *improve the identification and prevention of refund fraud*

1 *and identity theft, and to enhance cybersecurity to safe-*  
2 *guard taxpayer data: Provided, That such funds shall sup-*  
3 *plement, not supplant any other amounts made available*  
4 *by the Internal Revenue Service for such purpose: Provided*  
5 *further, That such funds shall not be available until the*  
6 *Commissioner submits to the Committees on Appropria-*  
7 *tions of the House of Representatives and the Senate a*  
8 *spending plan for such funds: Provided further, That such*  
9 *funds shall not be used to support any provision of Public*  
10 *Law 111–148, Public Law 111–152, or any amendment*  
11 *made by either such Public Law.*

12 *ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE*  
13 *TREASURY*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *SEC. 114. Appropriations to the Department of the*  
16 *Treasury in this Act shall be available for uniforms or al-*  
17 *lowances therefor, as authorized by law (5 U.S.C. 5901),*  
18 *including maintenance, repairs, and cleaning; purchase of*  
19 *insurance for official motor vehicles operated in foreign*  
20 *countries; purchase of motor vehicles without regard to the*  
21 *general purchase price limitations for vehicles purchased*  
22 *and used overseas for the current fiscal year; entering into*  
23 *contracts with the Department of State for the furnishing*  
24 *of health and medical services to employees and their de-*



1 *pendents serving in foreign countries; and services author-*  
2 *ized by 5 U.S.C. 3109.*

3       *SEC. 115. Not to exceed 2 percent of any appropria-*  
4 *tions in this title made available under the headings “De-*  
5 *partmental Offices—Salaries and Expenses”, “Office of In-*  
6 *spector General”, “Special Inspector General for the Trou-*  
7 *bled Asset Relief Program”, “Financial Crimes Enforce-*  
8 *ment Network”, “Bureau of the Fiscal Service”, and “Alco-*  
9 *hol and Tobacco Tax and Trade Bureau” may be trans-*  
10 *ferred between such appropriations upon the advance ap-*  
11 *proval of the Committees on Appropriations of the House*  
12 *of Representatives and the Senate: Provided, That no trans-*  
13 *fer under this section may increase or decrease any such*  
14 *appropriation by more than 2 percent.*

15       *SEC. 116. Not to exceed 2 percent of any appropriation*  
16 *made available in this Act to the Internal Revenue Service*  
17 *may be transferred to the Treasury Inspector General for*  
18 *Tax Administration’s appropriation upon the advance ap-*  
19 *proval of the Committees on Appropriations of the House*  
20 *of Representatives and the Senate: Provided, That no trans-*  
21 *fer may increase or decrease any such appropriation by*  
22 *more than 2 percent.*

23       *SEC. 117. None of the funds appropriated in this Act*  
24 *or otherwise available to the Department of the Treasury*

1 *or the Bureau of Engraving and Printing may be used to*  
2 *redesign the \$1 Federal Reserve note.*

3       *SEC. 118. The Secretary of the Treasury may transfer*  
4 *funds from the “Bureau of the Fiscal Service-Salaries and*  
5 *Expenses” to the Debt Collection Fund as necessary to cover*  
6 *the costs of debt collection: Provided, That such amounts*  
7 *shall be reimbursed to such salaries and expenses account*  
8 *from debt collections received in the Debt Collection Fund.*

9       *SEC. 119. None of the funds appropriated or otherwise*  
10 *made available by this or any other Act may be used by*  
11 *the United States Mint to construct or operate any museum*  
12 *without the explicit approval of the Committees on Appro-*  
13 *priations of the House of Representatives and the Senate,*  
14 *the House Committee on Financial Services, and the Senate*  
15 *Committee on Banking, Housing, and Urban Affairs.*

16       *SEC. 120. None of the funds appropriated or otherwise*  
17 *made available by this or any other Act or source to the*  
18 *Department of the Treasury, the Bureau of Engraving and*  
19 *Printing, and the United States Mint, individually or col-*  
20 *lectively, may be used to consolidate any or all functions*  
21 *of the Bureau of Engraving and Printing and the United*  
22 *States Mint without the explicit approval of the House*  
23 *Committee on Financial Services; the Senate Committee on*  
24 *Banking, Housing, and Urban Affairs; and the Committees*

1 *on Appropriations of the House of Representatives and the*  
2 *Senate.*

3       *SEC. 121. Funds appropriated by this Act, or made*  
4 *available by the transfer of funds in this Act, for the De-*  
5 *partment of the Treasury's intelligence or intelligence re-*  
6 *lated activities are deemed to be specifically authorized by*  
7 *the Congress for purposes of section 504 of the National Se-*  
8 *curity Act of 1947 (50 U.S.C. 414) during fiscal year 2017*  
9 *until the enactment of the Intelligence Authorization Act*  
10 *for Fiscal Year 2017.*

11       *SEC. 122. Not to exceed \$5,000 shall be made available*  
12 *from the Bureau of Engraving and Printing's Industrial*  
13 *Revolving Fund for necessary official reception and rep-*  
14 *resentation expenses.*

15       *SEC. 123. The Secretary of the Treasury shall submit*  
16 *a Capital Investment Plan to the Committees on Appro-*  
17 *priations of the Senate and the House of Representatives*  
18 *not later than 30 days following the submission of the an-*  
19 *nual budget submitted by the President: Provided, That*  
20 *such Capital Investment Plan shall include capital invest-*  
21 *ment spending from all accounts within the Department of*  
22 *the Treasury, including but not limited to the Department-*  
23 *wide Systems and Capital Investment Programs account,*  
24 *Treasury Franchise Fund account, and the Treasury For-*  
25 *feiture Fund account: Provided further, That such Capital*

1 *Investment Plan shall include expenditures occurring in*  
2 *previous fiscal years for each capital investment project*  
3 *that has not been fully completed.*

4       *SEC. 124. Within 45 days after the date of enactment*  
5 *of this Act, the Secretary of the Treasury shall submit an*  
6 *itemized report to the Committees on Appropriations of the*  
7 *House of Representatives and the Senate on the amount of*  
8 *total funds charged to each office by the Franchise Fund*  
9 *including the amount charged for each service provided by*  
10 *the Franchise Fund to each office, a detailed description*  
11 *of the services, a detailed explanation of how each charge*  
12 *for each service is calculated, and a description of the role*  
13 *customers have in governing in the Franchise Fund.*

14       *SEC. 125. The Secretary of the Treasury, in consulta-*  
15 *tion with the appropriate agencies, departments, bureaus,*  
16 *and commissions that have expertise in terrorism and com-*  
17 *plex financial instruments, shall provide a report to the*  
18 *Committees on Appropriations of the House of Representa-*  
19 *tives and Senate, the Committee on Financial Services of*  
20 *the House of Representatives, and the Committee on Bank-*  
21 *ing, Housing, and Urban Affairs of the Senate not later*  
22 *than 90 days after the date of enactment of this Act on*  
23 *economic warfare and financial terrorism.*

24       *SEC. 126. During fiscal year 2017—*

1           (1) none of the funds made available in this or  
2           any other Act may be used by the Department of the  
3           Treasury, including the Internal Revenue Service, to  
4           issue, revise, or finalize any regulation, revenue rul-  
5           ing, or other guidance not limited to a particular tax-  
6           payer relating to the standard which is used to deter-  
7           mine whether an organization is operated exclusively  
8           for the promotion of social welfare for purposes of sec-  
9           tion 501(c)(4) of the Internal Revenue Code of 1986  
10          (including the proposed regulations published at 78  
11          *Fed. Reg.* 71535 (November 29, 2013)); and

12          (2) the standard and definitions as in effect on  
13          January 1, 2010, which are used to make such deter-  
14          minations shall apply after the date of the enactment  
15          of this Act for purposes of determining status under  
16          section 501(c)(4) of such Code of organizations cre-  
17          ated on, before, or after such date.

18          SEC. 127. (a) Not later than 60 days after the end of  
19          each quarter, the Office of Financial Stability and the Of-  
20          fice of Financial Research shall submit reports on their ac-  
21          tivities to the Committees on Appropriations of the House  
22          of Representatives and the Senate, the Committee on Finan-  
23          cial Services of the House of Representatives and the Senate  
24          Committee on Banking, Housing, and Urban Affairs.

1       **(b)** *The reports required under subsection (a) shall in-*  
2 *clude—*

3           **(1)** *the obligations made during the previous*  
4 *quarter by object class, office, and activity;*

5           **(2)** *the estimated obligations for the remainder of*  
6 *the fiscal year by object class, office, and activity;*

7           **(3)** *the number of full-time equivalents within*  
8 *each office during the previous quarter;*

9           **(4)** *the estimated number of full-time equivalents*  
10 *within each office for the remainder of the fiscal year;*  
11 *and*

12           **(5)** *actions taken to achieve the goals, objectives,*  
13 *and performance measures of each office.*

14       **(c)** *At the request of any such Committees specified in*  
15 *subsection (a), the Office of Financial Stability and the Of-*  
16 *fice of Financial Research shall make officials available to*  
17 *testify on the contents of the reports required under sub-*  
18 *section (a).*

19       *This title may be cited as the “Department of the*  
20 *Treasury Appropriations Act, 2017”.*



## REIMBURSABLE EXPENSES

1  
2       *For the reimbursable expenses of the Executive Resi-*  
3 *dence at the White House, such sums as may be necessary:*  
4 *Provided, That all reimbursable operating expenses of the*  
5 *Executive Residence shall be made in accordance with the*  
6 *provisions of this paragraph: Provided further, That, not-*  
7 *withstanding any other provision of law, such amount for*  
8 *reimbursable operating expenses shall be the exclusive au-*  
9 *thority of the Executive Residence to incur obligations and*  
10 *to receive offsetting collections, for such expenses: Provided*  
11 *further, That the Executive Residence shall require each*  
12 *person sponsoring a reimbursable political event to pay in*  
13 *advance an amount equal to the estimated cost of the event,*  
14 *and all such advance payments shall be credited to this ac-*  
15 *count and remain available until expended: Provided fur-*  
16 *ther, That the Executive Residence shall require the na-*  
17 *tional committee of the political party of the President to*  
18 *maintain on deposit \$25,000, to be separately accounted for*  
19 *and available for expenses relating to reimbursable political*  
20 *events sponsored by such committee during such fiscal year:*  
21 *Provided further, That the Executive Residence shall ensure*  
22 *that a written notice of any amount owed for a reimburs-*  
23 *able operating expense under this paragraph is submitted*  
24 *to the person owing such amount within 60 days after such*  
25 *expense is incurred, and that such amount is collected with-*



1 *in 30 days after the submission of such notice: Provided*  
2 *further, That the Executive Residence shall charge interest*  
3 *and assess penalties and other charges on any such amount*  
4 *that is not reimbursed within such 30 days, in accordance*  
5 *with the interest and penalty provisions applicable to an*  
6 *outstanding debt on a United States Government claim*  
7 *under 31 U.S.C. 3717: Provided further, That each such*  
8 *amount that is reimbursed, and any accompanying interest*  
9 *and charges, shall be deposited in the Treasury as miscella-*  
10 *neous receipts: Provided further, That the Executive Resi-*  
11 *dence shall prepare and submit to the Committees on Ap-*  
12 *propriations, by not later than 90 days after the end of*  
13 *the fiscal year covered by this Act, a report setting forth*  
14 *the reimbursable operating expenses of the Executive Resi-*  
15 *dence during the preceding fiscal year, including the total*  
16 *amount of such expenses, the amount of such total that con-*  
17 *sists of reimbursable official and ceremonial events, the*  
18 *amount of such total that consists of reimbursable political*  
19 *events, and the portion of each such amount that has been*  
20 *reimbursed as of the date of the report: Provided further,*  
21 *That the Executive Residence shall maintain a system for*  
22 *the tracking of expenses related to reimbursable events with-*  
23 *in the Executive Residence that includes a standard for the*  
24 *classification of any such expense as political or non-*  
25 *political: Provided further, That no provision of this para-*

1 *graph may be construed to exempt the Executive Residence*  
 2 *from any other applicable requirement of subchapter I or*  
 3 *II of chapter 37 of title 31, United States Code.*

4 *WHITE HOUSE REPAIR AND RESTORATION*

5 *For the repair, alteration, and improvement of the Ex-*  
 6 *ecutive Residence at the White House pursuant to 3 U.S.C.*  
 7 *105(d), \$750,000, to remain available until expended, for*  
 8 *required maintenance, resolution of safety and health*  
 9 *issues, and continued preventative maintenance.*

10 *COUNCIL OF ECONOMIC ADVISERS*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Council of Economic Ad-*  
 13 *visers in carrying out its functions under the Employment*  
 14 *Act of 1946 (15 U.S.C. 1021 et seq.), \$4,201,000.*

15 *NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY*

16 *COUNCIL*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the National Security Coun-*  
 19 *cil and the Homeland Security Council, including services*  
 20 *as authorized by 5 U.S.C. 3109, \$12,000,000.*

21 *OFFICE OF ADMINISTRATION*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Office of Administration,*  
 24 *including services as authorized by 5 U.S.C. 3109 and 3*  
 25 *U.S.C. 107, and hire of passenger motor vehicles,*

1 \$96,116,000, of which not to exceed \$12,760,000 shall re-  
2 main available until expended for continued modernization  
3 of information resources within the Executive Office of the  
4 President: Provided, That in addition, \$4,925,000, shall re-  
5 main available until September 30, 2018, for additional se-  
6 curity improvements.

7 *PRESIDENTIAL TRANSITION ADMINISTRATIVE SUPPORT*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For expenses of the Office of Administration to carry*  
10 *out the Presidential Transition Act of 1963, as amended,*  
11 *and similar expenses, in addition to amounts otherwise ap-*  
12 *propriated by law, \$7,582,000: Provided, That such funds*  
13 *may be transferred to other accounts that provide funding*  
14 *for offices within the Executive Office of the President and*  
15 *the Office of the Vice President in this Act or any other*  
16 *Act, to carry out such purposes.*

17 *OFFICE OF MANAGEMENT AND BUDGET*

18 *SALARIES AND EXPENSES*

19 *For necessary expenses of the Office of Management*  
20 *and Budget, including hire of passenger motor vehicles and*  
21 *services as authorized by 5 U.S.C. 3109, to carry out the*  
22 *provisions of chapter 35 of title 44, United States Code,*  
23 *and to prepare and submit the budget of the United States*  
24 *Government, in accordance with section 1105(a) of title 31,*  
25 *United States Code, \$95,000,000, of which not to exceed*

1 \$3,000 shall be available for official representation expenses:  
2 Provided, That none of the funds appropriated in this Act  
3 for the Office of Management and Budget may be used for  
4 the purpose of reviewing any agricultural marketing orders  
5 or any activities or regulations under the provisions of the  
6 Agricultural Marketing Agreement Act of 1937 (7 U.S.C.  
7 601 et seq.): Provided further, That none of the funds made  
8 available for the Office of Management and Budget by this  
9 Act may be expended for the altering of the transcript of  
10 actual testimony of witnesses, except for testimony of offi-  
11 cials of the Office of Management and Budget, before the  
12 Committees on Appropriations or their subcommittees: Pro-  
13 vided further, That of the funds made available for the Of-  
14 fice of Management and Budget by this Act, no less than  
15 three full-time equivalent senior staff position shall be dedi-  
16 cated solely to the Office of the Intellectual Property En-  
17 forcement Coordinator: Provided further, That none of the  
18 funds provided in this or prior Acts shall be used, directly  
19 or indirectly, by the Office of Management and Budget, for  
20 evaluating or determining if water resource project or study  
21 reports submitted by the Chief of Engineers acting through  
22 the Secretary of the Army are in compliance with all appli-  
23 cable laws, regulations, and requirements relevant to the  
24 Civil Works water resource planning process: Provided fur-  
25 ther, That the Office of Management and Budget shall have

1 *not more than 60 days in which to perform budgetary pol-*  
2 *icy reviews of water resource matters on which the Chief*  
3 *of Engineers has reported: Provided further, That the Direc-*  
4 *tor of the Office of Management and Budget shall notify*  
5 *the appropriate authorizing and appropriating committees*  
6 *when the 60-day review is initiated: Provided further, That*  
7 *if water resource reports have not been transmitted to the*  
8 *appropriate authorizing and appropriating committees*  
9 *within 15 days after the end of the Office of Management*  
10 *and Budget review period based on the notification from*  
11 *the Director, Congress shall assume Office of Management*  
12 *and Budget concurrence with the report and act accord-*  
13 *ingly.*

14 *OFFICE OF NATIONAL DRUG CONTROL POLICY*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Office of National Drug*  
17 *Control Policy; for research activities pursuant to the Office*  
18 *of National Drug Control Policy Reauthorization Act of*  
19 *2006 (Public Law 109–469); not to exceed \$10,000 for offi-*  
20 *cial reception and representation expenses; and for partici-*  
21 *pation in joint projects or in the provision of services on*  
22 *matters of mutual interest with nonprofit, research, or pub-*  
23 *lic organizations or agencies, with or without reimburse-*  
24 *ment, \$19,274,000: Provided, That the Office is authorized*  
25 *to accept, hold, administer, and utilize gifts, both real and*

1 *personal, public and private, without fiscal year limitation,*  
2 *for the purpose of aiding or facilitating the work of the Of-*  
3 *fice.*

4 *FEDERAL DRUG CONTROL PROGRAMS*

5 *HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM*

6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *For necessary expenses of the Office of National Drug*  
8 *Control Policy's High Intensity Drug Trafficking Areas*  
9 *Program, \$254,000,000, to remain available until Sep-*  
10 *tember 30, 2018, for drug control activities consistent with*  
11 *the approved strategy for each of the designated High Inten-*  
12 *sity Drug Trafficking Areas ("HIDTAs"), of which not less*  
13 *than 51 percent shall be transferred to State and local enti-*  
14 *ties for drug control activities and shall be obligated not*  
15 *later than 120 days after enactment of this Act: Provided,*  
16 *That up to 49 percent may be transferred to Federal agen-*  
17 *cies and departments in amounts determined by the Direc-*  
18 *tor of the Office of National Drug Control Policy, of which*  
19 *up to \$2,700,000 may be used for auditing services and as-*  
20 *sociated activities: Provided further, That, notwithstanding*  
21 *the requirements of Public Law 106-58, any unexpended*  
22 *funds obligated prior to fiscal year 2015 may be used for*  
23 *any other approved activities of that HIDTA, subject to re-*  
24 *programming requirements: Provided further, That each*  
25 *HIDTA designated as of September 30, 2016, shall be fund-*

1 *ed at not less than the fiscal year 2016 base level, unless*  
2 *the Director submits to the Committees on Appropriations*  
3 *of the House of Representatives and the Senate justification*  
4 *for changes to those levels based on clearly articulated prior-*  
5 *ities and published Office of National Drug Control Policy*  
6 *performance measures of effectiveness: Provided further,*  
7 *That the Director shall notify the Committees on Appro-*  
8 *priations of the initial allocation of fiscal year 2017 fund-*  
9 *ing among HIDTAs not later than 45 days after enactment*  
10 *of this Act, and shall notify the Committees of planned uses*  
11 *of discretionary HIDTA funding, as determined in con-*  
12 *sultation with the HIDTA Directors, not later than 90 days*  
13 *after enactment of this Act: Provided further, That upon*  
14 *a determination that all or part of the funds so transferred*  
15 *from this appropriation are not necessary for the purposes*  
16 *provided herein and upon notification to the Committees*  
17 *on Appropriations of the House of Representatives and the*  
18 *Senate, such amounts may be transferred back to this ap-*  
19 *propriation.*

20 *OTHER FEDERAL DRUG CONTROL PROGRAMS*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For other drug control activities authorized by the Of-*  
23 *fice of National Drug Control Policy Reauthorization Act*  
24 *of 2006 (Public Law 109–469), \$111,871,000, to remain*  
25 *available until expended, which shall be available as follows:*

1 \$97,000,000 for the Drug-Free Communities Program, of  
2 which \$2,000,000 shall be made available as directed by sec-  
3 tion 4 of Public Law 107–82, as amended by Public Law  
4 109–469 (21 U.S.C. 1521 note); \$2,000,000 for drug court  
5 training and technical assistance; \$9,500,000 for anti-  
6 doping activities; \$2,121,000 for the United States member-  
7 ship dues to the World Anti-Doping Agency; and \$1,250,000  
8 shall be made available as directed by section 1105 of Public  
9 Law 109–469; and an additional \$3,000,000, to remain  
10 available until expended, shall be for activities authorized  
11 by section 103 of Public Law 114–198: Provided, That  
12 amounts made available under this heading may be trans-  
13 ferred to other Federal departments and agencies to carry  
14 out such activities.

15 *UNANTICIPATED NEEDS*

16 *For expenses necessary to enable the President to meet*  
17 *unanticipated needs, in furtherance of the national interest,*  
18 *security, or defense which may arise at home or abroad dur-*  
19 *ing the current fiscal year, as authorized by 3 U.S.C. 108,*  
20 *\$800,000, to remain available until September 30, 2018.*

21 *INFORMATION TECHNOLOGY OVERSIGHT AND REFORM*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *For necessary expenses for the furtherance of inte-*  
24 *grated, efficient, secure, and effective uses of information*  
25 *technology in the Federal Government, \$27,000,000, to re-*



1 *main available until expended: Provided, That the Director*  
2 *of the Office of Management and Budget may transfer these*  
3 *funds to one or more other agencies to carry out projects*  
4 *to meet these purposes.*

5 *SPECIAL ASSISTANCE TO THE PRESIDENT*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses to enable the Vice President to*  
8 *provide assistance to the President in connection with spe-*  
9 *cially assigned functions; services as authorized by 5 U.S.C.*  
10 *3109 and 3 U.S.C. 106, including subsistence expenses as*  
11 *authorized by 3 U.S.C. 106, which shall be expended and*  
12 *accounted for as provided in that section; and hire of pas-*  
13 *senger motor vehicles, \$4,228,000.*

14 *OFFICIAL RESIDENCE OF THE VICE PRESIDENT*

15 *OPERATING EXPENSES*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For the care, operation, refurnishing, improvement,*  
18 *and to the extent not otherwise provided for, heating and*  
19 *lighting, including electric power and fixtures, of the offi-*  
20 *cial residence of the Vice President; the hire of passenger*  
21 *motor vehicles; and not to exceed \$90,000 pursuant to 3*  
22 *U.S.C. 106(b)(2), \$299,000: Provided, That advances, re-*  
23 *payments, or transfers from this appropriation may be*  
24 *made to any department or agency for expenses of carrying*  
25 *out such activities.*

1 *ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF*  
2 *THE PRESIDENT AND FUNDS APPROPRIATED TO THE*  
3 *PRESIDENT*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *SEC. 201. From funds made available in this Act*  
6 *under the headings “The White House”, “Executive Resi-*  
7 *dence at the White House”, “White House Repair and Res-*  
8 *toration”, “Council of Economic Advisers”, “National Se-*  
9 *curity Council and Homeland Security Council”, “Office*  
10 *of Administration”, “Special Assistance to the President”,*  
11 *and “Official Residence of the Vice President”, the Director*  
12 *of the Office of Management and Budget (or such other offi-*  
13 *cer as the President may designate in writing), may, with*  
14 *advance approval of the Committees on Appropriations of*  
15 *the House of Representatives and the Senate, transfer not*  
16 *to exceed 10 percent of any such appropriation to any other*  
17 *such appropriation, to be merged with and available for*  
18 *the same time and for the same purposes as the appropri-*  
19 *ation to which transferred: Provided, That the amount of an*  
20 *appropriation shall not be increased by more than 50 per-*  
21 *cent by such transfers: Provided further, That no amount*  
22 *shall be transferred from “Special Assistance to the Presi-*  
23 *dent” or “Official Residence of the Vice President” without*  
24 *the approval of the Vice President.*

1        *SEC. 202. Within 90 days after the date of enactment*  
2 *of this section, the Director of the Office of Management*  
3 *and Budget shall submit a report to the Committees on Ap-*  
4 *propriations of the House of Representatives and the Senate*  
5 *on the costs of implementing the Dodd-Frank Wall Street*  
6 *Reform and Consumer Protection Act (Public Law 111-*  
7 *203). Such report shall include—*

8            *(1) the estimated mandatory and discretionary*  
9 *obligations of funds through fiscal year 2019, by Fed-*  
10 *eral agency and by fiscal year, including—*

11            *(A) the estimated obligations by cost inputs*  
12 *such as rent, information technology, contracts,*  
13 *and personnel;*

14            *(B) the methodology and data sources used*  
15 *to calculate such estimated obligations; and*

16            *(C) the specific section of such Act that re-*  
17 *quires the obligation of funds; and*

18            *(2) the estimated receipts through fiscal year*  
19 *2019 from assessments, user fees, and other fees by the*  
20 *Federal agency making the collections, by fiscal year,*  
21 *including—*

22            *(A) the methodology and data sources used*  
23 *to calculate such estimated collections; and*

24            *(B) the specific section of such Act that au-*  
25 *thorizes the collection of funds.*

1        *SEC. 203. (a) During fiscal year 2017, any Executive*  
2 *order or Presidential memorandum issued or revoked by the*  
3 *President shall be accompanied by a written statement from*  
4 *the Director of the Office of Management and Budget on*  
5 *the budgetary impact, including costs, benefits, and reve-*  
6  *nues, of such order or memorandum.*

7        *(b) Any such statement shall include—*

8            *(1) a narrative summary of the budgetary im-*  
9  *pact of such order or memorandum on the Federal*  
10 *Government;*

11           *(2) the impact on mandatory and discretionary*  
12 *obligations and outlays as the result of such order or*  
13 *memorandum, listed by Federal agency, for each year*  
14 *in the 5-fiscal-year period beginning in fiscal year*  
15 *2017; and*

16           *(3) the impact on revenues of the Federal Gov-*  
17 *ernment as the result of such order or memorandum*  
18 *over the 5-fiscal-year period beginning in fiscal year*  
19 *2017.*

20        *(c) If an Executive order or Presidential memorandum*  
21 *is issued during fiscal year 2017 due to a national emer-*  
22 *gency, the Director of the Office of Management and Budget*  
23 *may issue the statement required by subsection (a) not later*  
24 *than 15 days after the date that such order or memorandum*  
25 *is issued.*



1 *upon the Architect by 40 U.S.C. 6111 and 6112,*  
2 *\$14,868,000, to remain available until expended.*

3 *UNITED STATES COURT OF APPEALS FOR THE FEDERAL*  
4 *CIRCUIT*

5 *SALARIES AND EXPENSES*

6 *For salaries of officers and employees, and for nec-*  
7 *essary expenses of the court, as authorized by law,*  
8 *\$30,108,000.*

9 *In addition, there are appropriated such sums as may*  
10 *be necessary under current law for the salaries of the chief*  
11 *judge and judges of the court.*

12 *UNITED STATES COURT OF INTERNATIONAL TRADE*

13 *SALARIES AND EXPENSES*

14 *For salaries of officers and employees of the court, serv-*  
15 *ices, and necessary expenses of the court, as authorized by*  
16 *law, \$18,462,000.*

17 *In addition, there are appropriated such sums as may*  
18 *be necessary under current law for the salaries of the chief*  
19 *judge and judges of the court.*

20 *COURTS OF APPEALS, DISTRICT COURTS, AND OTHER*

21 *JUDICIAL SERVICES*

22 *SALARIES AND EXPENSES*

23 *For the salaries of judges of the United States Court*  
24 *of Federal Claims, magistrate judges, and all other officers*  
25 *and employees of the Federal Judiciary not otherwise spe-*

1 *cifically provided for, necessary expenses of the courts, and*  
2 *the purchase, rental, repair, and cleaning of uniforms for*  
3 *Probation and Pretrial Services Office staff, as authorized*  
4 *by law, \$4,996,445,000 (including the purchase of firearms*  
5 *and ammunition); of which not to exceed \$27,817,000 shall*  
6 *remain available until expended for space alteration*  
7 *projects and for furniture and furnishings related to new*  
8 *space alteration and construction projects.*

9 *In addition, there are appropriated such sums as may*  
10 *be necessary under current law for the salaries of circuit*  
11 *and district judges (including judges of the territorial courts*  
12 *of the United States), bankruptcy judges, and justices and*  
13 *judges retired from office or from regular active service.*

14 *In addition, for expenses of the United States Court*  
15 *of Federal Claims associated with processing cases under*  
16 *the National Childhood Vaccine Injury Act of 1986 (Public*  
17 *Law 99–660), not to exceed \$6,510,000, to be appropriated*  
18 *from the Vaccine Injury Compensation Trust Fund.*

19 *DEFENDER SERVICES*

20 *For the operation of Federal Defender organizations;*  
21 *the compensation and reimbursement of expenses of attor-*  
22 *neys appointed to represent persons under 18 U.S.C. 3006A*  
23 *and 3599, and for the compensation and reimbursement of*  
24 *expenses of persons furnishing investigative, expert, and*  
25 *other services for such representations as authorized by law;*

1 *the compensation (in accordance with the maximums under*  
2 *18 U.S.C. 3006A) and reimbursement of expenses of attor-*  
3 *neys appointed to assist the court in criminal cases where*  
4 *the defendant has waived representation by counsel; the*  
5 *compensation and reimbursement of expenses of attorneys*  
6 *appointed to represent jurors in civil actions for the protec-*  
7 *tion of their employment, as authorized by 28 U.S.C.*  
8 *1875(d)(1); the compensation and reimbursement of ex-*  
9 *penses of attorneys appointed under 18 U.S.C. 983(b)(1)*  
10 *in connection with certain judicial civil forfeiture pro-*  
11 *ceedings; the compensation and reimbursement of travel ex-*  
12 *penses of guardians ad litem appointed under 18 U.S.C.*  
13 *4100(b); and for necessary training and general adminis-*  
14 *trative expenses, \$1,044,647,000 to remain available until*  
15 *expended.*

16 *FEES OF JURORS AND COMMISSIONERS*

17 *For fees and expenses of jurors as authorized by 28*  
18 *U.S.C. 1871 and 1876; compensation of jury commissioners*  
19 *as authorized by 28 U.S.C. 1863; and compensation of com-*  
20 *missioners appointed in condemnation cases pursuant to*  
21 *rule 71.1(h) of the Federal Rules of Civil Procedure (28*  
22 *U.S.C. Appendix Rule 71.1(h)), \$39,929,000, to remain*  
23 *available until expended: Provided, That the compensation*  
24 *of land commissioners shall not exceed the daily equivalent*  
25 *of the highest rate payable under 5 U.S.C. 5332.*



## 1 COURT SECURITY

2 (INCLUDING TRANSFERS OF FUNDS)

3 *For necessary expenses, not otherwise provided for, in-*  
4 *cident to the provision of protective guard services for*  
5 *United States courthouses and other facilities housing Fed-*  
6 *eral court operations, and the procurement, installation,*  
7 *and maintenance of security systems and equipment for*  
8 *United States courthouses and other facilities housing Fed-*  
9 *eral court operations, including building ingress-egress con-*  
10 *trol, inspection of mail and packages, directed security pa-*  
11 *trols, perimeter security, basic security services provided by*  
12 *the Federal Protective Service, and other similar activities*  
13 *as authorized by section 1010 of the Judicial Improvement*  
14 *and Access to Justice Act (Public Law 100-702),*  
15 *\$565,388,000, of which not to exceed \$20,000,000 shall re-*  
16 *main available until expended, to be expended directly or*  
17 *transferred to the United States Marshals Service, which*  
18 *shall be responsible for administering the Judicial Facility*  
19 *Security Program consistent with standards or guidelines*  
20 *agreed to by the Director of the Administrative Office of*  
21 *the United States Courts and the Attorney General.*

1        *ADMINISTRATIVE OFFICE OF THE UNITED STATES*2                                *COURTS*3                                *SALARIES AND EXPENSES*

4        *For necessary expenses of the Administrative Office of*  
5 *the United States Courts as authorized by law, including*  
6 *travel as authorized by 31 U.S.C. 1345, hire of a passenger*  
7 *motor vehicle as authorized by 31 U.S.C. 1343(b), adver-*  
8 *tising and rent in the District of Columbia and elsewhere,*  
9 *\$87,500,000, of which not to exceed \$8,500 is authorized*  
10 *for official reception and representation expenses.*

11                                *FEDERAL JUDICIAL CENTER*12                                *SALARIES AND EXPENSES*

13        *For necessary expenses of the Federal Judicial Center,*  
14 *as authorized by Public Law 90–219, \$28,335,000; of which*  
15 *\$1,800,000 shall remain available through September 30,*  
16 *2018, to provide education and training to Federal court*  
17 *personnel; and of which not to exceed \$1,500 is authorized*  
18 *for official reception and representation expenses.*

19                                *UNITED STATES SENTENCING COMMISSION*20                                *SALARIES AND EXPENSES*

21        *For the salaries and expenses necessary to carry out*  
22 *the provisions of chapter 58 of title 28, United States Code,*  
23 *\$18,100,000, of which not to exceed \$1,000 is authorized*  
24 *for official reception and representation expenses.*

1           *ADMINISTRATIVE PROVISIONS—THE JUDICIARY*  
2   *(INCLUDING TRANSFER OF FUNDS)*

3           *SEC. 301. Appropriations and authorizations made in*  
4 *this title which are available for salaries and expenses shall*  
5 *be available for services as authorized by 5 U.S.C. 3109.*

6           *SEC. 302. Not to exceed 5 percent of any appropriation*  
7 *made available for the current fiscal year for the Judiciary*  
8 *in this Act may be transferred between such appropriations,*  
9 *but no such appropriation, except “Courts of Appeals, Dis-*  
10 *trict Courts, and Other Judicial Services, Defender Serv-*  
11 *ices” and “Courts of Appeals, District Courts, and Other*  
12 *Judicial Services, Fees of Jurors and Commissioners”, shall*  
13 *be increased by more than 10 percent by any such transfers:*  
14 *Provided, That any transfer pursuant to this section shall*  
15 *be treated as a reprogramming of funds under sections 604*  
16 *and 608 of this Act and shall not be available for obligation*  
17 *or expenditure except in compliance with the procedures set*  
18 *forth in section 608.*

19           *SEC. 303. Notwithstanding any other provision of law,*  
20 *the salaries and expenses appropriation for “Courts of Ap-*  
21 *peals, District Courts, and Other Judicial Services” shall*  
22 *be available for official reception and representation ex-*  
23 *penses of the Judicial Conference of the United States: Pro-*  
24 *vided, That such available funds shall not exceed \$11,000*  
25 *and shall be administered by the Director of the Adminis-*

1 *trative Office of the United States Courts in the capacity*  
2 *as Secretary of the Judicial Conference.*

3       *SEC. 304. Section 3314(a) of title 40, United States*  
4 *Code, shall be applied by substituting “Federal” for “execu-*  
5 *tive” each place it appears.*

6       *SEC. 305. In accordance with 28 U.S.C. 561–569, and*  
7 *notwithstanding any other provision of law, the United*  
8 *States Marshals Service shall provide, for such courthouses*  
9 *as its Director may designate in consultation with the Di-*  
10 *rector of the Administrative Office of the United States*  
11 *Courts, for purposes of a pilot program, the security services*  
12 *that 40 U.S.C. 1315 authorizes the Department of Home-*  
13 *land Security to provide, except for the services specified*  
14 *in 40 U.S.C. 1315(b)(2)(E). For building-specific security*  
15 *services at these courthouses, the Director of the Administra-*  
16 *tive Office of the United States Courts shall reimburse the*  
17 *United States Marshals Service rather than the Department*  
18 *of Homeland Security.*

19       *SEC. 306. (a) Section 203(c) of the Judicial Improve-*  
20 *ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133*  
21 *note), is amended in the second sentence (relating to the*  
22 *District of Kansas) following paragraph (12), by striking*  
23 *“25 years and 6 months” and inserting “26 years and 6*  
24 *months”.*

1       (b) *Section 406 of the Transportation, Treasury,*  
2 *Housing and Urban Development, the Judiciary, the Dis-*  
3 *trict of Columbia, and Independent Agencies Appropria-*  
4 *tions Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28*  
5 *U.S.C. 133 note) is amended in the second sentence (relat-*  
6 *ing to the eastern District of Missouri) by striking “23*  
7 *years and 6 months” and inserting “24 years and 6*  
8 *months”.*

9       (c) *Section 312(c)(2) of the 21st Century Department*  
10 *of Justice Appropriations Authorization Act (Public Law*  
11 *107–273; 28 U.S.C. 133 note), is amended—*

12             (1) *in the first sentence by striking “14 years”*  
13 *and inserting “15 years”;*

14             (2) *in the second sentence (relating to the central*  
15 *District of California), by striking “13 years and 6*  
16 *months” and inserting “14 years and 6 months”; and*

17             (3) *in the third sentence (relating to the western*  
18 *district of North Carolina), by striking “12 years”*  
19 *and inserting “13 years”.*

20       SEC. 307. (a) *Section 2(a)(2)(A) of the Temporary*  
21 *Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C.*  
22 *152 note; Public Law 112–121) is amended by striking*  
23 *“subparagraphs (B), (C), (D), and (E)” and inserting “sub-*  
24 *paragraphs (B), (C), (D), (E), (F), (G), and (H)”.*

1           (b) Section 2(a)(2) of the Temporary Bankruptcy  
2 *Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Pub-*  
3 *lic Law 112–121) is amended by adding at the end the fol-*  
4 *lowing:*

5                   “(F) *EASTERN DISTRICT OF MICHIGAN.—*  
6           *The 1st vacancy in the office of a bankruptcy*  
7 *judge for the eastern district of Michigan—*

8                           “(i) *occurring 6 years or more after*  
9 *the date of the enactment of this Act, and*

10                                   “(ii) *resulting from the death, retire-*  
11 *ment, resignation, or removal of a bank-*  
12 *ruptcy judge, shall not be filled.*

13                   “(G) *DISTRICT OF PUERTO RICO.—The 1st*  
14 *vacancy in the office of a bankruptcy judge for*  
15 *the district of Puerto Rico—*

16                           “(i) *occurring 6 years or more after*  
17 *the date of the enactment of this Act, and*

18                                   “(ii) *resulting from the death, retire-*  
19 *ment, resignation, or removal of a bank-*  
20 *ruptcy judge, shall not be filled.*

21                   “(H) *EASTERN DISTRICT OF VIRGINIA.—*  
22 *The 1st vacancy in the office of a bankruptcy*  
23 *judge for the eastern district of Virginia—*

24                           “(i) *occurring 6 years or more after*  
25 *the date of the enactment of this Act, and*

1                   “(ii) resulting from the death, retire-  
2                   ment, resignation, or removal of a bank-  
3                   ruptcy judge, shall not be filled.”.

4           (c) Section 2(a)(2)(C) of the Temporary Bankruptcy  
5   Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Pub-  
6   lic Law 112–121) is amended—

7                   (1) by redesignating clauses (i) and (ii) as  
8                   clauses (ii) and (iii), respectively;

9                   (2) by inserting before clause (ii), as so redesi-  
10                  gnated, the following:

11                               “(i) in the case of the 1st and 2d va-  
12                               cancies, occurring more than 6 years after  
13                               the date of the enactment of this Act,”; and

14                   (3) in clause (ii), as so redesignated, by inserting  
15                   “in the case of the 3d and 4th vacancies,” before “oc-  
16                   curring more than 5 years”.

17           (d) Section 2(a)(2)(D)(i) of the Temporary Bank-  
18   ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152  
19   note; Public Law 112–121) is amended (with regard to the  
20   1st and 2d vacancies in the southern district of Florida)  
21   by striking “5 years” and inserting “6 years”.

22           This title may be cited as the “Judiciary Appropria-  
23   tions Act, 2017”.

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*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 con-*



1 *trol of the District of Columbia Chief Financial Officer, who*  
2 *shall use those funds solely for the purposes of carrying out*  
3 *the Resident Tuition Support Program: Provided further,*  
4 *That the Office of the Chief Financial Officer shall provide*  
5 *a quarterly financial report to the Committees on Appro-*  
6 *priations of the House of Representatives and the Senate*  
7 *for these funds showing, by object class, the expenditures*  
8 *made and the purpose therefor.*

9 *FEDERAL PAYMENT FOR EMERGENCY PLANNING AND*

10 *SECURITY COSTS IN THE DISTRICT OF COLUMBIA*

11 *For a Federal payment of necessary expenses, as deter-*  
12 *mined by the Mayor of the District of Columbia in written*  
13 *consultation with the elected county or city officials of sur-*  
14 *rounding jurisdictions, \$34,895,000, to remain available*  
15 *until expended, for the costs of providing public safety at*  
16 *events related to the presence of the National Capital in*  
17 *the District of Columbia, including support requested by*  
18 *the Director of the United States Secret Service in carrying*  
19 *out protective duties under the direction of the Secretary*  
20 *of Homeland Security, and for the costs of providing sup-*  
21 *port to respond to immediate and specific terrorist threats*  
22 *or attacks in the District of Columbia or surrounding juris-*  
23 *dictions: Provided, That, of the amount provided under this*  
24 *heading, \$19,995,000 shall be used for costs associated with*  
25 *the Presidential Inauguration.*

1 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*2 *COURTS*

3 *For salaries and expenses for the District of Columbia*  
4 *Courts, \$274,611,000 to be allocated as follows: for the Dis-*  
5 *trict of Columbia Court of Appeals, \$14,359,000, of which*  
6 *not to exceed \$2,500 is for official reception and representa-*  
7 *tion expenses; for the Superior Court of the District of Co-*  
8 *lumbia, \$125,380,000, of which not to exceed \$2,500 is for*  
9 *official reception and representation expenses; for the Dis-*  
10 *trict of Columbia Court System, \$75,184,000, of which not*  
11 *to exceed \$2,500 is for official reception and representation*  
12 *expenses; and \$59,688,000, to remain available until Sep-*  
13 *tember 30, 2018, for capital improvements for District of*  
14 *Columbia courthouse facilities: Provided, That funds made*  
15 *available for capital improvements shall be expended con-*  
16 *sistent with the District of Columbia Courts master plan*  
17 *study and facilities condition assessment: Provided further,*  
18 *That notwithstanding any other provision of law, all*  
19 *amounts under this heading shall be apportioned quarterly*  
20 *by the Office of Management and Budget and obligated and*  
21 *expended in the same manner as funds appropriated for*  
22 *salaries and expenses of other Federal agencies: Provided*  
23 *further, That 30 days after providing written notice to the*  
24 *Committees on Appropriations of the House of Representa-*  
25 *tives and the Senate, the District of Columbia Courts may*

1 *reallocate not more than \$6,000,000 of the funds provided*  
2 *under this heading among the items and entities funded*  
3 *under this heading: Provided further, That the Joint Com-*  
4 *mittee on Judicial Administration in the District of Colum-*  
5 *bia may, by regulation, establish a program substantially*  
6 *similar to the program set forth in subchapter II of chapter*  
7 *35 of title 5, United States Code, for employees of the Dis-*  
8 *trict of Columbia Courts.*

9 *FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT*  
10 *OF COLUMBIA COURTS*

11 *For payments authorized under section 11–2604 and*  
12 *section 11–2605, D.C. Official Code (relating to representa-*  
13 *tion provided under the District of Columbia Criminal Jus-*  
14 *tice Act), payments for counsel appointed in proceedings*  
15 *in the Family Court of the Superior Court of the District*  
16 *of Columbia under chapter 23 of title 16, D.C. Official*  
17 *Code, or pursuant to contractual agreements to provide*  
18 *guardian ad litem representation, training, technical as-*  
19 *sistance, and such other services as are necessary to improve*  
20 *the quality of guardian ad litem representation, payments*  
21 *for counsel appointed in adoption proceedings under chap-*  
22 *ter 3 of title 16, D.C. Official Code, and payments author-*  
23 *ized under section 21–2060, D.C. Official Code (relating to*  
24 *services provided under the District of Columbia Guardian-*  
25 *ship, Protective Proceedings, and Durable Power of Attor-*

1 *ney Act of 1986), \$49,890,000, to remain available until*  
2 *expended: Provided, That funds provided under this head-*  
3 *ing shall be administered by the Joint Committee on Judi-*  
4 *cial Administration in the District of Columbia: Provided*  
5 *further, That, notwithstanding any other provision of law,*  
6 *this appropriation shall be apportioned quarterly by the Of-*  
7 *fice of Management and Budget and obligated and expended*  
8 *in the same manner as funds appropriated for expenses of*  
9 *other Federal agencies.*

10 *FEDERAL PAYMENT TO THE COURT SERVICES AND OF-*  
11 *FENDER SUPERVISION AGENCY FOR THE DISTRICT OF*  
12 *COLUMBIA*

13 *For salaries and expenses, including the transfer and*  
14 *hire of motor vehicles, of the Court Services and Offender*  
15 *Supervision Agency for the District of Columbia, as author-*  
16 *ized by the National Capital Revitalization and Self-Gov-*  
17 *ernment Improvement Act of 1997, \$248,008,000, of which*  
18 *not to exceed \$2,000 is for official reception and representa-*  
19 *tion expenses related to Community Supervision and Pre-*  
20 *trial Services Agency programs, of which not to exceed*  
21 *\$25,000 is for dues and assessments relating to the imple-*  
22 *mentation of the Court Services and Offender Supervision*  
23 *Agency Interstate Supervision Act of 2002; of which*  
24 *\$182,721,000 shall be for necessary expenses of Community*  
25 *Supervision and Sex Offender Registration, to include ex-*

1 *penses relating to the supervision of adults subject to protec-*  
2 *tion orders or the provision of services for or related to such*  
3 *persons; and of which \$65,287,000 shall be available to the*  
4 *Pretrial Services Agency, of which up to \$1,800,000 shall*  
5 *remain available until September 30, 2018, for information*  
6 *technology requirements associated with the establishment*  
7 *of a comprehensive in-house synthetics testing program:*  
8 *Provided, That notwithstanding any other provision of law,*  
9 *all amounts under this heading shall be apportioned quar-*  
10 *terly by the Office of Management and Budget and obligated*  
11 *and expended in the same manner as funds appropriated*  
12 *for salaries and expenses of other Federal agencies: Provided*  
13 *further, That amounts under this heading may be used for*  
14 *programmatic incentives for defendants to successfully com-*  
15 *plete their terms of supervision.*

16 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*

17 *PUBLIC DEFENDER SERVICE*

18 *For salaries and expenses, including the transfer and*  
19 *hire of motor vehicles, of the District of Columbia Public*  
20 *Defender Service, as authorized by the National Capital Re-*  
21 *vitalization and Self-Government Improvement Act of 1997,*  
22 *\$41,829,000: Provided, That notwithstanding any other*  
23 *provision of law, all amounts under this heading shall be*  
24 *apportioned quarterly by the Office of Management and*  
25 *Budget and obligated and expended in the same manner*

1 *as funds appropriated for salaries and expenses of Federal*  
2 *agencies.*

3 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER*  
4 *AND SEWER AUTHORITY*

5 *For a Federal payment to the District of Columbia*  
6 *Water and Sewer Authority, \$14,000,000, to remain avail-*  
7 *able until expended, to continue implementation of the*  
8 *Combined Sewer Overflow Long-Term Plan: Provided, That*  
9 *the District of Columbia Water and Sewer Authority pro-*  
10 *vides a 100 percent match for this payment.*

11 *FEDERAL PAYMENT TO THE CRIMINAL JUSTICE*  
12 *COORDINATING COUNCIL*

13 *For a Federal payment to the Criminal Justice Co-*  
14 *ordinating Council, \$2,000,000, to remain available until*  
15 *expended, to support initiatives related to the coordination*  
16 *of Federal and local criminal justice resources in the Dis-*  
17 *trict of Columbia.*

18 *FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS*

19 *For a Federal payment, to remain available until Sep-*  
20 *tember 30, 2018, to the Commission on Judicial Disabilities*  
21 *and Tenure, \$310,000, and for the Judicial Nomination*  
22 *Commission, \$275,000.*

23 *FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT*

24 *For a Federal payment for a school improvement pro-*  
25 *gram in the District of Columbia, \$45,000,000, to remain*

1 *available until expended, for payments authorized under the*  
2 *Scholarship for Opportunity and Results Act (division C*  
3 *of Public Law 112–10): Provided, That, to the extent that*  
4 *funds are available for opportunity scholarships and fol-*  
5 *lowing the priorities included in section 3006 of such Act,*  
6 *the Secretary of Education shall make scholarships avail-*  
7 *able to students eligible under section 3013(3) of such Act*  
8 *(Public Law 112–10; 125 Stat. 211) including students who*  
9 *were not offered a scholarship during any previous school*  
10 *year: Provided further, That within funds provided for op-*  
11 *portunity scholarships \$3,200,000 shall be for the activities*  
12 *specified in sections 3007(b) through 3007(d) and 3009 of*  
13 *the Act.*

14 *FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA*

15 *NATIONAL GUARD*

16 *For a Federal payment to the District of Columbia*  
17 *National Guard, \$450,000, to remain available until ex-*  
18 *pended for the Major General David F. Wherley, Jr. Dis-*  
19 *trict of Columbia National Guard Retention and College*  
20 *Access Program.*

21 *FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/*

22 *AIDS*

23 *For a Federal payment to the District of Columbia*  
24 *for the testing of individuals for, and the treatment of indi-*  
25 *viduals with, human immunodeficiency virus and acquired*

1 *immunodeficiency syndrome in the District of Columbia,*  
2 *\$5,000,000.*

3 *DISTRICT OF COLUMBIA FUNDS*

4 *Local funds are appropriated for the District of Co-*  
5 *lumbia for the current fiscal year out of the General Fund*  
6 *of the District of Columbia (“General Fund”) for programs*  
7 *and activities set forth under the heading “Part A—Sum-*  
8 *mary of Expenses” and at the rate set forth under such*  
9 *heading, as included in D.C. Bill 21–668, as amended as*  
10 *of the date of the enactment of this Act: Provided, That not-*  
11 *withstanding any other provision of law, except as provided*  
12 *in section 450A of the District of Columbia Home Rule Act*  
13 *(section 1–204.50a, D.C. Official Code), sections 816 and*  
14 *817 of the Financial Services and General Government Ap-*  
15 *propriations Act, 2009 (secs. 47–369.01 and 47–369.02,*  
16 *D.C. Official Code), and provisions of this Act, the total*  
17 *amount appropriated in this Act for operating expenses for*  
18 *the District of Columbia for fiscal year 2017 under this*  
19 *heading shall not exceed the estimates included in D.C. Bill*  
20 *21–668, as amended as of the date of the enactment of this*  
21 *Act, or the sum of the total revenues of the District of Co-*  
22 *lumbia for such fiscal year: Provided further, That the*  
23 *amount appropriated may be increased by proceeds of one-*  
24 *time transactions, which are expended for emergency or un-*  
25 *anticipated operating or capital needs: Provided further,*



1 *That such increases shall be approved by enactment of local*  
2 *District law and shall comply with all reserve requirements*  
3 *contained in the District of Columbia Home Rule Act: Pro-*  
4 *vided further, That the Chief Financial Officer of the Dis-*  
5 *trict of Columbia shall take such steps as are necessary to*  
6 *assure that the District of Columbia meets these require-*  
7 *ments, including the apportioning by the Chief Financial*  
8 *Officer of the appropriations and funds made available to*  
9 *the District during fiscal year 2017, except that the Chief*  
10 *Financial Officer may not reprogram for operating ex-*  
11 *penses any funds derived from bonds, notes, or other obliga-*  
12 *tions issued for capital projects.*

13 *This title may be cited as the “District of Columbia*  
14 *Appropriations Act, 2017”.*

## 15 *TITLE V*

### 16 *INDEPENDENT AGENCIES*

#### 17 *ADMINISTRATIVE CONFERENCE OF THE UNITED STATES*

##### 18 *SALARIES AND EXPENSES*

19 *For necessary expenses of the Administrative Con-*  
20 *ference of the United States, authorized by 5 U.S.C. 591*  
21 *et seq., \$3,100,000, to remain available until September 30,*  
22 *2018, of which not to exceed \$1,000 is for official reception*  
23 *and representation expenses.*

1            *COMMODITY FUTURES TRADING COMMISSION*

2            *For necessary expenses to carry out the provisions of*  
3 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*  
4 *the purchase and hire of passenger motor vehicles, and the*  
5 *rental of space (to include multiple year leases), in the Dis-*  
6 *trict of Columbia and elsewhere, \$250,000,000, including*  
7 *not to exceed \$3,000 for official reception and representa-*  
8 *tion expenses, and not to exceed \$25,000 for the expenses*  
9 *for consultations and meetings hosted by the Commission*  
10 *with foreign governmental and other regulatory officials, of*  
11 *which not less than \$50,000,000, to remain available until*  
12 *September 30, 2018, shall be for the purchase of information*  
13 *technology and of which not less than \$2,700,000 shall be*  
14 *for expenses of the Office of the Inspector General: Provided,*  
15 *That notwithstanding the limitations in 31 U.S.C. 1553,*  
16 *amounts provided under this heading are available for the*  
17 *liquidation of obligations equal to current year payments*  
18 *on leases entered into prior to the date of enactment of this*  
19 *Act: Provided further, That for the purpose of recording and*  
20 *liquidating any lease obligations that should have been re-*  
21 *corded and liquidated against accounts closed pursuant to*  
22 *31 U.S.C. 1552, and consistent with the preceding proviso,*  
23 *such amounts shall be transferred to and recorded in a new*  
24 *no-year account in the Treasury, which may be established*

1 *for the sole purpose of recording adjustments for and liqui-*  
2 *dating such unpaid obligations.*

3 *CONSUMER PRODUCT SAFETY COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Consumer Product Safety*  
6 *Commission, including hire of passenger motor vehicles,*  
7 *services as authorized by 5 U.S.C. 3109, but at rates for*  
8 *individuals not to exceed the per diem rate equivalent to*  
9 *the maximum rate payable under 5 U.S.C. 5376, purchase*  
10 *of nominal awards to recognize non-Federal officials' con-*  
11 *tributions to Commission activities, and not to exceed*  
12 *\$4,000 for official reception and representation expenses,*  
13 *\$126,000,000, of which \$1,300,000 shall remain available*  
14 *until expended to carry out the program, including admin-*  
15 *istrative costs, required by section 1405 of the Virginia*  
16 *Graeme Baker Pool and Spa Safety Act (Public Law 110-*  
17 *140; 15 U.S.C. 8004).*

18 *ADMINISTRATIVE PROVISION—CONSUMER PRODUCT SAFETY*

19 *COMMISSION*

20 *SEC. 501. During fiscal year 2017, none of the*  
21 *amounts made available by this Act may be used to finalize*  
22 *or implement the Safety Standard for Recreational Off-*  
23 *Highway Vehicles published by the Consumer Product Safe-*  
24 *ty Commission in the Federal Register on November 19,*  
25 *2014 (79 Fed. Reg. 68964) until after—*

1           (1) *the National Academy of Sciences, in con-*  
2           *sultation with the National Highway Traffic Safety*  
3           *Administration and the Department of Defense, com-*  
4           *pletes a study to determine—*

5                   (A) *the technical validity of the lateral sta-*  
6                   *bility and vehicle handling requirements pro-*  
7                   *posed by such standard for purposes of reducing*  
8                   *the risk of Recreational Off-Highway Vehicle (re-*  
9                   *ferred to in this section as “ROV”) rollovers in*  
10                  *the off-road environment, including the repeat-*  
11                  *ability and reproducibility of testing for compli-*  
12                  *ance with such requirements;*

13                  (B) *the number of ROV rollovers that would*  
14                  *be prevented if the proposed requirements were*  
15                  *adopted;*

16                  (C) *whether there is a technical basis for the*  
17                  *proposal to provide information on a point-of-*  
18                  *sale hangtag about a ROV’s rollover resistance*  
19                  *on a progressive scale; and*

20                  (D) *the effect on the utility of ROVs used by*  
21                  *the United States military if the proposed re-*  
22                  *quirements were adopted; and*

23           (2) *a report containing the results of the study*  
24           *completed under paragraph (1) is delivered to—*

1           (A) *the Committee on Commerce, Science,*  
2           *and Transportation of the Senate;*

3           (B) *the Committee on Energy and Com-*  
4           *merce of the House of Representatives;*

5           (C) *the Committee on Appropriations of the*  
6           *Senate; and*

7           (D) *the Committee on Appropriations of the*  
8           *House of Representatives.*

9           *ELECTION ASSISTANCE COMMISSION*

10           *SALARIES AND EXPENSES*

11           *(INCLUDING TRANSFER OF FUNDS)*

12           *For necessary expenses to carry out the Help America*  
13           *Vote Act of 2002 (Public Law 107–252), \$9,600,000, of*  
14           *which \$1,400,000 shall be transferred to the National Insti-*  
15           *tute of Standards and Technology for election reform activi-*  
16           *ties authorized under the Help America Vote Act of 2002.*

17           *FEDERAL COMMUNICATIONS COMMISSION*

18           *SALARIES AND EXPENSES*

19           *For necessary expenses of the Federal Communications*  
20           *Commission, as authorized by law, including uniforms and*  
21           *allowances therefor, as authorized by 5 U.S.C. 5901–5902;*  
22           *not to exceed \$4,000 for official reception and representa-*  
23           *tion expenses; purchase and hire of motor vehicles; special*  
24           *counsel fees; and services as authorized by 5 U.S.C. 3109,*  
25           *\$339,844,000, to remain available until expended: Pro-*

1 vided, That in addition, \$16,866,992 shall be made avail-  
2 able until expended for necessary expenses associated with  
3 moving to a new facility or reconfiguring the existing space  
4 to significantly reduce space consumption: Provided fur-  
5 ther, That \$356,710,992 of offsetting collections shall be as-  
6 sessed and collected pursuant to section 9 of title I of the  
7 Communications Act of 1934, shall be retained and used  
8 for necessary expenses and shall remain available until ex-  
9 pended: Provided further, That the sum herein appro-  
10 priated shall be reduced as such offsetting collections are  
11 received during fiscal year 2017 so as to result in a final  
12 fiscal year 2017 appropriation estimated at \$0: Provided  
13 further, That any offsetting collections received in excess of  
14 \$356,710,992 in fiscal year 2017 shall not be available for  
15 obligation: Provided further, That remaining offsetting col-  
16 lections from prior years collected in excess of the amount  
17 specified for collection in each such year and otherwise be-  
18 coming available on October 1, 2016, shall not be available  
19 for obligation: Provided further, That, notwithstanding 47  
20 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive  
21 bidding system that may be retained and made available  
22 for obligation shall not exceed \$117,000,000 for fiscal year  
23 2017: Provided further, That, of the amount appropriated  
24 under this heading, not less than \$11,751,000 shall be for  
25 the salaries and expenses of the Office of Inspector General.

1 *ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS*  
2 *COMMISSION*

3 *SEC. 510. Section 302 of the Universal Service*  
4 *Antideficiency Temporary Suspension Act is amended by*  
5 *striking “December 31, 2017”, each place it appears and*  
6 *inserting “December 31, 2018”.*

7 *SEC. 511. None of the funds appropriated by this Act*  
8 *may be used by the Federal Communications Commission*  
9 *to modify, amend, or change its rules or regulations for uni-*  
10 *versal service support payments to implement the February*  
11 *27, 2004 recommendations of the Federal-State Joint Board*  
12 *on Universal Service regarding single connection or pri-*  
13 *mary line restrictions on universal service support pay-*  
14 *ments.*

15 *FEDERAL DEPOSIT INSURANCE CORPORATION*

16 *OFFICE OF THE INSPECTOR GENERAL*

17 *For necessary expenses of the Office of Inspector Gen-*  
18 *eral in carrying out the provisions of the Inspector General*  
19 *Act of 1978, \$35,958,000, to be derived from the Deposit*  
20 *Insurance Fund or, only when appropriate, the FSLIC Res-*  
21 *olution Fund.*

22 *FEDERAL ELECTION COMMISSION*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses to carry out the provisions of*  
25 *the Federal Election Campaign Act of 1971, \$79,119,000,*

1 *of which \$8,000,000 shall remain available until September*  
2 *30, 2018, for lease expiration and replacement lease ex-*  
3 *penses; and of which not to exceed \$5,000 shall be available*  
4 *for reception and representation expenses.*

5 *FEDERAL LABOR RELATIONS AUTHORITY*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses to carry out functions of the*  
8 *Federal Labor Relations Authority, pursuant to Reorga-*  
9 *nization Plan Numbered 2 of 1978, and the Civil Service*  
10 *Reform Act of 1978, including services authorized by 5*  
11 *U.S.C. 3109, and including hire of experts and consultants,*  
12 *hire of passenger motor vehicles, and including official re-*  
13 *ception and representation expenses (not to exceed \$1,500)*  
14 *and rental of conference rooms in the District of Columbia*  
15 *and elsewhere, \$26,200,000: Provided, That public members*  
16 *of the Federal Service Impasses Panel may be paid travel*  
17 *expenses and per diem in lieu of subsistence as authorized*  
18 *by law (5 U.S.C. 5703) for persons employed intermittently*  
19 *in the Government service, and compensation as authorized*  
20 *by 5 U.S.C. 3109: Provided further, That, notwithstanding*  
21 *31 U.S.C. 3302, funds received from fees charged to non-*  
22 *Federal participants at labor-management relations con-*  
23 *ferences shall be credited to and merged with this account,*  
24 *to be available without further appropriation for the costs*  
25 *of carrying out these conferences.*



*FEDERAL TRADE COMMISSION**SALARIES AND EXPENSES*

1  
2  
3       *For necessary expenses of the Federal Trade Commis-*  
4 *sion, including uniforms or allowances therefor, as author-*  
5 *ized by 5 U.S.C. 5901–5902; services as authorized by 5*  
6 *U.S.C. 3109; hire of passenger motor vehicles; and not to*  
7 *exceed \$2,000 for official reception and representation ex-*  
8 *penses, \$313,000,000, to remain available until expended:*  
9 *Provided, That not to exceed \$300,000 shall be available*  
10 *for use to contract with a person or persons for collection*  
11 *services in accordance with the terms of 31 U.S.C. 3718:*  
12 *Provided further, That, notwithstanding any other provi-*  
13 *sion of law, not to exceed \$125,000,000 of offsetting collec-*  
14 *tions derived from fees collected for premerger notification*  
15 *filings under the Hart-Scott-Rodino Antitrust Improve-*  
16 *ments Act of 1976 (15 U.S.C. 18a), regardless of the year*  
17 *of collection, shall be retained and used for necessary ex-*  
18 *penses in this appropriation: Provided further, That, not-*  
19 *withstanding any other provision of law, not to exceed*  
20 *\$15,000,000 in offsetting collections derived from fees suffi-*  
21 *cient to implement and enforce the Telemarketing Sales*  
22 *Rule, promulgated under the Telemarketing and Consumer*  
23 *Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.),*  
24 *shall be credited to this account, and be retained and used*  
25 *for necessary expenses in this appropriation: Provided fur-*

1 *ther, That the sum herein appropriated from the general*  
2 *fund shall be reduced as such offsetting collections are re-*  
3 *ceived during fiscal year 2017, so as to result in a final*  
4 *fiscal year 2017 appropriation from the general fund esti-*  
5 *mated at not more than \$173,000,000: Provided further,*  
6 *That none of the funds made available to the Federal Trade*  
7 *Commission may be used to implement subsection (e)(2)(B)*  
8 *of section 43 of the Federal Deposit Insurance Act (12*  
9 *U.S.C. 1831t).*

10 *GENERAL SERVICES ADMINISTRATION*

11 *REAL PROPERTY ACTIVITIES*

12 *FEDERAL BUILDINGS FUND*

13 *LIMITATIONS ON AVAILABILITY OF REVENUE*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *Amounts in the Fund, including revenues and collec-*  
16 *tions deposited into the Fund, shall be available for nec-*  
17 *essary expenses of real property management and related*  
18 *activities not otherwise provided for, including operation,*  
19 *maintenance, and protection of federally owned and leased*  
20 *buildings; rental of buildings in the District of Columbia;*  
21 *restoration of leased premises; moving governmental agen-*  
22 *cies (including space adjustments and telecommunications*  
23 *relocation expenses) in connection with the assignment, al-*  
24 *location, and transfer of space; contractual services incident*  
25 *to cleaning or servicing buildings, and moving; repair and*

1 *alteration of federally owned buildings, including grounds,*  
2 *approaches, and appurtenances; care and safeguarding of*  
3 *sites; maintenance, preservation, demolition, and equip-*  
4 *ment; acquisition of buildings and sites by purchase, con-*  
5 *demnation, or as otherwise authorized by law; acquisition*  
6 *of options to purchase buildings and sites; conversion and*  
7 *extension of federally owned buildings; preliminary plan-*  
8 *ning and design of projects by contract or otherwise; con-*  
9 *struction of new buildings (including equipment for such*  
10 *buildings); and payment of principal, interest, and any*  
11 *other obligations for public buildings acquired by install-*  
12 *ment purchase and purchase contract; in the aggregate*  
13 *amount of \$8,845,147,000, of which—*

14           (1) *\$205,749,000 shall remain available until ex-*  
15 *pended for construction and acquisition (including*  
16 *funds for sites and expenses, and associated design*  
17 *and construction services) as follows:*

18                   (A) *National Capital Region, FBI Head-*  
19 *quarters Consolidation, \$200,000,000;*

20                   (B) *Pembina, North Dakota, United States*  
21 *Department of Agriculture (USDA) Animal and*  
22 *Plant Health Inspection Service (APHIS),*  
23 *\$5,749,000:*

24           *Provided, That each of the foregoing limits of costs on*  
25 *new construction and acquisition projects may be ex-*

1        *ceeded to the extent that savings are effected in other*  
2        *such projects, but not to exceed 10 percent of the*  
3        *amounts included in a transmitted prospectus, if re-*  
4        *quired, unless advance approval is obtained from the*  
5        *Committees on Appropriations of a greater amount;*

6            *(2) \$676,035,000 shall remain available until ex-*  
7        *pended for repairs and alterations, including associ-*  
8        *ated design and construction services, of which—*

9            *(A) \$289,245,000 is for Major Repairs and*  
10        *Alterations;*

11            *(B) \$312,090,000 is for Basic Repairs and*  
12        *Alterations; and*

13            *(C) \$74,700,000 is for Special Emphasis*  
14        *Programs, of which—*

15            *(i) \$26,700,000 is for Judiciary Cap-*  
16        *ital Security; and*

17            *(ii) \$48,000,000 is for Consolidation*  
18        *Activities: Provided, That consolidation*  
19        *projects result in reduced annual rent paid*  
20        *by the tenant agency: Provided further,*  
21        *That no consolidation project exceed*  
22        *\$10,000,000 in costs: Provided further, That*  
23        *consolidation projects are approved by each*  
24        *of the committees specified in section*  
25        *3307(a) of title 40, United States Code:*

1           *Provided further, That preference is given to*  
2           *consolidation projects that achieve a utiliza-*  
3           *tion rate of 130 usable square feet or less*  
4           *per person for office space: Provided further,*  
5           *That the obligation of funds under this*  
6           *paragraph for consolidation activities may*  
7           *not be made until 10 days after a proposed*  
8           *spending plan and explanation for each*  
9           *project to be undertaken, including esti-*  
10          *mated savings, has been submitted to the*  
11          *Committees on Appropriations of the House*  
12          *of Representatives and the Senate:*

13          *Provided, That funds made available in this or any*  
14          *previous Act in the Federal Buildings Fund for Re-*  
15          *pairs and Alterations shall, for prospectus projects, be*  
16          *limited to the amount identified for each project, ex-*  
17          *cept each project in this or any previous Act may be*  
18          *increased by an amount not to exceed 10 percent un-*  
19          *less advance approval is obtained from the Commit-*  
20          *tees on Appropriations of a greater amount: Provided*  
21          *further, That additional projects for which*  
22          *prospectuses have been fully approved may be funded*  
23          *under this category only if advance approval is ob-*  
24          *tained from the Committees on Appropriations: Pro-*  
25          *vided further, That the amounts provided in this or*

1        *any prior Act for “Repairs and Alterations” may be*  
2        *used to fund costs associated with implementing secu-*  
3        *rity improvements to buildings necessary to meet the*  
4        *minimum standards for security in accordance with*  
5        *current law and in compliance with the reprogram-*  
6        *ming guidelines of the appropriate Committees of the*  
7        *House and Senate: Provided further, That the dif-*  
8        *ference between the funds appropriated and expended*  
9        *on any projects in this or any prior Act, under the*  
10       *heading “Repairs and Alterations”, may be trans-*  
11       *ferred to Basic Repairs and Alterations or used to*  
12       *fund authorized increases in prospectus projects: Pro-*  
13       *vided further, That the amount provided in this or*  
14       *any prior Act for Basic Repairs and Alterations may*  
15       *be used to pay claims against the Government arising*  
16       *from any projects under the heading “Repairs and*  
17       *Alterations” or used to fund authorized increases in*  
18       *prospectus projects;*

19                *(3) \$5,628,363,000 for rental of space to remain*  
20        *available until expended; and*

21                *(4) \$2,335,000,000 for building operations to re-*  
22        *main available until expended, of which*  
23        *\$1,184,240,000 is for building services, and*  
24        *\$1,150,760,000 is for salaries and expenses: Provided,*  
25        *That not to exceed 5 percent of any appropriation*

1     *made available under this paragraph for building op-*  
2     *erations may be transferred between and merged with*  
3     *such appropriations upon notification to the Commit-*  
4     *tees on Appropriations of the House of Representa-*  
5     *tives and the Senate, but no such appropriation shall*  
6     *be increased by more than 5 percent by any such*  
7     *transfers: Provided further, That section 521 of this*  
8     *title shall not apply with respect to funds made avail-*  
9     *able under this heading for building operations: Pro-*  
10    *vided further, That the total amount of funds made*  
11    *available from this Fund to the General Services Ad-*  
12    *ministration shall not be available for expenses of any*  
13    *construction, repair, alteration and acquisition*  
14    *project for which a prospectus, if required by 40*  
15    *U.S.C. 3307(a), has not been approved, except that*  
16    *necessary funds may be expended for each project for*  
17    *required expenses for the development of a proposed*  
18    *prospectus: Provided further, That funds available in*  
19    *the Federal Buildings Fund may be expended for*  
20    *emergency repairs when advance approval is obtained*  
21    *from the Committees on Appropriations: Provided*  
22    *further, That amounts necessary to provide reimburs-*  
23    *able special services to other agencies under 40 U.S.C.*  
24    *592(b)(2) and amounts to provide such reimbursable*  
25    *fencing, lighting, guard booths, and other facilities on*

1       *private or other property not in Government owner-*  
2       *ship or control as may be appropriate to enable the*  
3       *United States Secret Service to perform its protective*  
4       *functions pursuant to 18 U.S.C. 3056, shall be avail-*  
5       *able from such revenues and collections: Provided fur-*  
6       *ther, That revenues and collections and any other*  
7       *sums accruing to this Fund during fiscal year 2017,*  
8       *excluding reimbursements under 40 U.S.C. 592(b)(2),*  
9       *in excess of the aggregate new obligational authority*  
10       *authorized for Real Property Activities of the Federal*  
11       *Buildings Fund in this Act shall remain in the Fund*  
12       *and shall not be available for expenditure except as*  
13       *authorized in appropriations Acts.*

14                               *GENERAL ACTIVITIES*

15                               *GOVERNMENT-WIDE POLICY*

16       *For expenses authorized by law, not otherwise provided*  
17       *for, for Government-wide policy and evaluation activities*  
18       *associated with the management of real and personal prop-*  
19       *erty assets and certain administrative services; Govern-*  
20       *ment-wide policy support responsibilities relating to acqui-*  
21       *sition, travel, motor vehicles, information technology man-*  
22       *agement, and related technology activities; and services as*  
23       *authorized by 5 U.S.C. 3109; \$60,000,000, of which*  
24       *\$1,000,000 shall remain available until September 30,*  
25       *2018.*



## OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

1  
2  
3       *For expenses authorized by law, not otherwise provided*  
4 *for, for Government-wide activities associated with utiliza-*  
5 *tion and donation of surplus personal property; disposal*  
6 *of real property; agency-wide policy direction, manage-*  
7 *ment, and communications; the Civilian Board of Contract*  
8 *Appeals; and services as authorized by 5 U.S.C. 3109;*  
9 *\$58,541,000, of which \$25,869,000 is for Real and Personal*  
10 *Property Management and Disposal; \$23,397,000 is for the*  
11 *Office of the Administrator, of which not to exceed \$7,500*  
12 *is for official reception and representation expenses; and*  
13 *\$9,275,000 is for the Civilian Board of Contract Appeals:*  
14 *Provided, That not to exceed 5 percent of the appropriation*  
15 *made available under this heading for Office of the Admin-*  
16 *istrator may be transferred to the appropriation for the*  
17 *Real and Personal Property Management and Disposal*  
18 *upon notification to the Committees on Appropriations of*  
19 *the House of Representatives and the Senate, but the appro-*  
20 *priation for the Real and Personal Property Management*  
21 *and Disposal may not be increased by more than 5 percent*  
22 *by any such transfer.*

## OFFICE OF INSPECTOR GENERAL

23  
24       *For necessary expenses of the Office of Inspector Gen-*  
25 *eral and service authorized by 5 U.S.C. 3109, \$65,000,000:*

1 *Provided, That not to exceed \$50,000 shall be available for*  
2 *payment for information and detection of fraud against the*  
3 *Government, including payment for recovery of stolen Gov-*  
4 *ernment property: Provided further, That not to exceed*  
5 *\$2,500 shall be available for awards to employees of other*  
6 *Federal agencies and private citizens in recognition of ef-*  
7 *forts and initiatives resulting in enhanced Office of Inspec-*  
8 *tor General effectiveness.*

9 *ALLOWANCES AND OFFICE STAFF FOR FORMER*  
10 *PRESIDENTS*

11 *For carrying out the provisions of the Act of August*  
12 *25, 1958 (3 U.S.C. 102 note), and Public Law 95-138,*  
13 *\$3,865,000.*

14 *EXPENSES, PRESIDENTIAL TRANSITION*  
15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For necessary expenses to carry out the Presidential*  
17 *Transition Act of 1963, as amended, \$9,500,000, of which*  
18 *not to exceed \$1,000,000 is for activities authorized by sub-*  
19 *sections 3(a)(8) and 3(a)(9) of the Act: Provided, That such*  
20 *amounts may be transferred and credited to the “Acquisi-*  
21 *tion Services Fund” or “Federal Buildings Fund” to reim-*  
22 *burse obligations incurred prior to enactment of this Act*  
23 *for the purposes provided herein related to the Presidential*  
24 *election in 2016: Provided further, That amounts available*

1 *under this heading shall be in addition to any other*  
2 *amounts available for such purposes.*

3 *FEDERAL CITIZEN SERVICES FUND*

4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For necessary expenses of the Office of Citizen Services*  
6 *and Innovative Technologies, including services authorized*  
7 *by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary*  
8 *expenses in support of interagency projects that enable the*  
9 *Federal Government to enhance its ability to conduct ac-*  
10 *tivities electronically, through the development and imple-*  
11 *mentation of innovative uses of information technology;*  
12 *\$55,894,000, to be deposited into the Federal Citizen Serv-*  
13 *ices Fund: Provided, That the previous amount may be*  
14 *transferred to Federal agencies to carry out the purpose of*  
15 *the Federal Citizen Services Fund: Provided further, That*  
16 *the appropriations, revenues, reimbursements, and collec-*  
17 *tions deposited into the Fund shall be available until ex-*  
18 *pended for necessary expenses of Federal Citizen Services*  
19 *and other activities that enable the Federal Government to*  
20 *enhance its ability to conduct activities electronically in the*  
21 *aggregate amount not to exceed \$100,000,000: Provided fur-*  
22 *ther, That appropriations, revenues, reimbursements, and*  
23 *collections accruing to this Fund during fiscal year 2017*  
24 *in excess of such amount shall remain in the Fund and*  
25 *shall not be available for expenditure except as authorized*

1 *in appropriations Acts: Provided further, That any appro-*  
2 *priations provided to the Electronic Government Fund that*  
3 *remain unobligated may be transferred to the Federal Cit-*  
4 *izen Services Fund: Provided further, That the transfer au-*  
5 *thorities provided herein shall be in addition to any other*  
6 *transfer authority provided in this Act.*

7       *ADMINISTRATIVE PROVISIONS—GENERAL SERVICES*

8                       *ADMINISTRATION*

9       *(INCLUDING RESCISSION AND TRANSFER OF FUNDS)*

10       *SEC. 520. Funds available to the General Services Ad-*  
11 *ministration shall be available for the hire of passenger*  
12 *motor vehicles.*

13       *SEC. 521. Funds in the Federal Buildings Fund made*  
14 *available for fiscal year 2017 for Federal Buildings Fund*  
15 *activities may be transferred between such activities only*  
16 *to the extent necessary to meet program requirements: Pro-*  
17 *vided, That any proposed transfers shall be approved in ad-*  
18 *vance by the Committees on Appropriations of the House*  
19 *of Representatives and the Senate.*

20       *SEC. 522. Except as otherwise provided in this title,*  
21 *funds made available by this Act shall be used to transmit*  
22 *a fiscal year 2018 request for United States Courthouse con-*  
23 *struction only if the request: (1) meets the design guide*  
24 *standards for construction as established and approved by*  
25 *the General Services Administration, the Judicial Con-*

1 *ference of the United States, and the Office of Management*  
2 *and Budget; (2) reflects the priorities of the Judicial Con-*  
3 *ference of the United States as set out in its approved*  
4 *Courthouse Project Priorities plan; and (3) includes a*  
5 *standardized courtroom utilization study of each facility to*  
6 *be constructed, replaced, or expanded.*

7       *SEC. 523. None of the funds provided in this Act may*  
8 *be used to increase the amount of occupiable square feet,*  
9 *provide cleaning services, security enhancements, or any*  
10 *other service usually provided through the Federal Build-*  
11 *ings Fund, to any agency that does not pay the rate per*  
12 *square foot assessment for space and services as determined*  
13 *by the General Services Administration in consideration of*  
14 *the Public Buildings Amendments Act of 1972 (Public Law*  
15 *92-313).*

16       *SEC. 524. From funds made available under the head-*  
17 *ing Federal Buildings Fund, Limitations on Availability*  
18 *of Revenue, claims against the Government of less than*  
19 *\$250,000 arising from direct construction projects and ac-*  
20 *quisition of buildings may be liquidated from savings ef-*  
21 *fectuated in other construction projects with prior notification*  
22 *to the Committees on Appropriations of the House of Rep-*  
23 *resentatives and the Senate.*

24       *SEC. 525. In any case in which the Committee on*  
25 *Transportation and Infrastructure of the House of Rep-*

1 *representatives and the Committee on Environment and Public*  
2 *Works of the Senate adopt a resolution granting lease au-*  
3 *thority pursuant to a prospectus transmitted to Congress*  
4 *by the Administrator of the General Services Administra-*  
5 *tion under 40 U.S.C. 3307, the Administrator shall ensure*  
6 *that the delineated area of procurement is identical to the*  
7 *delineated area included in the prospectus for all lease*  
8 *agreements, except that, if the Administrator determines*  
9 *that the delineated area of the procurement should not be*  
10 *identical to the delineated area included in the prospectus,*  
11 *the Administrator shall provide an explanatory statement*  
12 *to each of such committees and the Committees on Appro-*  
13 *priations of the House of Representatives and the Senate*  
14 *prior to exercising any lease authority provided in the reso-*  
15 *lution.*

16       *SEC. 526. With respect to each project funded under*  
17 *the heading “Major Repairs and Alterations” or “Judiciary*  
18 *Capital Security Program”, and with respect to E-Govern-*  
19 *ment projects funded under the heading “Federal Citizen*  
20 *Services Fund”, the Administrator of General Services shall*  
21 *submit a spending plan and explanation for each project*  
22 *to be undertaken to the Committees on Appropriations of*  
23 *the House of Representatives and the Senate not later than*  
24 *60 days after the date of enactment of this Act.*

1        *SEC. 527. The unobligated balance of the amount pro-*  
2 *vided for the National Capital Region, Civilian Cyber Cam-*  
3 *pus in subparagraph (D) of paragraph (1) under the head-*  
4 *ing “General Services Administration—Federal Buildings*  
5 *Fund” in Public Law 113–235 is hereby rescinded, and the*  
6 *unobligated balance of the aggregate amounts provided in*  
7 *such paragraph and in the matter preceding such para-*  
8 *graph are reduced accordingly.*

9            *HARRY S TRUMAN SCHOLARSHIP FOUNDATION*

10                    *SALARIES AND EXPENSES*

11        *For payment to the Harry S Truman Scholarship*  
12 *Foundation Trust Fund, established by section 10 of Public*  
13 *Law 93–642, \$1,000,000, to remain available until ex-*  
14 *pended.*

15            *MERIT SYSTEMS PROTECTION BOARD*

16                    *SALARIES AND EXPENSES*

17                            *(INCLUDING TRANSFER OF FUNDS)*

18        *For necessary expenses to carry out functions of the*  
19 *Merit Systems Protection Board pursuant to Reorganiza-*  
20 *tion Plan Numbered 2 of 1978, the Civil Service Reform*  
21 *Act of 1978, and the Whistleblower Protection Act of 1989*  
22 *(5 U.S.C. 5509 note), including services as authorized by*  
23 *5 U.S.C. 3109, rental of conference rooms in the District*  
24 *of Columbia and elsewhere, hire of passenger motor vehicles,*  
25 *direct procurement of survey printing, and not to exceed*

1 \$2,000 for official reception and representation expenses,  
2 \$44,786,000, to remain available until September 30, 2018,  
3 and in addition not to exceed \$2,345,000, to remain avail-  
4 able until September 30, 2018, for administrative expenses  
5 to adjudicate retirement appeals to be transferred from the  
6 Civil Service Retirement and Disability Fund in amounts  
7 determined by the Merit Systems Protection Board.

8 *MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION*

9 *MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For payment to the Morris K. Udall and Stewart L.*  
12 *Udall Trust Fund, pursuant to the Morris K. Udall and*  
13 *Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.),*  
14 *\$1,895,000, to remain available until expended, of which,*  
15 *notwithstanding sections 8 and 9 of such Act: (1) up to*  
16 *\$50,000 shall be used to conduct financial audits pursuant*  
17 *to the Accountability of Tax Dollars Act of 2002 (Public*  
18 *Law 107–289); and (2) up to \$1,000,000 shall be available*  
19 *to carry out the activities authorized by section 6(7) of Pub-*  
20 *lic Law 102–259 and section 817(a) of Public Law 106–*  
21 *568 (20 U.S.C. 5604(7)): Provided, That of the total*  
22 *amount made available under this heading \$200,000 shall*  
23 *be transferred to the Office of Inspector General of the De-*  
24 *partment of the Interior, to remain available until ex-*  
25 *pended, for audits and investigations of the Morris K. Udall*



1 *and Stewart L. Udall Foundation, consistent with the In-*  
2 *spector General Act of 1978 (5 U.S.C. App.).*

3 *ENVIRONMENTAL DISPUTE RESOLUTION FUND*

4 *For payment to the Environmental Dispute Resolution*  
5 *Fund to carry out activities authorized in the Environ-*  
6 *mental Policy and Conflict Resolution Act of 1998,*  
7 *\$3,249,000, to remain available until expended.*

8 *NATIONAL ARCHIVES AND RECORDS ADMINISTRATION*

9 *OPERATING EXPENSES*

10 *For necessary expenses in connection with the admin-*  
11 *istration of the National Archives and Records Administra-*  
12 *tion and archived Federal records and related activities, as*  
13 *provided by law, and for expenses necessary for the review*  
14 *and declassification of documents, the activities of the Pub-*  
15 *lic Interest Declassification Board, the operations and*  
16 *maintenance of the electronic records archives, the hire of*  
17 *passenger motor vehicles, and for uniforms or allowances*  
18 *therefor, as authorized by law (5 U.S.C. 5901), including*  
19 *maintenance, repairs, and cleaning, \$380,634,000.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *For necessary expenses of the Office of Inspector Gen-*  
22 *eral in carrying out the provisions of the Inspector General*  
23 *Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–*  
24 *16 (2008), and the Inspector General Act of 1978 (5 U.S.C.*

1 *App.), and for the hire of passenger motor vehicles,*  
2 *\$4,801,000.*

3 *REPAIRS AND RESTORATION*

4 *For the repair, alteration, and improvement of ar-*  
5 *chives facilities, and to provide adequate storage for hold-*  
6 *ings, \$7,500,000, to remain available until expended.*

7 *NATIONAL HISTORICAL PUBLICATIONS AND RECORDS*

8 *COMMISSION*

9 *GRANTS PROGRAM*

10 *For necessary expenses for allocations and grants for*  
11 *historical publications and records as authorized by 44*  
12 *U.S.C. 2504, \$6,000,000, to remain available until ex-*  
13 *pended.*

14 *NATIONAL CREDIT UNION ADMINISTRATION*

15 *COMMUNITY DEVELOPMENT REVOLVING LOAN FUND*

16 *For the Community Development Revolving Loan*  
17 *Fund program as authorized by 42 U.S.C. 9812, 9822 and*  
18 *9910, \$2,000,000 shall be available until September 30,*  
19 *2018, for technical assistance to low-income designated*  
20 *credit unions.*

21 *OFFICE OF GOVERNMENT ETHICS*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses to carry out functions of the*  
24 *Office of Government Ethics pursuant to the Ethics in Gov-*  
25 *ernment Act of 1978, the Ethics Reform Act of 1989, and*

1 *the Stop Trading on Congressional Knowledge Act of 2012,*  
2 *including services as authorized by 5 U.S.C. 3109, rental*  
3 *of conference rooms in the District of Columbia and else-*  
4 *where, hire of passenger motor vehicles, and not to exceed*  
5 *\$1,500 for official reception and representation expenses,*  
6 *\$16,090,000.*

7 *OFFICE OF PERSONNEL MANAGEMENT*

8 *SALARIES AND EXPENSES*

9 *(INCLUDING TRANSFER OF TRUST FUNDS)*

10 *For necessary expenses to carry out functions of the*  
11 *Office of Personnel Management (OPM) pursuant to Reor-*  
12 *ganization Plan Numbered 2 of 1978 and the Civil Service*  
13 *Reform Act of 1978, including services as authorized by 5*  
14 *U.S.C. 3109; medical examinations performed for veterans*  
15 *by private physicians on a fee basis; rental of conference*  
16 *rooms in the District of Columbia and elsewhere; hire of*  
17 *passenger motor vehicles; not to exceed \$2,500 for official*  
18 *reception and representation expenses; advances for reim-*  
19 *bursements to applicable funds of OPM and the Federal Bu-*  
20 *reau of Investigation for expenses incurred under Executive*  
21 *Order No. 10422 of January 9, 1953, as amended; and pay-*  
22 *ment of per diem or subsistence allowances to employees*  
23 *where Voting Rights Act activities require an employee to*  
24 *remain overnight at his or her post of duty, \$119,000,000:*  
25 *Provided, That of the total amount made available under*

1 *this heading, not to exceed \$11,000,000 shall remain avail-*  
2 *able until September 30, 2018, for the operation and*  
3 *strengthening of the security of OPM legacy and Shell envi-*  
4 *ronment IT systems and the modernization, migration, and*  
5 *testing of such systems: Provided further, That the amount*  
6 *made available by the previous proviso may not be obligated*  
7 *until the Director of the Office of Personnel Management*  
8 *submits to the Committees on Appropriations of the Senate*  
9 *and the House of Representatives a plan for expenditure*  
10 *of such amount, prepared in consultation with the Director*  
11 *of the Office of Management and Budget, the Administrator*  
12 *of the United States Digital Service, and the Secretary of*  
13 *Homeland Security, that—*

14           (1) *identifies the full scope and cost of the IT*  
15 *systems remediation and stabilization project;*

16           (2) *meets the capital planning and investment*  
17 *control review requirements established by the Office*  
18 *of Management and Budget, including Circular A–11,*  
19 *part 7;*

20           (3) *includes a Major IT Business Case under the*  
21 *requirements established by the Office of Management*  
22 *and Budget Exhibit 300;*

23           (4) *complies with the acquisition rules, require-*  
24 *ments, guidelines, and systems acquisition manage-*  
25 *ment practices of the Government;*

1           (5) *complies with all Office of Management and*  
2           *Budget, Department of Homeland Security and Na-*  
3           *tional Institute of Standards and Technology require-*  
4           *ments related to securing the agency's information*  
5           *system as described in 44 U.S.C. 3554; and*

6           (6) *is reviewed and commented upon within 90*  
7           *days of plan development by the Inspector General of*  
8           *the Office of Personnel Management, and such com-*  
9           *ments are submitted to the Director of the Office of*  
10          *Personnel Management before the date of such submis-*  
11          *sion:*

12 *Provided further, That, not later than 6 months after the*  
13 *date of enactment of this Act, the Comptroller General shall*  
14 *submit to the Committees on Appropriations of the Senate*  
15 *and the House of Representatives a report that—*

16           (A) *evaluates—*

17                 (i) *the steps taken by the Office of Personnel*  
18                 *Management to prevent, mitigate, and respond*  
19                 *to data breaches involving sensitive personnel*  
20                 *records and information;*

21                 (ii) *the Office's cybersecurity policies and*  
22                 *procedures in place on the date of enactment of*  
23                 *this Act, including policies and procedures relat-*  
24                 *ing to IT best practices such as data encryption,*

1           *multifactor authentication, and continuous mon-*  
2           *itoring;*

3           *(iii) the Office's oversight of contractors*  
4           *providing IT services; and*

5           *(iv) the Office's compliance with govern-*  
6           *ment-wide initiatives to improve cybersecurity;*  
7           *and*

8           *(B) sets forth improvements that could be made*  
9           *to assist the Office of Personnel Management in ad-*  
10          *ressing cybersecurity challenges:*

11 *Provided further, That of the total amount made available*  
12 *under this heading, \$391,000 may be made available for*  
13 *strengthening the capacity and capabilities of the acquisi-*  
14 *tion workforce (as defined by the Office of Federal Procure-*  
15 *ment Policy Act, as amended (41 U.S.C. 4001 et seq.)), in-*  
16 *cluding the recruitment, hiring, training, and retention of*  
17 *such workforce and information technology in support of*  
18 *acquisition workforce effectiveness or for management solu-*  
19 *tions to improve acquisition management; and in addition*  
20 *\$140,000,000 for administrative expenses, to be transferred*  
21 *from the appropriate trust funds of OPM without regard*  
22 *to other statutes, including direct procurement of printed*  
23 *materials, for the retirement and insurance programs: Pro-*  
24 *vided further, That the provisions of this appropriation*  
25 *shall not affect the authority to use applicable trust funds*

1 *as provided by sections 8348(a)(1)(B), 8958(f)(2)(A),*  
2 *8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States*  
3 *Code: Provided further, That no part of this appropriation*  
4 *shall be available for salaries and expenses of the Legal Ex-*  
5 *amining Unit of OPM established pursuant to Executive*  
6 *Order No. 9358 of July 1, 1943, or any successor unit of*  
7 *like purpose: Provided further, That the President's Com-*  
8 *mission on White House Fellows, established by Executive*  
9 *Order No. 11183 of October 3, 1964, may, during fiscal year*  
10 *2017, accept donations of money, property, and personal*  
11 *services: Provided further, That such donations, including*  
12 *those from prior years, may be used for the development*  
13 *of publicity materials to provide information about the*  
14 *White House Fellows, except that no such donations shall*  
15 *be accepted for travel or reimbursement of travel expenses,*  
16 *or for the salaries of employees of such Commission.*

17 *OFFICE OF INSPECTOR GENERAL*

18 *SALARIES AND EXPENSES*

19 *(INCLUDING TRANSFER OF TRUST FUNDS)*

20 *For necessary expenses of the Office of Inspector Gen-*  
21 *eral in carrying out the provisions of the Inspector General*  
22 *Act of 1978, including services as authorized by 5 U.S.C.*  
23 *3109, hire of passenger motor vehicles, \$5,072,000, and in*  
24 *addition, not to exceed \$25,112,000 for administrative ex-*  
25 *penses to audit, investigate, and provide other oversight of*

1 *the Office of Personnel Management's retirement and insur-*  
2 *ance programs, to be transferred from the appropriate trust*  
3 *funds of the Office of Personnel Management, as determined*  
4 *by the Inspector General: Provided, That the Inspector Gen-*  
5 *eral is authorized to rent conference rooms in the District*  
6 *of Columbia and elsewhere.*

7 *OFFICE OF SPECIAL COUNSEL*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses to carry out functions of the*  
10 *Office of Special Counsel pursuant to Reorganization Plan*  
11 *Numbered 2 of 1978, the Civil Service Reform Act of 1978*  
12 *(Public Law 95-454), the Whistleblower Protection Act of*  
13 *1989 (Public Law 101-12) as amended by Public Law 107-*  
14 *304, the Whistleblower Protection Enhancement Act of 2012*  
15 *(Public Law 112-199), and the Uniformed Services Em-*  
16 *ployment and Reemployment Rights Act of 1994 (Public*  
17 *Law 103-353), including services as authorized by 5 U.S.C.*  
18 *3109, payment of fees and expenses for witnesses, rental of*  
19 *conference rooms in the District of Columbia and elsewhere,*  
20 *and hire of passenger motor vehicles; \$24,750,000.*

21 *POSTAL REGULATORY COMMISSION*

22 *SALARIES AND EXPENSES*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For necessary expenses of the Postal Regulatory Com-*  
25 *mission in carrying out the provisions of the Postal Ac-*



1 *countability and Enhancement Act (Public Law 109–435),*  
2 *\$16,200,000, to be derived by transfer from the Postal Serv-*  
3 *ice Fund and expended as authorized by section 603(a) of*  
4 *such Act.*

5 *PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Privacy and Civil Lib-*  
8 *erties Oversight Board, as authorized by section 1061 of the*  
9 *Intelligence Reform and Terrorism Prevention Act of 2004*  
10 *(42 U.S.C. 2000ee), \$10,100,000, to remain available until*  
11 *September 30, 2018.*

12 *SECURITIES AND EXCHANGE COMMISSION*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses for the Securities and Exchange*  
15 *Commission, including services as authorized by 5 U.S.C.*  
16 *3109, the rental of space (to include multiple year leases)*  
17 *in the District of Columbia and elsewhere, and not to exceed*  
18 *\$3,500 for official reception and representation expenses,*  
19 *\$1,605,000,000, to remain available until expended; of*  
20 *which not less than \$14,700,000 shall be for the Office of*  
21 *Inspector General; of which not to exceed \$75,000 shall be*  
22 *available for a permanent secretariat for the International*  
23 *Organization of Securities Commissions; of which not to ex-*  
24 *ceed \$100,000 shall be available for expenses for consulta-*  
25 *tions and meetings hosted by the Commission with foreign*

1 *governmental and other regulatory officials, members of*  
2 *their delegations and staffs to exchange views concerning*  
3 *securities matters, such expenses to include necessary logis-*  
4 *tic and administrative expenses and the expenses of Com-*  
5 *mission staff and foreign invitees in attendance including:*  
6 *(1) incidental expenses such as meals; (2) travel and trans-*  
7 *portation; and (3) related lodging or subsistence; and of*  
8 *which not less than \$72,049,000 shall be for the Division*  
9 *of Economic and Risk Analysis: Provided, That fees and*  
10 *charges authorized by section 31 of the Securities Exchange*  
11 *Act of 1934 (15 U.S.C. 78ee) shall be credited to this ac-*  
12 *count as offsetting collections: Provided further, That not*  
13 *to exceed \$1,605,000,000 of such offsetting collections shall*  
14 *be available until expended for necessary expenses of this*  
15 *account: Provided further, That the total amount appro-*  
16 *priated under this heading from the general fund for fiscal*  
17 *year 2017 shall be reduced as such offsetting fees are re-*  
18 *ceived so as to result in a final total fiscal year 2017 appro-*  
19 *priation from the general fund estimated at not more than*  
20 *\$0.*

21 *SELECTIVE SERVICE SYSTEM*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Selective Service System,*  
24 *including expenses of attendance at meetings and of train-*  
25 *ing for uniformed personnel assigned to the Selective Serv-*

1 *ice System, as authorized by 5 U.S.C. 4101–4118 for civil-*  
2 *ian employees; hire of passenger motor vehicles; services as*  
3 *authorized by 5 U.S.C. 3109; and not to exceed \$750 for*  
4 *official reception and representation expenses; \$22,900,000:*  
5 *Provided, That during the current fiscal year, the President*  
6 *may exempt this appropriation from the provisions of 31*  
7 *U.S.C. 1341, whenever the President deems such action to*  
8 *be necessary in the interest of national defense: Provided*  
9 *further, That none of the funds appropriated by this Act*  
10 *may be expended for or in connection with the induction*  
11 *of any person into the Armed Forces of the United States.*

12 *SMALL BUSINESS ADMINISTRATION*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses, not otherwise provided for, of*  
15 *the Small Business Administration, including hire of pas-*  
16 *senger motor vehicles as authorized by sections 1343 and*  
17 *1344 of title 31, United States Code, and not to exceed*  
18 *\$3,500 for official reception and representation expenses,*  
19 *\$269,500,000, of which not less than \$12,000,000 shall be*  
20 *available for examinations, reviews, and other lender over-*  
21 *sight activities: Provided, That the Administrator is au-*  
22 *thorized to charge fees to cover the cost of publications devel-*  
23 *oped by the Small Business Administration, and certain*  
24 *loan program activities, including fees authorized by sec-*  
25 *tion 5(b) of the Small Business Act: Provided further, That,*

1 *notwithstanding 31 U.S.C. 3302, revenues received from all*  
2 *such activities shall be credited to this account, to remain*  
3 *available until expended, for carrying out these purposes*  
4 *without further appropriations: Provided further, That the*  
5 *Small Business Administration may accept gifts in an*  
6 *amount not to exceed \$4,000,000 and may co-sponsor ac-*  
7 *tivities, each in accordance with section 132(a) of division*  
8 *K of Public Law 108–447, during fiscal year 2017: Pro-*  
9 *vided further, That \$6,100,000 shall be available for the*  
10 *Loan Modernization and Accounting System, to be avail-*  
11 *able until September 30, 2018: Provided further, That*  
12 *\$3,000,000 shall be for the Federal and State Technology*  
13 *Partnership Program under section 34 of the Small Busi-*  
14 *ness Act (15 U.S.C. 657d).*

15 *ENTREPRENEURIAL DEVELOPMENT PROGRAMS*

16 *For necessary expenses of programs supporting entre-*  
17 *preneurial and small business development, \$245,100,000,*  
18 *to remain available until September 30, 2018: Provided,*  
19 *That \$125,000,000 shall be available to fund grants for per-*  
20 *formance in fiscal year 2017 or fiscal year 2018 as author-*  
21 *ized by section 21 of the Small Business Act: Provided fur-*  
22 *ther, That \$31,000,000 shall be for marketing, management,*  
23 *and technical assistance under section 7(m) of the Small*  
24 *Business Act (15 U.S.C. 636(m)(4)) by intermediaries that*  
25 *make microloans under the microloan program: Provided*

1 *further, That \$18,000,000 shall be available for grants to*  
2 *States to carry out export programs that assist small busi-*  
3 *ness concerns authorized under section 22(l) of the Small*  
4 *Business Act (15 U.S.C. 649(l)).*

5 *OFFICE OF INSPECTOR GENERAL*

6 *For necessary expenses of the Office of Inspector Gen-*  
7 *eral in carrying out the provisions of the Inspector General*  
8 *Act of 1978, \$19,900,000.*

9 *OFFICE OF ADVOCACY*

10 *For necessary expenses of the Office of Advocacy in*  
11 *carrying out the provisions of title II of Public Law 94-*  
12 *305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility*  
13 *Act of 1980 (5 U.S.C. 601 et seq.), \$9,220,000, to remain*  
14 *available until expended.*

15 *BUSINESS LOANS PROGRAM ACCOUNT*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For the cost of direct loans, \$4,338,000, to remain*  
18 *available until expended: Provided, That such costs, includ-*  
19 *ing the cost of modifying such loans, shall be as defined*  
20 *in section 502 of the Congressional Budget Act of 1974: Pro-*  
21 *vided further, That subject to section 502 of the Congres-*  
22 *sional Budget Act of 1974, during fiscal year 2017 commit-*  
23 *ments to guarantee loans under section 503 of the Small*  
24 *Business Investment Act of 1958 shall not exceed*  
25 *\$7,500,000,000: Provided further, That during fiscal year*

1 2017 commitments for general business loans authorized  
2 under section 7(a) of the Small Business Act shall not ex-  
3 ceed \$27,500,000,000 for a combination of amortizing term  
4 loans and the aggregated maximum line of credit provided  
5 by revolving loans: Provided further, That during fiscal  
6 year 2017 commitments for loans authorized under sub-  
7 paragraph (C) of section 502(7) of The Small Business In-  
8 vestment Act of 1958 (15 U.S.C. 696(7)) shall not exceed  
9 \$7,500,000,000: Provided further, That during fiscal year  
10 2017 commitments to guarantee loans for debentures under  
11 section 303(b) of the Small Business Investment Act of 1958  
12 shall not exceed \$4,000,000,000: Provided further, That dur-  
13 ing fiscal year 2017, guarantees of trust certificates author-  
14 ized by section 5(g) of the Small Business Act shall not ex-  
15 ceed a principal amount of \$12,000,000,000. In addition,  
16 for administrative expenses to carry out the direct and  
17 guaranteed loan programs, \$152,726,000, which may be  
18 transferred to and merged with the appropriations for Sala-  
19 ries and Expenses.

20 *DISASTER LOANS PROGRAM ACCOUNT*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For administrative expenses to carry out the direct*  
23 *loan program authorized by section 7(b) of the Small Busi-*  
24 *ness Act, \$185,977,000, to be available until expended, of*  
25 *which \$1,000,000 is for the Office of Inspector General of*

1 *the Small Business Administration for audits and reviews*  
2 *of disaster loans and the disaster loan programs and shall*  
3 *be transferred to and merged with the appropriations for*  
4 *the Office of Inspector General; of which \$175,977,000 is*  
5 *for direct administrative expenses of loan making and serv-*  
6 *icing to carry out the direct loan program, which may be*  
7 *transferred to and merged with the appropriations for Sala-*  
8 *ries and Expenses; and of which \$9,000,000 is for indirect*  
9 *administrative expenses for the direct loan program, which*  
10 *may be transferred to and merged with the appropriations*  
11 *for Salaries and Expenses.*

12 *ADMINISTRATIVE PROVISIONS—SMALL BUSINESS*

13 *ADMINISTRATION*

14 *(INCLUDING RESCISSION AND TRANSFER OF FUNDS)*

15 *SEC. 530. Not to exceed 5 percent of any appropriation*  
16 *made available for the current fiscal year for the Small*  
17 *Business Administration in this Act may be transferred be-*  
18 *tween such appropriations, but no such appropriation shall*  
19 *be increased by more than 10 percent by any such transfers:*  
20 *Provided, That any transfer pursuant to this paragraph*  
21 *shall be treated as a reprogramming of funds under section*  
22 *608 of this Act and shall not be available for obligation*  
23 *or expenditure except in compliance with the procedures set*  
24 *forth in that section.*

1        *SEC. 531. Of the unobligated balances available for the*  
2 *Certified Development Company Program under section*  
3 *503 of the Small Business Investment Act of 1958, as*  
4 *amended, \$55,000,000 are hereby permanently rescinded:*  
5 *Provided, That no amounts may be so rescinded from*  
6 *amounts that were designated by the Congress as an emer-*  
7 *gency requirement pursuant to the Concurrent Resolution*  
8 *on the Budget or the Balanced Budget and Emergency Def-*  
9 *icit Control Act of 1985.*

10                                    *UNITED STATES POSTAL SERVICE*

11                                    *PAYMENT TO THE POSTAL SERVICE FUND*

12        *For payment to the Postal Service Fund for revenue*  
13 *forgone on free and reduced rate mail, pursuant to sub-*  
14 *sections (c) and (d) of section 2401 of title 39, United States*  
15 *Code, \$34,658,000: Provided, That mail for overseas voting*  
16 *and mail for the blind shall continue to be free: Provided*  
17 *further, That 6-day delivery and rural delivery of mail*  
18 *shall continue at not less than the 1983 level: Provided fur-*  
19 *ther, That none of the funds made available to the Postal*  
20 *Service by this Act shall be used to implement any rule,*  
21 *regulation, or policy of charging any officer or employee*  
22 *of any State or local child support enforcement agency, or*  
23 *any individual participating in a State or local program*  
24 *of child support enforcement, a fee for information requested*  
25 *or provided concerning an address of a postal customer:*



1 *Provided further, That none of the funds provided in this*  
2 *Act shall be used to consolidate or close small rural and*  
3 *other small post offices.*

4 *OFFICE OF INSPECTOR GENERAL*

5 *SALARIES AND EXPENSES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses of the Office of Inspector Gen-*  
8 *eral in carrying out the provisions of the Inspector General*  
9 *Act of 1978, \$253,600,000, to be derived by transfer from*  
10 *the Postal Service Fund and expended as authorized by sec-*  
11 *tion 603(b)(3) of the Postal Accountability and Enhance-*  
12 *ment Act (Public Law 109–435).*

13 *UNITED STATES TAX COURT*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses, including contract reporting*  
16 *and other services as authorized by 5 U.S.C. 3109,*  
17 *\$51,226,000: Provided, That travel expenses of the judges*  
18 *shall be paid upon the written certificate of the judge.*

19 *TITLE VI*

20 *GENERAL PROVISIONS—THIS ACT*

21 *(INCLUDING RESCISSION)*

22 *SEC. 601. None of the funds in this Act shall be used*  
23 *for the planning or execution of any program to pay the*  
24 *expenses of, or otherwise compensate, non-Federal parties*

1 *intervening in regulatory or adjudicatory proceedings fund-*  
2 *ed in this Act.*

3       *SEC. 602. None of the funds appropriated in this Act*  
4 *shall remain available for obligation beyond the current fis-*  
5 *cal year, nor may any be transferred to other appropria-*  
6 *tions, unless expressly so provided herein.*

7       *SEC. 603. The expenditure of any appropriation under*  
8 *this Act for any consulting service through procurement*  
9 *contract pursuant to 5 U.S.C. 3109, shall be limited to those*  
10 *contracts where such expenditures are a matter of public*  
11 *record and available for public inspection, except where oth-*  
12 *erwise provided under existing law, or under existing Exec-*  
13 *utive order issued pursuant to existing law.*

14       *SEC. 604. None of the funds made available in this*  
15 *Act may be transferred to any department, agency, or in-*  
16 *strumentality of the United States Government, except pur-*  
17 *suant to a transfer made by, or transfer authority provided*  
18 *in, this Act or any other appropriations Act.*

19       *SEC. 605. None of the funds made available by this*  
20 *Act shall be available for any activity or for paying the*  
21 *salary of any Government employee where funding an ac-*  
22 *tivity or paying a salary to a Government employee would*  
23 *result in a decision, determination, rule, regulation, or pol-*  
24 *icy that would prohibit the enforcement of section 307 of*  
25 *the Tariff Act of 1930 (19 U.S.C. 1307).*

1       *SEC. 606. No funds appropriated pursuant to this Act*  
2 *may be expended by an entity unless the entity agrees that*  
3 *in expending the assistance the entity will comply with*  
4 *chapter 83 of title 41, United States Code.*

5       *SEC. 607. No funds appropriated or otherwise made*  
6 *available under this Act shall be made available to any per-*  
7 *son or entity that has been convicted of violating chapter*  
8 *83 of title 41, United States Code.*

9       *SEC. 608. Except as otherwise provided in this Act,*  
10 *none of the funds provided in this Act, provided by previous*  
11 *appropriations Acts to the agencies or entities funded in*  
12 *this Act that remain available for obligation or expenditure*  
13 *in fiscal year 2017, or provided from any accounts in the*  
14 *Treasury derived by the collection of fees and available to*  
15 *the agencies funded by this Act, shall be available for obliga-*  
16 *tion or expenditure through a reprogramming of funds that:*  
17 *(1) creates a new program; (2) eliminates a program,*  
18 *project, or activity; (3) increases funds or personnel for any*  
19 *program, project, or activity for which funds have been de-*  
20 *nied or restricted by the Congress; (4) proposes to use funds*  
21 *directed for a specific activity by the Committee on Appro-*  
22 *priations of either the House of Representatives or the Sen-*  
23 *ate for a different purpose; (5) augments existing programs,*  
24 *projects, or activities in excess of \$5,000,000 or 10 percent,*  
25 *whichever is less; (6) reduces existing programs, projects,*

1 or activities by \$5,000,000 or 10 percent, whichever is less;  
2 or (7) creates or reorganizes offices, programs, or activities  
3 unless prior approval is received from the Committees on  
4 Appropriations of the House of Representatives and the  
5 Senate: Provided, That prior to any significant reorganiza-  
6 tion or restructuring of offices, programs, or activities, each  
7 agency or entity funded in this Act shall consult with the  
8 Committees on Appropriations of the House of Representa-  
9 tives and the Senate: Provided further, That not later than  
10 60 days after the date of enactment of this Act, each agency  
11 funded by this Act shall submit a report to the Committees  
12 on Appropriations of the House of Representatives and the  
13 Senate to establish the baseline for application of re-  
14 programming and transfer authorities for the current fiscal  
15 year: Provided further, That at a minimum the report shall  
16 include: (1) a table for each appropriation with a separate  
17 column to display the President's budget request, adjust-  
18 ments made by Congress, adjustments due to enacted rescis-  
19 sions, if appropriate, and the fiscal year enacted level; (2)  
20 a delineation in the table for each appropriation both by  
21 object class and program, project, and activity as detailed  
22 in the budget appendix for the respective appropriation;  
23 and (3) an identification of items of special congressional  
24 interest: Provided further, That the amount appropriated  
25 or limited for salaries and expenses for an agency shall be

1 reduced by \$100,000 per day for each day after the required  
2 date that the report has not been submitted to the Congress.

3       SEC. 609. Except as otherwise specifically provided by  
4 law, not to exceed 50 percent of unobligated balances re-  
5 maining available at the end of fiscal year 2017 from ap-  
6 propriations made available for salaries and expenses for  
7 fiscal year 2017 in this Act, shall remain available through  
8 September 30, 2018, for each such account for the purposes  
9 authorized: Provided, That a request shall be submitted to  
10 the Committees on Appropriations of the House of Rep-  
11 resentatives and the Senate for approval prior to the ex-  
12 penditure of such funds: Provided further, That these re-  
13 quests shall be made in compliance with reprogramming  
14 guidelines.

15       SEC. 610. (a) None of the funds made available in this  
16 Act may be used by the Executive Office of the President  
17 to request—

18               (1) any official background investigation report  
19               on any individual from the Federal Bureau of Inves-  
20               tigation; or

21               (2) a determination with respect to the treatment  
22               of an organization as described in section 501(c) of  
23               the Internal Revenue Code of 1986 and exempt from  
24               taxation under section 501(a) of such Code from the

1        *Department of the Treasury or the Internal Revenue*  
2        *Service.*

3        *(b) Subsection (a) shall not apply—*

4            *(1) in the case of an official background inves-*  
5        *tigation report, if such individual has given express*  
6        *written consent for such request not more than 6*  
7        *months prior to the date of such request and during*  
8        *the same presidential administration; or*

9            *(2) if such request is required due to extraor-*  
10        *dinary circumstances involving national security.*

11        *SEC. 611. The cost accounting standards promulgated*  
12        *under chapter 15 of title 41, United States Code shall not*  
13        *apply with respect to a contract under the Federal Employ-*  
14        *ees Health Benefits Program established under chapter 89*  
15        *of title 5, United States Code.*

16        *SEC. 612. For the purpose of resolving litigation and*  
17        *implementing any settlement agreements regarding the non-*  
18        *foreign area cost-of-living allowance program, the Office of*  
19        *Personnel Management may accept and utilize (without re-*  
20        *gard to any restriction on unanticipated travel expenses*  
21        *imposed in an Appropriations Act) funds made available*  
22        *to the Office of Personnel Management pursuant to court*  
23        *approval.*

24        *SEC. 613. No funds appropriated by this Act shall be*  
25        *available to pay for an abortion, or the administrative ex-*

1 *penses in connection with any health plan under the Fed-*  
2 *eral employees health benefits program which provides any*  
3 *benefits or coverage for abortions.*

4 *SEC. 614. The provision of section 613 shall not apply*  
5 *where the life of the mother would be endangered if the fetus*  
6 *were carried to term, or the pregnancy is the result of an*  
7 *act of rape or incest.*

8 *SEC. 615. In order to promote Government access to*  
9 *commercial information technology, the restriction on pur-*  
10 *chasing nondomestic articles, materials, and supplies set*  
11 *forth in chapter 83 of title 41, United States Code (popu-*  
12 *larly known as the Buy American Act), shall not apply to*  
13 *the acquisition by the Federal Government of information*  
14 *technology (as defined in section 11101 of title 40, United*  
15 *States Code), that is a commercial item (as defined in sec-*  
16 *tion 103 of title 41, United States Code).*

17 *SEC. 616. Notwithstanding section 1353 of title 31,*  
18 *United States Code, no officer or employee of any regulatory*  
19 *agency or commission funded by this Act may accept on*  
20 *behalf of that agency, nor may such agency or commission*  
21 *accept, payment or reimbursement from a non-Federal enti-*  
22 *ty for travel, subsistence, or related expenses for the purpose*  
23 *of enabling an officer or employee to attend and participate*  
24 *in any meeting or similar function relating to the official*  
25 *duties of the officer or employee when the entity offering*

1 *payment or reimbursement is a person or entity subject to*  
2 *regulation by such agency or commission, or represents a*  
3 *person or entity subject to regulation by such agency or*  
4 *commission, unless the person or entity is an organization*  
5 *described in section 501(c)(3) of the Internal Revenue Code*  
6 *of 1986 and exempt from tax under section 501(a) of such*  
7 *Code.*

8       *SEC. 617. Notwithstanding section 708 of this Act,*  
9 *funds made available to the Commodity Futures Trading*  
10 *Commission and the Securities and Exchange Commission*  
11 *by this or any other Act may be used for the interagency*  
12 *funding and sponsorship of a joint advisory committee to*  
13 *advise on emerging regulatory issues.*

14       *SEC. 618. (a)(1) Notwithstanding any other provision*  
15 *of law, an Executive agency covered by this Act otherwise*  
16 *authorized to enter into contracts for either leases or the*  
17 *construction or alteration of real property for office, meet-*  
18 *ing, storage, or other space must consult with the General*  
19 *Services Administration before issuing a solicitation for of-*  
20 *fers of new leases or construction contracts, and in the case*  
21 *of succeeding leases, before entering into negotiations with*  
22 *the current lessor.*

23       *(2) Any such agency with authority to enter into an*  
24 *emergency lease may do so during any period declared by*



1 *the President to require emergency leasing authority with*  
2 *respect to such agency.*

3 *(b) For purposes of this section, the term “Executive*  
4 *agency covered by this Act” means any Executive agency*  
5 *provided funds by this Act, but does not include the General*  
6 *Services Administration or the United States Postal Serv-*  
7 *ice.*

8 *SEC. 619. (a) There are appropriated for the following*  
9 *activities the amounts required under current law:*

10 *(1) Compensation of the President (3 U.S.C.*  
11 *102).*

12 *(2) Payments to—*

13 *(A) the Judicial Officers’ Retirement Fund*  
14 *(28 U.S.C. 377(o));*

15 *(B) the Judicial Survivors’ Annuities Fund*  
16 *(28 U.S.C. 376(c)); and*

17 *(C) the United States Court of Federal*  
18 *Claims Judges’ Retirement Fund (28 U.S.C.*  
19 *178(l)).*

20 *(3) Payment of Government contributions—*

21 *(A) with respect to the health benefits of re-*  
22 *tired employees, as authorized by chapter 89 of*  
23 *title 5, United States Code, and the Retired Fed-*  
24 *eral Employees Health Benefits Act (74 Stat.*  
25 *849); and*

1           (B) with respect to the life insurance bene-  
2           fits for employees retiring after December 31,  
3           1989 (5 U.S.C. ch. 87).

4           (4) Payment to finance the unfunded liability of  
5           new and increased annuity benefits under the Civil  
6           Service Retirement and Disability Fund (5 U.S.C.  
7           8348).

8           (5) Payment of annuities authorized to be paid  
9           from the Civil Service Retirement and Disability  
10          Fund by statutory provisions other than subchapter  
11          III of chapter 83 or chapter 84 of title 5, United  
12          States Code.

13          (b) Nothing in this section may be construed to exempt  
14          any amount appropriated by this section from any other-  
15          wise applicable limitation on the use of funds contained in  
16          this Act.

17          SEC. 620. The Public Company Accounting Oversight  
18          Board (Board) shall have authority to obligate funds for  
19          the scholarship program established by section 109(c)(2) of  
20          the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in  
21          an aggregate amount not exceeding the amount of funds col-  
22          lected by the Board as of December 31, 2016, including ac-  
23          rued interest, as a result of the assessment of monetary  
24          penalties. Funds available for obligation in fiscal year 2017  
25          shall remain available until expended.

1        *SEC. 621. None of the funds made available in this*  
2 *Act may be used by the Federal Trade Commission to com-*  
3 *plete the draft report entitled “Interagency Working Group*  
4 *on Food Marketed to Children: Preliminary Proposed Nu-*  
5 *trition Principles to Guide Industry Self-Regulatory Ef-*  
6 *forts” unless the Interagency Working Group on Food Mar-*  
7 *keted to Children complies with Executive Order No. 13563.*

8        *SEC. 622. None of the funds made available by this*  
9 *Act may be used to pay the salaries and expenses for the*  
10 *following positions:*

11            *(1) Director, White House Office of Health Re-*  
12 *form.*

13            *(2) Assistant to the President for Energy and*  
14 *Climate Change.*

15            *(3) Senior Advisor to the Secretary of the Treas-*  
16 *ury assigned to the Presidential Task Force on the*  
17 *Auto Industry and Senior Counselor for Manufac-*  
18 *turing Policy.*

19            *(4) White House Director of Urban Affairs.*

20        *SEC. 623. None of the funds in this Act may be used*  
21 *for the Director of the Office of Personnel Management to*  
22 *award a contract, enter an extension of, or exercise an op-*  
23 *tion on a contract to a contractor conducting the final qual-*  
24 *ity review processes for background investigation fieldwork*  
25 *services or background investigation support services that,*

1 *as of the date of the award of the contract, are being con-*  
2 *ducted by that contractor.*

3       *SEC. 624. (a) The head of each executive branch agency*  
4 *funded by this Act shall ensure that the Chief Information*  
5 *Officer of the agency has the authority to participate in*  
6 *decisions regarding the budget planning process related to*  
7 *information technology.*

8       *(b) Amounts appropriated for any executive branch*  
9 *agency funded by this Act that are available for informa-*  
10 *tion technology shall be allocated within the agency, con-*  
11 *sistent with the provisions of appropriations Acts and budg-*  
12 *et guidelines and recommendations from the Director of the*  
13 *Office of Management and Budget, in such manner as speci-*  
14 *fied by, or approved by, the Chief Information Officer of*  
15 *the agency in consultation with the Chief Financial Officer*  
16 *of the agency and budget officials.*

17       *SEC. 625. None of the funds made available in this*  
18 *Act may be used in contravention of chapter 29, 31, or 33*  
19 *of title 44, United States Code.*

20       *SEC. 626. None of the funds made available in this*  
21 *Act may be used by a governmental entity to require the*  
22 *disclosure by a provider of electronic communication service*  
23 *to the public or remote computing service of the contents*  
24 *of a wire or electronic communication that is in electronic*  
25 *storage with the provider (as such terms are defined in sec-*

1 tions 2510 and 2711 of title 18, United States Code) in  
2 a manner that violates the Fourth Amendment to the Con-  
3 stitution of the United States.

4       SEC. 627. None of the funds appropriated by this Act  
5 may be used by the Federal Communications Commission  
6 to modify, amend, or change the rules or regulations of the  
7 Commission for universal service high-cost support for com-  
8 petitive eligible telecommunications carriers in a way that  
9 is inconsistent with paragraph (e)(5) or (e)(6) of section  
10 54.307 of title 47, Code of Federal Regulations, as in effect  
11 on July 15, 2015: Provided, That this section shall not pro-  
12 hibit the Commission from considering, developing, or  
13 adopting other support mechanisms as an alternative to  
14 Mobility Fund Phase II.

15       SEC. 628. No funds provided in this Act shall be used  
16 to deny an Inspector General funded under this Act timely  
17 access to any records, documents, or other materials avail-  
18 able to the department or agency over which that Inspector  
19 General has responsibilities under the Inspector General Act  
20 of 1978, or to prevent or impede that Inspector General's  
21 access to such records, documents, or other materials, under  
22 any provision of law, except a provision of law that ex-  
23 pressly refers to the Inspector General and expressly limits  
24 the Inspector General's right of access. A department or  
25 agency covered by this section shall provide its Inspector

1 *General with access to all such records, documents, and*  
2 *other materials in a timely manner. Each Inspector Gen-*  
3 *eral shall ensure compliance with statutory limitations on*  
4 *disclosure relevant to the information provided by the estab-*  
5 *lishment over which that Inspector General has responsibil-*  
6 *ities under the Inspector General Act of 1978. Each Inspec-*  
7 *tor General covered by this section shall report to the Com-*  
8 *mittees on Appropriations of the House of Representatives*  
9 *and the Senate within 5 calendar days any failures to com-*  
10 *ply with this requirement.*

11 *SEC. 629. (a) In the case of a television joint sales*  
12 *agreement, the Federal Communications Commission—*

13 *(1) may not require the termination or modifica-*  
14 *tion of such agreement as a condition of the transfer*  
15 *or assignment of a station license or the transfer of*  
16 *station ownership or control; and*

17 *(2) upon request of the transferee or assignee of*  
18 *the station license, shall eliminate any such condition*  
19 *that was imposed after March 31, 2014, and permit*  
20 *the licensees of the stations whose advertising was*  
21 *jointly sold pursuant to such agreement to enter into*  
22 *a new joint sales agreement on substantially similar*  
23 *terms and conditions as the prior agreement.*

24 *(b) In this section, the term “joint sales agreement”*  
25 *has the meaning given such term in Note 2(k) to section*

1 73.3555 of title 47, Code of Federal Regulations, and where  
2 a joint sales agreement is part of a broader contract, this  
3 section shall be limited to the joint sales agreement portion  
4 of such contract.

5 SEC. 630. (a) Section 1105(a)(35) of title 31, United  
6 States Code, is amended—

7 (1) by striking subparagraph (B) and redesignig-  
8 nating subparagraph (C) as subparagraph (B);

9 (2) by striking “homeland security” in each in-  
10 stance it appears and inserting “cybersecurity”; and

11 (3) by amending subparagraph (B) (as redesignig-  
12 nated by paragraph (1)) to read as follows:

13 “(B) Prior to implementing this paragraph, in-  
14 cluding determining what Federal activities or ac-  
15 counts constitute cybersecurity for purposes of budg-  
16 etary classification, the Office of Management and  
17 Budget shall consult with the Committees on Appro-  
18 priations and the Committees on the Budget of the  
19 House of Representatives and the Senate, the Com-  
20 mittee on Homeland Security of the House of Rep-  
21 resentatives, and the Committee on Homeland Secu-  
22 rity and Government Affairs of the Senate.”.

23 (b) The amendments made by subsection (a) shall  
24 apply to budget submissions under section 1105(a) of title

1 31, *United States Code*, for fiscal year 2018 and each subse-  
2 quent fiscal year.

3       *SEC. 631. (a) Effective one year after the date of the*  
4 *enactment of this Act, subtitle B of title IV of Public Law*  
5 *102–281 is repealed.*

6       *(b) On the day before the date of the repeal under sub-*  
7 *section (a), the Secretary of the Treasury shall transfer the*  
8 *amounts in the fund described in section 408(a) of subtitle*  
9 *A of title IV of such Public Law into the general fund of*  
10 *the Treasury.*

11       *SEC. 632. (a) None of the funds made available in this*  
12 *Act may be used to maintain or establish a computer net-*  
13 *work unless such network blocks the viewing, downloading,*  
14 *and exchanging of pornography.*

15       *(b) Nothing in subsection (a) shall limit the use of*  
16 *funds necessary for any Federal, State, tribal, or local law*  
17 *enforcement agency or any other entity carrying out crimi-*  
18 *nal investigations, prosecution, adjudication activities, or*  
19 *other law enforcement- or victim assistance-related activity.*

20       *SEC. 633. (a) For fiscal years 2016 through 2026, the*  
21 *Office of Personnel Management shall provide to each af-*  
22 *ected individual as defined in subsection (b) complimen-*  
23 *tary identity protection coverage that—*

24               *(1) is not less comprehensive than the com-*  
25       *plimentary identity protection coverage that the Of-*



1       *rice provided to affected individuals before the date of*  
2       *enactment of this Act;*

3             *(2) is effective for a period of not less than 10*  
4       *years; and*

5             *(3) includes not less than \$5,000,000 in identity*  
6       *theft insurance.*

7       **(b) DEFINITION.**—*In this section, the term “affected*  
8       *individual” means any individual whose Social Security*  
9       *Number was compromised during—*

10            *(1) the data breach of personnel records of cur-*  
11       *rent and former Federal employees, at a network*  
12       *maintained by the Department of the Interior, that*  
13       *was announced by the Office of Personnel Manage-*  
14       *ment on June 4, 2015; or*

15            *(2) the data breach of systems of the Office of*  
16       *Personnel Management containing information re-*  
17       *lated to the background investigations of current,*  
18       *former, and prospective Federal employees, and of*  
19       *other individuals.*

20       **SEC. 634.** *From the unobligated balances available in*  
21       *the Securities and Exchange Commission Reserve Fund es-*  
22       *tablished by section 991 of the Dodd-Frank Wall Street Re-*  
23       *form and Consumer Protection Act (Public Law 111–203),*  
24       *\$25,000,000 are rescinded.*



1 *(exclusive of buses, ambulances, law enforcement vehicles,*  
2 *protective vehicles, and undercover surveillance vehicles), is*  
3 *hereby fixed at \$19,947 except station wagons for which the*  
4 *maximum shall be \$19,997: Provided, That these limits*  
5 *may be exceeded by not to exceed \$7,250 for police-type vehi-*  
6 *cles: Provided further, That the limits set forth in this sec-*  
7 *tion may not be exceeded by more than 5 percent for electric*  
8 *or hybrid vehicles purchased for demonstration under the*  
9 *provisions of the Electric and Hybrid Vehicle Research, De-*  
10 *velopment, and Demonstration Act of 1976: Provided fur-*  
11 *ther, That the limits set forth in this section may be exceed-*  
12 *ed by the incremental cost of clean alternative fuels vehicles*  
13 *acquired pursuant to Public Law 101–549 over the cost of*  
14 *comparable conventionally fueled vehicles: Provided further,*  
15 *That the limits set forth in this section shall not apply to*  
16 *any vehicle that is a commercial item and which operates*  
17 *on alternative fuel, including but not limited to electric,*  
18 *plug-in hybrid electric, and hydrogen fuel cell vehicles.*

19       *SEC. 703. Appropriations of the executive departments*  
20 *and independent establishments for the current fiscal year*  
21 *available for expenses of travel, or for the expenses of the*  
22 *activity concerned, are hereby made available for quarters*  
23 *allowances and cost-of-living allowances, in accordance*  
24 *with 5 U.S.C. 5922–5924.*

1        *SEC. 704. Unless otherwise specified in law during the*  
2 *current fiscal year, no part of any appropriation contained*  
3 *in this or any other Act shall be used to pay the compensa-*  
4 *tion of any officer or employee of the Government of the*  
5 *United States (including any agency the majority of the*  
6 *stock of which is owned by the Government of the United*  
7 *States) whose post of duty is in the continental United*  
8 *States unless such person: (1) is a citizen of the United*  
9 *States; (2) is a person who is lawfully admitted for perma-*  
10 *nent residence and is seeking citizenship as outlined in 8*  
11 *U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as*  
12 *a refugee under 8 U.S.C. 1157 or is granted asylum under*  
13 *8 U.S.C. 1158 and has filed a declaration of intention to*  
14 *become a lawful permanent resident and then a citizen*  
15 *when eligible; or (4) is a person who owes allegiance to the*  
16 *United States: Provided, That for purposes of this section,*  
17 *affidavits signed by any such person shall be considered*  
18 *prima facie evidence that the requirements of this section*  
19 *with respect to his or her status are being complied with:*  
20 *Provided further, That for purposes of subsections (2) and*  
21 *(3) such affidavits shall be submitted prior to employment*  
22 *and updated thereafter as necessary: Provided further, That*  
23 *any person making a false affidavit shall be guilty of a*  
24 *felony, and upon conviction, shall be fined no more than*  
25 *\$4,000 or imprisoned for not more than 1 year, or both:*

1 *Provided further, That the above penal clause shall be in*  
2 *addition to, and not in substitution for, any other provi-*  
3 *sions of existing law: Provided further, That any payment*  
4 *made to any officer or employee contrary to the provisions*  
5 *of this section shall be recoverable in action by the Federal*  
6 *Government: Provided further, That this section shall not*  
7 *apply to any person who is an officer or employee of the*  
8 *Government of the United States on the date of enactment*  
9 *of this Act, or to international broadcasters employed by*  
10 *the Broadcasting Board of Governors, or to temporary em-*  
11 *ployment of translators, or to temporary employment in the*  
12 *field service (not to exceed 60 days) as a result of emer-*  
13 *gencies: Provided further, That this section does not apply*  
14 *to the employment as Wildland firefighters for not more*  
15 *than 120 days of nonresident aliens employed by the De-*  
16 *partment of the Interior or the USDA Forest Service pursu-*  
17 *ant to an agreement with another country.*

18       *SEC. 705. Appropriations available to any department*  
19 *or agency during the current fiscal year for necessary ex-*  
20 *penses, including maintenance or operating expenses, shall*  
21 *also be available for payment to the General Services Ad-*  
22 *ministration for charges for space and services and those*  
23 *expenses of renovation and alteration of buildings and fa-*  
24 *cilities which constitute public improvements performed in*  
25 *accordance with the Public Buildings Act of 1959 (73 Stat.*

1 479), the Public Buildings Amendments of 1972 (86 Stat.  
2 216), or other applicable law.

3       SEC. 706. In addition to funds provided in this or any  
4 other Act, all Federal agencies are authorized to receive and  
5 use funds resulting from the sale of materials, including  
6 Federal records disposed of pursuant to a records schedule  
7 recovered through recycling or waste prevention programs.  
8 Such funds shall be available until expended for the fol-  
9 lowing purposes:

10           (1) Acquisition, waste reduction and prevention,  
11 and recycling programs as described in Executive  
12 Order No. 13693 (March 19, 2015), including any  
13 such programs adopted prior to the effective date of  
14 the Executive order.

15           (2) Other Federal agency environmental manage-  
16 ment programs, including, but not limited to, the de-  
17 velopment and implementation of hazardous waste  
18 management and pollution prevention programs.

19           (3) Other employee programs as authorized by  
20 law or as deemed appropriate by the head of the Fed-  
21 eral agency.

22       SEC. 707. Funds made available by this or any other  
23 Act for administrative expenses in the current fiscal year  
24 of the corporations and agencies subject to chapter 91 of  
25 title 31, United States Code, shall be available, in addition

1 to objects for which such funds are otherwise available, for  
2 rent in the District of Columbia; services in accordance  
3 with 5 U.S.C. 3109; and the objects specified under this  
4 head, all the provisions of which shall be applicable to the  
5 expenditure of such funds unless otherwise specified in the  
6 Act by which they are made available: Provided, That in  
7 the event any functions budgeted as administrative expenses  
8 are subsequently transferred to or paid from other funds,  
9 the limitations on administrative expenses shall be cor-  
10 respondingly reduced.

11       *SEC. 708. No part of any appropriation contained in*  
12 *this or any other Act shall be available for interagency fi-*  
13 *nancing of boards (except Federal Executive Boards), com-*  
14 *missions, councils, committees, or similar groups (whether*  
15 *or not they are interagency entities) which do not have a*  
16 *prior and specific statutory approval to receive financial*  
17 *support from more than one agency or instrumentality.*

18       *SEC. 709. None of the funds made available pursuant*  
19 *to the provisions of this or any other Act shall be used to*  
20 *implement, administer, or enforce any regulation which has*  
21 *been disapproved pursuant to a joint resolution duly adopt-*  
22 *ed in accordance with the applicable law of the United*  
23 *States.*

24       *SEC. 710. During the period in which the head of any*  
25 *department or agency, or any other officer or civilian em-*

1 *ployee of the Federal Government appointed by the Presi-*  
2 *dent of the United States, holds office, no funds may be obli-*  
3 *gated or expended in excess of \$5,000 to furnish or redeco-*  
4 *rate the office of such department head, agency head, officer,*  
5 *or employee, or to purchase furniture or make improve-*  
6 *ments for any such office, unless advance notice of such fur-*  
7 *nishing or redecoration is transmitted to the Committees*  
8 *on Appropriations of the House of Representatives and the*  
9 *Senate. For the purposes of this section, the term "office"*  
10 *shall include the entire suite of offices assigned to the indi-*  
11 *vidual, as well as any other space used primarily by the*  
12 *individual or the use of which is directly controlled by the*  
13 *individual.*

14 *SEC. 711. Notwithstanding 31 U.S.C. 1346, or section*  
15 *708 of this Act, funds made available for the current fiscal*  
16 *year by this or any other Act shall be available for the inter-*  
17 *agency funding of national security and emergency pre-*  
18 *paredness telecommunications initiatives which benefit*  
19 *multiple Federal departments, agencies, or entities, as pro-*  
20 *vided by Executive Order No. 13618 (July 6, 2012).*

21 *SEC. 712. (a) None of the funds made available by this*  
22 *or any other Act may be obligated or expended by any de-*  
23 *partment, agency, or other instrumentality of the Federal*  
24 *Government to pay the salaries or expenses of any indi-*  
25 *vidual appointed to a position of a confidential or policy-*



1 *determining character that is excepted from the competitive*  
2 *service under section 3302 of title 5, United States Code,*  
3 *(pursuant to schedule C of subpart C of part 213 of title*  
4 *5 of the Code of Federal Regulations) unless the head of*  
5 *the applicable department, agency, or other instrumentality*  
6 *employing such schedule C individual certifies to the Direc-*  
7 *tor of the Office of Personnel Management that the schedule*  
8 *C position occupied by the individual was not created solely*  
9 *or primarily in order to detail the individual to the White*  
10 *House.*

11 *(b) The provisions of this section shall not apply to*  
12 *Federal employees or members of the Armed Forces detailed*  
13 *to or from an element of the intelligence community (as*  
14 *that term is defined under section 3(4) of the National Secu-*  
15 *rity Act of 1947 (50 U.S.C. 3003(4))).*

16 *SEC. 713. No part of any appropriation contained in*  
17 *this or any other Act shall be available for the payment*  
18 *of the salary of any officer or employee of the Federal Gov-*  
19 *ernment, who—*

20 *(1) prohibits or prevents, or attempts or threat-*  
21 *ens to prohibit or prevent, any other officer or em-*  
22 *ployee of the Federal Government from having any*  
23 *direct oral or written communication or contact with*  
24 *any Member, committee, or subcommittee of the Con-*  
25 *gress in connection with any matter pertaining to the*

1        *employment of such other officer or employee or per-*  
2        *taining to the department or agency of such other of-*  
3        *ficer or employee in any way, irrespective of whether*  
4        *such communication or contact is at the initiative of*  
5        *such other officer or employee or in response to the re-*  
6        *quest or inquiry of such Member, committee, or sub-*  
7        *committee; or*

8            (2) *removes, suspends from duty without pay,*  
9        *demotes, reduces in rank, seniority, status, pay, or*  
10       *performance or efficiency rating, denies promotion to,*  
11       *relocates, reassigns, transfers, disciplines, or discrimi-*  
12       *nates in regard to any employment right, entitlement,*  
13       *or benefit, or any term or condition of employment of,*  
14       *any other officer or employee of the Federal Govern-*  
15       *ment, or attempts or threatens to commit any of the*  
16       *foregoing actions with respect to such other officer or*  
17       *employee, by reason of any communication or contact*  
18       *of such other officer or employee with any Member,*  
19       *committee, or subcommittee of the Congress as de-*  
20       *scribed in paragraph (1).*

21        *SEC. 714. (a) None of the funds made available in this*  
22       *or any other Act may be obligated or expended for any em-*  
23       *ployee training that—*

1           (1) does not meet identified needs for knowledge,  
2           skills, and abilities bearing directly upon the perform-  
3           ance of official duties;

4           (2) contains elements likely to induce high levels  
5           of emotional response or psychological stress in some  
6           participants;

7           (3) does not require prior employee notification  
8           of the content and methods to be used in the training  
9           and written end of course evaluation;

10          (4) contains any methods or content associated  
11          with religious or quasi-religious belief systems or  
12          “new age” belief systems as defined in Equal Employ-  
13          ment Opportunity Commission Notice N-915.022,  
14          dated September 2, 1988; or

15          (5) is offensive to, or designed to change, partici-  
16          pants’ personal values or lifestyle outside the work-  
17          place.

18          (b) Nothing in this section shall prohibit, restrict, or  
19          otherwise preclude an agency from conducting training  
20          bearing directly upon the performance of official duties.

21          SEC. 715. No part of any funds appropriated in this  
22          or any other Act shall be used by an agency of the executive  
23          branch, other than for normal and recognized executive-leg-  
24          islative relationships, for publicity or propaganda pur-  
25          poses, and for the preparation, distribution or use of any

1 *kit, pamphlet, booklet, publication, radio, television, or film*  
2 *presentation designed to support or defeat legislation pend-*  
3 *ing before the Congress, except in presentation to the Con-*  
4 *gress itself.*

5       *SEC. 716. None of the funds appropriated by this or*  
6 *any other Act may be used by an agency to provide a Fed-*  
7 *eral employee's home address to any labor organization ex-*  
8 *cept when the employee has authorized such disclosure or*  
9 *when such disclosure has been ordered by a court of com-*  
10 *petent jurisdiction.*

11       *SEC. 717. None of the funds made available in this*  
12 *or any other Act may be used to provide any non-public*  
13 *information such as mailing, telephone or electronic mail-*  
14 *ing lists to any person or any organization outside of the*  
15 *Federal Government without the approval of the Commit-*  
16 *tees on Appropriations of the House of Representatives and*  
17 *the Senate.*

18       *SEC. 718. No part of any appropriation contained in*  
19 *this or any other Act shall be used directly or indirectly,*  
20 *including by private contractor, for publicity or propa-*  
21 *ganda purposes within the United States not heretofore au-*  
22 *thorized by Congress.*

23       *SEC. 719. (a) In this section, the term "agency"—*  
24               *(1) means an Executive agency, as defined under*  
25               *5 U.S.C. 105; and*

1           (2) includes a military department, as defined  
2           under section 102 of such title, the Postal Service, and  
3           the Postal Regulatory Commission.

4           (b) Unless authorized in accordance with law or regu-  
5           lations to use such time for other purposes, an employee  
6           of an agency shall use official time in an honest effort to  
7           perform official duties. An employee not under a leave sys-  
8           tem, including a Presidential appointee exempted under 5  
9           U.S.C. 6301(2), has an obligation to expend an honest effort  
10          and a reasonable proportion of such employee's time in the  
11          performance of official duties.

12          SEC. 720. Notwithstanding 31 U.S.C. 1346 and section  
13          708 of this Act, funds made available for the current fiscal  
14          year by this or any other Act to any department or agency,  
15          which is a member of the Federal Accounting Standards  
16          Advisory Board (FASAB), shall be available to finance an  
17          appropriate share of FASAB administrative costs.

18          SEC. 721. Notwithstanding 31 U.S.C. 1346 and section  
19          708 of this Act, the head of each Executive department and  
20          agency is hereby authorized to transfer to or reimburse  
21          “General Services Administration, Government-wide Pol-  
22          icy” with the approval of the Director of the Office of Man-  
23          agement and Budget, funds made available for the current  
24          fiscal year by this or any other Act, including rebates from  
25          charge card and other contracts: Provided, That these funds

1 *shall be administered by the Administrator of General Serv-*  
2 *ices to support Government-wide and other multi-agency fi-*  
3 *nancial, information technology, procurement, and other*  
4 *management innovations, initiatives, and activities, in-*  
5 *cluding improving coordination and reducing duplication,*  
6 *as approved by the Director of the Office of Management*  
7 *and Budget, in consultation with the appropriate inter-*  
8 *agency and multi-agency groups designated by the Director*  
9 *(including the President’s Management Council for overall*  
10 *management improvement initiatives, the Chief Financial*  
11 *Officers Council for financial management initiatives, the*  
12 *Chief Information Officers Council for information tech-*  
13 *nology initiatives, the Chief Human Capital Officers Coun-*  
14 *cil for human capital initiatives, the Chief Acquisition Offi-*  
15 *cers Council for procurement initiatives, and the Perform-*  
16 *ance Improvement Council for performance improvement*  
17 *initiatives): Provided further, That the total funds trans-*  
18 *ferred or reimbursed shall not exceed \$15,000,000 to im-*  
19 *prove coordination, reduce duplication, and for other ac-*  
20 *tivities related to Federal Government Priority Goals estab-*  
21 *lished by 31 U.S.C. 1120, and not to exceed \$17,000,000*  
22 *for Government-Wide innovations, initiatives, and activi-*  
23 *ties: Provided further, That the funds transferred to or for*  
24 *reimbursement of “General Services Administration, Gov-*  
25 *ernment-wide Policy” during fiscal year 2017 shall remain*

1 *available for obligation through September 30, 2018: Pro-*  
2 *vided further, That such transfers or reimbursements may*  
3 *only be made after 15 days following notification of the*  
4 *Committees on Appropriations of the House of Representa-*  
5 *tives and the Senate by the Director of the Office of Manage-*  
6 *ment and Budget.*

7       *SEC. 722. Notwithstanding any other provision of law,*  
8 *a woman may breastfeed her child at any location in a*  
9 *Federal building or on Federal property, if the woman and*  
10 *her child are otherwise authorized to be present at the loca-*  
11 *tion.*

12       *SEC. 723. Notwithstanding 31 U.S.C. 1346, or section*  
13 *708 of this Act, funds made available for the current fiscal*  
14 *year by this or any other Act shall be available for the inter-*  
15 *agency funding of specific projects, workshops, studies, and*  
16 *similar efforts to carry out the purposes of the National*  
17 *Science and Technology Council (authorized by Executive*  
18 *Order No. 12881), which benefit multiple Federal depart-*  
19 *ments, agencies, or entities: Provided, That the Office of*  
20 *Management and Budget shall provide a report describing*  
21 *the budget of and resources connected with the National*  
22 *Science and Technology Council to the Committees on Ap-*  
23 *propriations, the House Committee on Science and Tech-*  
24 *nology, and the Senate Committee on Commerce, Science,*  
25 *and Transportation 90 days after enactment of this Act.*

1        *SEC. 724. Any request for proposals, solicitation, grant*  
2 *application, form, notification, press release, or other publi-*  
3 *cations involving the distribution of Federal funds shall*  
4 *comply with any relevant requirements in part 200 of title*  
5 *2, Code of Federal Regulations: Provided, That this section*  
6 *shall apply to direct payments, formula funds, and grants*  
7 *received by a State receiving Federal funds.*

8        *SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY*  
9 *MONITORING OF INDIVIDUALS' INTERNET USE.—None of*  
10 *the funds made available in this or any other Act may be*  
11 *used by any Federal agency—*

12            *(1) to collect, review, or create any aggregation*  
13 *of data, derived from any means, that includes any*  
14 *personally identifiable information relating to an in-*  
15 *dividual's access to or use of any Federal Government*  
16 *Internet site of the agency; or*

17            *(2) to enter into any agreement with a third*  
18 *party (including another government agency) to col-*  
19 *lect, review, or obtain any aggregation of data, de-*  
20 *derived from any means, that includes any personally*  
21 *identifiable information relating to an individual's*  
22 *access to or use of any nongovernmental Internet site.*

23        *(b) EXCEPTIONS.—The limitations established in sub-*  
24 *section (a) shall not apply to—*



1           (1) any record of aggregate data that does not  
2 identify particular persons;

3           (2) any voluntary submission of personally iden-  
4 tifiable information;

5           (3) any action taken for law enforcement, regu-  
6 latory, or supervisory purposes, in accordance with  
7 applicable law; or

8           (4) any action described in subsection (a)(1) that  
9 is a system security action taken by the operator of  
10 an Internet site and is necessarily incident to pro-  
11 viding the Internet site services or to protecting the  
12 rights or property of the provider of the Internet site.

13 (c) DEFINITIONS.—For the purposes of this section:

14           (1) The term “regulatory” means agency actions  
15 to implement, interpret or enforce authorities pro-  
16 vided in law.

17           (2) The term “supervisory” means examinations  
18 of the agency’s supervised institutions, including as-  
19 sessing safety and soundness, overall financial condi-  
20 tion, management practices and policies and compli-  
21 ance with applicable standards as provided in law.

22 SEC. 726. (a) None of the funds appropriated by this  
23 Act may be used to enter into or renew a contract which  
24 includes a provision providing prescription drug coverage,

1 *except where the contract also includes a provision for con-*  
2 *traceptive coverage.*

3 *(b) Nothing in this section shall apply to a contract*  
4 *with—*

5 *(1) any of the following religious plans:*

6 *(A) Personal Care’s HMO; and*

7 *(B) OSF HealthPlans, Inc.; and*

8 *(2) any existing or future plan, if the carrier for*  
9 *the plan objects to such coverage on the basis of reli-*  
10 *gious beliefs.*

11 *(c) In implementing this section, any plan that enters*  
12 *into or renews a contract under this section may not subject*  
13 *any individual to discrimination on the basis that the indi-*  
14 *vidual refuses to prescribe or otherwise provide for contra-*  
15 *ceptives because such activities would be contrary to the in-*  
16 *dividual’s religious beliefs or moral convictions.*

17 *(d) Nothing in this section shall be construed to require*  
18 *coverage of abortion or abortion-related services.*

19 *SEC. 727. The United States is committed to ensuring*  
20 *the health of its Olympic, Pan American, and Paralympic*  
21 *athletes, and supports the strict adherence to anti-doping*  
22 *in sport through testing, adjudication, education, and re-*  
23 *search as performed by nationally recognized oversight au-*  
24 *thorities.*

1       *SEC. 728. Notwithstanding any other provision of law,*  
2 *funds appropriated for official travel to Federal depart-*  
3 *ments and agencies may be used by such departments and*  
4 *agencies, if consistent with Office of Management and*  
5 *Budget Circular A-126 regarding official travel for Govern-*  
6 *ment personnel, to participate in the fractional aircraft*  
7 *ownership pilot program.*

8       *SEC. 729. Notwithstanding any other provision of law,*  
9 *none of the funds appropriated or made available under*  
10 *this or any other appropriations Act may be used to imple-*  
11 *ment or enforce restrictions or limitations on the Coast*  
12 *Guard Congressional Fellowship Program, or to implement*  
13 *the proposed regulations of the Office of Personnel Manage-*  
14 *ment to add sections 300.311 through 300.316 to part 300*  
15 *of title 5 of the Code of Federal Regulations, published in*  
16 *the Federal Register, volume 68, number 174, on September*  
17 *9, 2003 (relating to the detail of executive branch employees*  
18 *to the legislative branch).*

19       *SEC. 730. Notwithstanding any other provision of law,*  
20 *no executive branch agency shall purchase, construct, or*  
21 *lease any additional facilities, except within or contiguous*  
22 *to existing locations, to be used for the purpose of con-*  
23 *ducting Federal law enforcement training without the ad-*  
24 *vance approval of the Committees on Appropriations of the*  
25 *House of Representatives and the Senate, except that the*

1 *Federal Law Enforcement Training Center is authorized to*  
2 *obtain the temporary use of additional facilities by lease,*  
3 *contract, or other agreement for training which cannot be*  
4 *accommodated in existing Center facilities.*

5 *SEC. 731. Unless otherwise authorized by existing law,*  
6 *none of the funds provided in this or any other Act may*  
7 *be used by an executive branch agency to produce any pre-*  
8 *packaged news story intended for broadcast or distribution*  
9 *in the United States, unless the story includes a clear notifi-*  
10 *cation within the text or audio of the prepackaged news*  
11 *story that the prepackaged news story was prepared or*  
12 *funded by that executive branch agency.*

13 *SEC. 732. None of the funds made available in this*  
14 *Act may be used in contravention of section 552a of title*  
15 *5, United States Code (popularly known as the Privacy*  
16 *Act), and regulations implementing that section.*

17 *SEC. 733. (a) IN GENERAL.—None of the funds appro-*  
18 *priated or otherwise made available by this or any other*  
19 *Act may be used for any Federal Government contract with*  
20 *any foreign incorporated entity which is treated as an in-*  
21 *verted domestic corporation under section 835(b) of the*  
22 *Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any*  
23 *subsidiary of such an entity.*

24 *(b) WAIVERS.—*

1           (1) *IN GENERAL.*—Any Secretary shall waive  
2           subsection (a) with respect to any Federal Govern-  
3           ment contract under the authority of such Secretary  
4           if the Secretary determines that the waiver is required  
5           in the interest of national security.

6           (2) *REPORT TO CONGRESS.*—Any Secretary  
7           issuing a waiver under paragraph (1) shall report  
8           such issuance to Congress.

9           (c) *EXCEPTION.*—This section shall not apply to any  
10          Federal Government contract entered into before the date  
11          of the enactment of this Act, or to any task order issued  
12          pursuant to such contract.

13          *SEC. 734. During fiscal year 2017, for each employee*  
14          *who—*

15               (1) *retires under section 8336(d)(2) or*  
16               *8414(b)(1)(B) of title 5, United States Code; or*

17               (2) *retires under any other provision of sub-*  
18               *chapter III of chapter 83 or chapter 84 of such title*  
19               *5 and receives a payment as an incentive to separate,*  
20               *the separating agency shall remit to the Civil Service*  
21               *Retirement and Disability Fund an amount equal to*  
22               *the Office of Personnel Management's average unit*  
23               *cost of processing a retirement claim for the preceding*  
24               *fiscal year. Such amounts shall be available until ex-*  
25               *pende* *to the Office of Personnel Management and*

1       *shall be deemed to be an administrative expense*  
2       *under section 8348(a)(1)(B) of title 5, United States*  
3       *Code.*

4       *SEC. 735. (a) None of the funds made available in this*  
5       *or any other Act may be used to recommend or require any*  
6       *entity submitting an offer for a Federal contract to disclose*  
7       *any of the following information as a condition of submit-*  
8       *ting the offer:*

9               (1) *Any payment consisting of a contribution,*  
10              *expenditure, independent expenditure, or disburse-*  
11              *ment for an electioneering communication that is*  
12              *made by the entity, its officers or directors, or any of*  
13              *its affiliates or subsidiaries to a candidate for election*  
14              *for Federal office or to a political committee, or that*  
15              *is otherwise made with respect to any election for*  
16              *Federal office.*

17              (2) *Any disbursement of funds (other than a*  
18              *payment described in paragraph (1)) made by the en-*  
19              *tity, its officers or directors, or any of its affiliates or*  
20              *subsidiaries to any person with the intent or the rea-*  
21              *sonable expectation that the person will use the funds*  
22              *to make a payment described in paragraph (1).*

23              (b) *In this section, each of the terms “contribution”,*  
24              *“expenditure”, “independent expenditure”, “electioneering*  
25              *communication”, “candidate”, “election”, and “Federal of-*

1 *vice” has the meaning given such term in the Federal Elec-*  
2 *tion Campaign Act of 1971 (2 U.S.C. 431 et seq.).*

3       *SEC. 736. None of the funds made available in this*  
4 *or any other Act may be used to pay for the painting of*  
5 *a portrait of an officer or employee of the Federal govern-*  
6 *ment, including the President, the Vice President, a member*  
7 *of Congress (including a Delegate or a Resident Commis-*  
8 *sioner to Congress), the head of an executive branch agency*  
9 *(as defined in section 133 of title 41, United States Code),*  
10 *or the head of an office of the legislative branch.*

11       *SEC. 737. (a)(1) Notwithstanding any other provision*  
12 *of law, and except as otherwise provided in this section,*  
13 *no part of any of the funds appropriated for fiscal year*  
14 *2017, by this or any other Act, may be used to pay any*  
15 *prevailing rate employee described in section 5342(a)(2)(A)*  
16 *of title 5, United States Code—*

17               *(A) during the period from the date of expiration*  
18       *of the limitation imposed by the comparable section*  
19       *for the previous fiscal years until the normal effective*  
20       *date of the applicable wage survey adjustment that is*  
21       *to take effect in fiscal year 2017, in an amount that*  
22       *exceeds the rate payable for the applicable grade and*  
23       *step of the applicable wage schedule in accordance*  
24       *with such section; and*

1           (B) during the period consisting of the remain-  
2           der of fiscal year 2017, in an amount that exceeds,  
3           as a result of a wage survey adjustment, the rate pay-  
4           able under subparagraph (A) by more than the sum  
5           of—

6                   (i) the percentage adjustment taking effect  
7                   in fiscal year 2017 under section 5303 of title 5,  
8                   United States Code, in the rates of pay under the  
9                   General Schedule; and

10                   (ii) the difference between the overall aver-  
11                   age percentage of the locality-based com-  
12                   parability payments taking effect in fiscal year  
13                   2017 under section 5304 of such title (whether by  
14                   adjustment or otherwise), and the overall average  
15                   percentage of such payments which was effective  
16                   in the previous fiscal year under such section.

17           (2) Notwithstanding any other provision of law, no  
18           prevailing rate employee described in subparagraph (B) or  
19           (C) of section 5342(a)(2) of title 5, United States Code, and  
20           no employee covered by section 5348 of such title, may be  
21           paid during the periods for which paragraph (1) is in effect  
22           at a rate that exceeds the rates that would be payable under  
23           paragraph (1) were paragraph (1) applicable to such em-  
24           ployee.



1       (3) *For the purposes of this subsection, the rates pay-*  
2 *able to an employee who is covered by this subsection and*  
3 *who is paid from a schedule not in existence on September*  
4 *30, 2016, shall be determined under regulations prescribed*  
5 *by the Office of Personnel Management.*

6       (4) *Notwithstanding any other provision of law, rates*  
7 *of premium pay for employees subject to this subsection*  
8 *may not be changed from the rates in effect on September*  
9 *30, 2016, except to the extent determined by the Office of*  
10 *Personnel Management to be consistent with the purpose of*  
11 *this subsection.*

12       (5) *This subsection shall apply with respect to pay for*  
13 *service performed after September 30, 2016.*

14       (6) *For the purpose of administering any provision*  
15 *of law (including any rule or regulation that provides pre-*  
16 *mium pay, retirement, life insurance, or any other em-*  
17 *ployee benefit) that requires any deduction or contribution,*  
18 *or that imposes any requirement or limitation on the basis*  
19 *of a rate of salary or basic pay, the rate of salary or basic*  
20 *pay payable after the application of this subsection shall*  
21 *be treated as the rate of salary or basic pay.*

22       (7) *Nothing in this subsection shall be considered to*  
23 *permit or require the payment to any employee covered by*  
24 *this subsection at a rate in excess of the rate that would*  
25 *be payable were this subsection not in effect.*

1       (8) *The Office of Personnel Management may provide*  
2 *for exceptions to the limitations imposed by this subsection*  
3 *if the Office determines that such exceptions are necessary*  
4 *to ensure the recruitment or retention of qualified employ-*  
5 *ees.*

6       (b) *Notwithstanding subsection (a), the adjustment in*  
7 *rates of basic pay for the statutory pay systems that take*  
8 *place in fiscal year 2017 under sections 5344 and 5348 of*  
9 *title 5, United States Code, shall be—*

10           (1) *not less than the percentage received by em-*  
11 *ployees in the same location whose rates of basic pay*  
12 *are adjusted pursuant to the statutory pay systems*  
13 *under sections 5303 and 5304 of title 5, United States*  
14 *Code: Provided, That prevailing rate employees at lo-*  
15 *cations where there are no employees whose pay is in-*  
16 *creased pursuant to sections 5303 and 5304 of title 5,*  
17 *United States Code, and prevailing rate employees de-*  
18 *scribed in section 5343(a)(5) of title 5, United States*  
19 *Code, shall be considered to be located in the pay lo-*  
20 *cality designated as “Rest of United States” pursuant*  
21 *to section 5304 of title 5, United States Code, for pur-*  
22 *poses of this subsection; and*

23           (2) *effective as of the first day of the first appli-*  
24 *cable pay period beginning after September 30, 2016.*

1        *SEC. 738. (a) The Vice President may not receive a*  
2 *pay raise in calendar year 2017, notwithstanding the rate*  
3 *adjustment made under section 104 of title 3, United States*  
4 *Code, or any other provision of law.*

5        *(b) An employee serving in an Executive Schedule po-*  
6 *sition, or in a position for which the rate of pay is fixed*  
7 *by statute at an Executive Schedule rate, may not receive*  
8 *a pay rate increase in calendar year 2017, notwithstanding*  
9 *schedule adjustments made under section 5318 of title 5,*  
10 *United States Code, or any other provision of law, except*  
11 *as provided in subsection (g), (h), or (i). This subsection*  
12 *applies only to employees who are holding a position under*  
13 *a political appointment.*

14        *(c) A chief of mission or ambassador at large may not*  
15 *receive a pay rate increase in calendar year 2017, notwith-*  
16 *standing section 401 of the Foreign Service Act of 1980*  
17 *(Public Law 96–465) or any other provision of law, except*  
18 *as provided in subsection (g), (h), or (i).*

19        *(d) Notwithstanding sections 5382 and 5383 of title*  
20 *5, United States Code, a pay rate increase may not be re-*  
21 *ceived in calendar year 2017 (except as provided in sub-*  
22 *section (g), (h), or (i)) by—*

23                *(1) a noncareer appointee in the Senior Execu-*  
24 *tive Service paid a rate of basic pay at or above level*  
25 *IV of the Executive Schedule; or*

1           (2) *a limited term appointee or limited emer-*  
2           *gency appointee in the Senior Executive Service serv-*  
3           *ing under a political appointment and paid a rate of*  
4           *basic pay at or above level IV of the Executive Sched-*  
5           *ule.*

6           (e) *Any employee paid a rate of basic pay (including*  
7           *any locality-based payments under section 5304 of title 5,*  
8           *United States Code, or similar authority) at or above level*  
9           *IV of the Executive Schedule who serves under a political*  
10          *appointment may not receive a pay rate increase in cal-*  
11          *endar year 2017, notwithstanding any other provision of*  
12          *law, except as provided in subsection (g), (h), or (i). This*  
13          *subsection does not apply to employees in the General*  
14          *Schedule pay system or the Foreign Service pay system, or*  
15          *to employees appointed under section 3161 of title 5, United*  
16          *States Code, or to employees in another pay system whose*  
17          *position would be classified at GS-15 or below if chapter*  
18          *51 of title 5, United States Code, applied to them.*

19          (f) *Nothing in subsections (b) through (e) shall prevent*  
20          *employees who do not serve under a political appointment*  
21          *from receiving pay increases as otherwise provided under*  
22          *applicable law.*

23          (g) *A career appointee in the Senior Executive Service*  
24          *who receives a Presidential appointment and who makes*  
25          *an election to retain Senior Executive Service basic pay*

1 *entitlements under section 3392 of title 5, United States*  
2 *Code, is not subject to this section.*

3 *(h) A member of the Senior Foreign Service who re-*  
4 *ceives a Presidential appointment to any position in the*  
5 *executive branch and who makes an election to retain Sen-*  
6 *ior Foreign Service pay entitlements under section 302(b)*  
7 *of the Foreign Service Act of 1980 (Public Law 96-465)*  
8 *is not subject to this section.*

9 *(i) Notwithstanding subsections (b) through (e), an em-*  
10 *ployee in a covered position may receive a pay rate increase*  
11 *upon an authorized movement to a different covered posi-*  
12 *tion with higher-level duties and a pre-established higher*  
13 *level or range of pay, except that any such increase must*  
14 *be based on the rates of pay and applicable pay limitations*  
15 *in effect on December 31, 2013.*

16 *(j) Notwithstanding any other provision of law, for an*  
17 *individual who is newly appointed to a covered position*  
18 *during the period of time subject to this section, the initial*  
19 *pay rate shall be based on the rates of pay and applicable*  
20 *pay limitations in effect on December 31, 2013.*

21 *(k) If an employee affected by subsections (b) through*  
22 *(e) is subject to a biweekly pay period that begins in cal-*  
23 *endar year 2017 but ends in calendar year 2018, the bar*  
24 *on the employee's receipt of pay rate increases shall apply*  
25 *through the end of that pay period.*

1        *SEC. 739. (a) The head of any Executive branch de-*  
2 *partment, agency, board, commission, or office funded by*  
3 *this or any other appropriations Act shall submit annual*  
4 *reports to the Inspector General or senior ethics official for*  
5 *any entity without an Inspector General, regarding the*  
6 *costs and contracting procedures related to each conference*  
7 *held by any such department, agency, board, commission,*  
8 *or office during fiscal year 2017 for which the cost to the*  
9 *United States Government was more than \$100,000.*

10        *(b) Each report submitted shall include, for each con-*  
11 *ference described in subsection (a) held during the applica-*  
12 *ble period—*

13                *(1) a description of its purpose;*

14                *(2) the number of participants attending;*

15                *(3) a detailed statement of the costs to the United*  
16 *States Government, including—*

17                        *(A) the cost of any food or beverages;*

18                        *(B) the cost of any audio-visual services;*

19                        *(C) the cost of employee or contractor travel*  
20 *to and from the conference; and*

21                        *(D) a discussion of the methodology used to*  
22 *determine which costs relate to the conference;*  
23 *and*

24                *(4) a description of the contracting procedures*  
25 *used including—*

1           (A) whether contracts were awarded on a  
2           competitive basis; and

3           (B) a discussion of any cost comparison  
4           conducted by the departmental component or of-  
5           fice in evaluating potential contractors for the  
6           conference.

7           (c) Within 15 days after the end of a quarter, the head  
8           of any such department, agency, board, commission, or of-  
9           fice shall notify the Inspector General or senior ethics offi-  
10          cial for any entity without an Inspector General, of the  
11          date, location, and number of employees attending a con-  
12          ference held by any Executive branch department, agency,  
13          board, commission, or office funded by this or any other  
14          appropriations Act during fiscal year 2017 for which the  
15          cost to the United States Government was more than  
16          \$20,000.

17          (d) A grant or contract funded by amounts appro-  
18          priated by this or any other appropriations Act may not  
19          be used for the purpose of defraying the costs of a conference  
20          described in subsection (c) that is not directly and program-  
21          matically related to the purpose for which the grant or con-  
22          tract was awarded, such as a conference held in connection  
23          with planning, training, assessment, review, or other rou-  
24          tine purposes related to a project funded by the grant or  
25          contract.

1       (e) *None of the funds made available in this or any*  
2 *other appropriations Act may be used for travel and con-*  
3 *ference activities that are not in compliance with Office of*  
4 *Management and Budget Memorandum M-12-12 dated*  
5 *May 11, 2012 or any subsequent revisions to that memo-*  
6 *randum.*

7       *SEC. 740. None of the funds made available in this*  
8 *or any other appropriations Act may be used to increase,*  
9 *eliminate, or reduce funding for a program, project, or ac-*  
10 *tivity as proposed in the President’s budget request for a*  
11 *fiscal year until such proposed change is subsequently en-*  
12 *acted in an appropriation Act, or unless such change is*  
13 *made pursuant to the reprogramming or transfer provisions*  
14 *of this or any other appropriations Act.*

15       *SEC. 741. None of the funds made available by this*  
16 *or any other Act may be used to implement, administer,*  
17 *enforce, or apply the rule entitled “Competitive Area” pub-*  
18 *lished by the Office of Personnel Management in the Federal*  
19 *Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).*

20       *SEC. 742. None of the funds appropriated or otherwise*  
21 *made available by this or any other Act may be used to*  
22 *begin or announce a study or public-private competition*  
23 *regarding the conversion to contractor performance of any*  
24 *function performed by Federal employees pursuant to Office*



1 of Management and Budget Circular A-76 or any other ad-  
2 ministrative regulation, directive, or policy.

3       SEC. 743. (a) None of the funds appropriated or other-  
4 wise made available by this or any other Act may be avail-  
5 able for a contract, grant, or cooperative agreement with  
6 an entity that requires employees or contractors of such en-  
7 tity seeking to report fraud, waste, or abuse to sign internal  
8 confidentiality agreements or statements prohibiting or oth-  
9 erwise restricting such employees or contractors from law-  
10 fully reporting such waste, fraud, or abuse to a designated  
11 investigative or law enforcement representative of a Federal  
12 department or agency authorized to receive such informa-  
13 tion.

14       (b) The limitation in subsection (a) shall not con-  
15 travene requirements applicable to Standard Form 312,  
16 Form 4414, or any other form issued by a Federal depart-  
17 ment or agency governing the nondisclosure of classified in-  
18 formation.

19       SEC. 744. (a) No funds appropriated in this or any  
20 other Act may be used to implement or enforce the agree-  
21 ments in Standard Forms 312 and 4414 of the Government  
22 or any other nondisclosure policy, form, or agreement if  
23 such policy, form, or agreement does not contain the fol-  
24 lowing provisions: “These provisions are consistent with  
25 and do not supersede, conflict with, or otherwise alter the

1 *employee obligations, rights, or liabilities created by exist-*  
2 *ing statute or Executive order relating to: (1) classified in-*  
3 *formation; (2) communications to Congress; (3) the report-*  
4 *ing to an Inspector General of a violation of any law, rule,*  
5 *or regulation, or mismanagement, a gross waste of funds,*  
6 *an abuse of authority, or a substantial and specific danger*  
7 *to public health or safety; or (4) any other whistleblower*  
8 *protection. The definitions, requirements, obligations,*  
9 *rights, sanctions, and liabilities created by controlling Ex-*  
10 *ecutive orders and statutory provisions are incorporated*  
11 *into this agreement and are controlling.”: Provided, That*  
12 *notwithstanding the preceding provision of this section, a*  
13 *nondisclosure policy form or agreement that is to be exe-*  
14 *cuted by a person connected with the conduct of an intel-*  
15 *ligence or intelligence-related activity, other than an em-*  
16 *ployee or officer of the United States Government, may con-*  
17 *tain provisions appropriate to the particular activity for*  
18 *which such document is to be used. Such form or agreement*  
19 *shall, at a minimum, require that the person will not dis-*  
20 *close any classified information received in the course of*  
21 *such activity unless specifically authorized to do so by the*  
22 *United States Government. Such nondisclosure forms shall*  
23 *also make it clear that they do not bar disclosures to Con-*  
24 *gress, or to an authorized official of an executive agency*

1 *or the Department of Justice, that are essential to reporting*  
2 *a substantial violation of law.*

3 *(b) A nondisclosure agreement may continue to be im-*  
4 *plemented and enforced notwithstanding subsection (a) if*  
5 *it complies with the requirements for such agreement that*  
6 *were in effect when the agreement was entered into.*

7 *(c) No funds appropriated in this or any other Act*  
8 *may be used to implement or enforce any agreement entered*  
9 *into during fiscal year 2014 which does not contain sub-*  
10 *stantially similar language to that required in subsection*  
11 *(a).*

12 *SEC. 745. None of the funds made available by this*  
13 *or any other Act may be used to enter into a contract,*  
14 *memorandum of understanding, or cooperative agreement*  
15 *with, make a grant to, or provide a loan or loan guarantee*  
16 *to, any corporation that has any unpaid Federal tax liabil-*  
17 *ity that has been assessed, for which all judicial and admin-*  
18 *istrative remedies have been exhausted or have lapsed, and*  
19 *that is not being paid in a timely manner pursuant to an*  
20 *agreement with the authority responsible for collecting the*  
21 *tax liability, where the awarding agency is aware of the*  
22 *unpaid tax liability, unless a Federal agency has considered*  
23 *suspension or debarment of the corporation and has made*  
24 *a determination that this further action is not necessary*  
25 *to protect the interests of the Government.*

1        *SEC. 746. None of the funds made available by this*  
2 *or any other Act may be used to enter into a contract,*  
3 *memorandum of understanding, or cooperative agreement*  
4 *with, make a grant to, or provide a loan or loan guarantee*  
5 *to, any corporation that was convicted of a felony criminal*  
6 *violation under any Federal law within the preceding 24*  
7 *months, where the awarding agency is aware of the convic-*  
8 *tion, unless a Federal agency has considered suspension or*  
9 *debarment of the corporation and has made a determina-*  
10 *tion that this further action is not necessary to protect the*  
11 *interests of the Government.*

12        *SEC. 747. (a) During fiscal year 2017, on the date on*  
13 *which a request is made for a transfer of funds in accord-*  
14 *ance with section 1017 of Public Law 111–203, the Bureau*  
15 *of Consumer Financial Protection shall notify the Commit-*  
16 *tees on Appropriations of the House of Representatives and*  
17 *the Senate, the Committee on Financial Services of the*  
18 *House of Representatives, and the Committee on Banking,*  
19 *Housing, and Urban Affairs of the Senate of such request.*

20        *(b) Any notification required by this section shall be*  
21 *made available on the Bureau’s public Web site.*

22        *SEC. 748. (a) None of the funds made available under*  
23 *this or any other Act may be used to—*

24            *(1) implement, administer, carry out, modify,*  
25            *revise, or enforce Executive Order 13690, entitled*

1       *“Establishing a Federal Flood Risk Management*  
2       *Standard and a Process for Further Soliciting and*  
3       *Considering Stakeholder Input” (issued January 30,*  
4       *2015), other than for—*

5               *(A) acquiring, managing, or disposing of*  
6               *Federal lands and facilities;*

7               *(B) providing Federally undertaken, fi-*  
8               *nanced, or assisted construction or improve-*  
9               *ments; or*

10              *(C) conducting Federal activities or pro-*  
11              *grams affecting land use, including water and*  
12              *related land resources planning, regulating, and*  
13              *licensing activities;*

14              *(2) implement Executive Order 13690 in a man-*  
15              *ner that modifies the non-grant components of the*  
16              *National Flood Insurance Program; or*

17              *(3) apply Executive Order 13690 or the Federal*  
18              *Flood Risk Management Standard by any component*  
19              *of the Department of Defense, including the Army*  
20              *Corps of Engineers in a way that changes the “flood-*  
21              *plain” considered when determining whether or not to*  
22              *issue a Department of the Army permit under section*  
23              *404 of the Clean Water Act or section 10 of the Rivers*  
24              *and Harbors Act.*



1 *cies funded by this Act, shall be available for obligation or*  
2 *expenditures for an agency through a reprogramming of*  
3 *funds which—*

4 *(1) creates new programs;*

5 *(2) eliminates a program, project, or responsi-*  
6 *bility center;*

7 *(3) establishes or changes allocations specifically*  
8 *denied, limited or increased under this Act;*

9 *(4) increases funds or personnel by any means*  
10 *for any program, project, or responsibility center for*  
11 *which funds have been denied or restricted;*

12 *(5) re-establishes any program or project pre-*  
13 *viously deferred through reprogramming;*

14 *(6) augments any existing program, project, or*  
15 *responsibility center through a reprogramming of*  
16 *funds in excess of \$3,000,000 or 10 percent, whichever*  
17 *is less; or*

18 *(7) increases by 20 percent or more personnel as-*  
19 *signed to a specific program, project or responsibility*  
20 *center,*

21 *unless prior approval is received from the Committees on*  
22 *Appropriations of the House of Representatives and the*  
23 *Senate.*

24 *(b) The District of Columbia government is authorized*  
25 *to approve and execute reprogramming and transfer re-*

1 *quests of local funds under this title through November 7,*  
2 *2017.*

3 *SEC. 804. None of the Federal funds provided in this*  
4 *Act may be used by the District of Columbia to provide*  
5 *for salaries, expenses, or other costs associated with the of-*  
6 *fices of United States Senator or United States Representa-*  
7 *tive under section 4(d) of the District of Columbia State-*  
8 *hood Constitutional Convention Initiatives of 1979 (D.C.*  
9 *Law 3–171; D.C. Official Code, sec. 1–123).*

10 *SEC. 805. Except as otherwise provided in this section,*  
11 *none of the funds made available by this Act or by any*  
12 *other Act may be used to provide any officer or employee*  
13 *of the District of Columbia with an official vehicle unless*  
14 *the officer or employee uses the vehicle only in the perform-*  
15 *ance of the officer’s or employee’s official duties. For pur-*  
16 *poses of this section, the term “official duties” does not in-*  
17 *clude travel between the officer’s or employee’s residence and*  
18 *workplace, except in the case of—*

19 *(1) an officer or employee of the Metropolitan*  
20 *Police Department who resides in the District of Co-*  
21 *lumbia or is otherwise designated by the Chief of the*  
22 *Department;*

23 *(2) at the discretion of the Fire Chief, an officer*  
24 *or employee of the District of Columbia Fire and*  
25 *Emergency Medical Services Department who resides*



1        *in the District of Columbia and is on call 24 hours*  
2        *a day;*

3            *(3) at the discretion of the Director of the De-*  
4        *partment of Corrections, an officer or employee of the*  
5        *District of Columbia Department of Corrections who*  
6        *resides in the District of Columbia and is on call 24*  
7        *hours a day;*

8            *(4) at the discretion of the Chief Medical Exam-*  
9        *iner, an officer or employee of the Office of the Chief*  
10       *Medical Examiner who resides in the District of Co-*  
11       *lumbia and is on call 24 hours a day;*

12           *(5) at the discretion of the Director of the Home-*  
13       *land Security and Emergency Management Agency,*  
14       *an officer or employee of the Homeland Security and*  
15       *Emergency Management Agency who resides in the*  
16       *District of Columbia and is on call 24 hours a day;*

17           *(6) the Mayor of the District of Columbia; and*

18           *(7) the Chairman of the Council of the District*  
19       *of Columbia.*

20        *SEC. 806. (a) None of the Federal funds contained in*  
21        *this Act may be used by the District of Columbia Attorney*  
22        *General or any other officer or entity of the District govern-*  
23        *ment to provide assistance for any petition drive or civil*  
24        *action which seeks to require Congress to provide for voting*  
25        *representation in Congress for the District of Columbia.*

1       **(b)** *Nothing in this section bars the District of Colum-*  
2 *bia Attorney General from reviewing or commenting on*  
3 *briefs in private lawsuits, or from consulting with officials*  
4 *of the District government regarding such lawsuits.*

5       **SEC. 807.** *None of the Federal funds contained in this*  
6 *Act may be used to distribute any needle or syringe for the*  
7 *purpose of preventing the spread of blood borne pathogens*  
8 *in any location that has been determined by the local public*  
9 *health or local law enforcement authorities to be inappro-*  
10 *priate for such distribution.*

11       **SEC. 808.** *Nothing in this Act may be construed to pre-*  
12 *vent the Council or Mayor of the District of Columbia from*  
13 *addressing the issue of the provision of contraceptive cov-*  
14 *erage by health insurance plans, but it is the intent of Con-*  
15 *gress that any legislation enacted on such issue should in-*  
16 *clude a “conscience clause” which provides exceptions for*  
17 *religious beliefs and moral convictions.*

18       **SEC. 809. (a)** *None of the Federal funds contained in*  
19 *this Act may be used to enact or carry out any law, rule,*  
20 *or regulation to legalize or otherwise reduce penalties asso-*  
21 *ciated with the possession, use, or distribution of any sched-*  
22 *ule I substance under the Controlled Substances Act (21*  
23 *U.S.C. 801 et seq.) or any tetrahydrocannabinols deriva-*  
24 *tive.*

1       (b) *No funds available for obligation or expenditure*  
2 *by the District of Columbia government under any author-*  
3 *ity may be used to enact any law, rule, or regulation to*  
4 *legalize or otherwise reduce penalties associated with the*  
5 *possession, use, or distribution of any schedule I substance*  
6 *under the Controlled Substances Act (21 U.S.C. 801 et seq.)*  
7 *or any tetrahydrocannabinols derivative for recreational*  
8 *purposes.*

9       SEC. 810. *No funds available for obligation or expendi-*  
10 *ture by the District of Columbia government under any au-*  
11 *thority shall be expended for any abortion except where the*  
12 *life of the mother would be endangered if the fetus were car-*  
13 *ried to term or where the pregnancy is the result of an act*  
14 *of rape or incest.*

15       SEC. 811. (a) *No later than 30 calendar days after*  
16 *the date of the enactment of this Act, the Chief Financial*  
17 *Officer for the District of Columbia shall submit to the ap-*  
18 *propriate committees of Congress, the Mayor, and the Coun-*  
19 *cil of the District of Columbia, a revised appropriated funds*  
20 *operating budget in the format of the budget that the Dis-*  
21 *trict of Columbia government submitted pursuant to section*  
22 *442 of the District of Columbia Home Rule Act (D.C. Offi-*  
23 *cial Code, sec. 1–204.42), for all agencies of the District of*  
24 *Columbia government for fiscal year 2017 that is in the*  
25 *total amount of the approved appropriation and that re-*

1 *aligns all budgeted data for personal services and other-*  
2 *than-personal services, respectively, with anticipated actual*  
3 *expenditures.*

4 *(b) This section shall apply only to an agency for*  
5 *which the Chief Financial Officer for the District of Colum-*  
6 *bia certifies that a reallocation is required to address unan-*  
7 *anticipated changes in program requirements.*

8 *SEC. 812. No later than 30 calendar days after the*  
9 *date of the enactment of this Act, the Chief Financial Offi-*  
10 *cer for the District of Columbia shall submit to the appro-*  
11 *priate committees of Congress, the Mayor, and the Council*  
12 *for the District of Columbia, a revised appropriated funds*  
13 *operating budget for the District of Columbia Public*  
14 *Schools that aligns schools budgets to actual enrollment. The*  
15 *revised appropriated funds budget shall be in the format*  
16 *of the budget that the District of Columbia government sub-*  
17 *mitted pursuant to section 442 of the District of Columbia*  
18 *Home Rule Act (D.C. Official Code, sec. 1–204.42).*

19 *SEC. 813. (a) Amounts appropriated in this Act as*  
20 *operating funds may be transferred to the District of Co-*  
21 *lumbia’s enterprise and capital funds and such amounts,*  
22 *once transferred, shall retain appropriation authority con-*  
23 *sistent with the provisions of this Act.*

24 *(b) The District of Columbia government is authorized*  
25 *to reprogram or transfer for operating expenses any local*

1 *funds transferred or reprogrammed in this or the four prior*  
2 *fiscal years from operating funds to capital funds, and such*  
3 *amounts, once transferred or reprogrammed, shall retain*  
4 *appropriation authority consistent with the provisions of*  
5 *this Act.*

6 *(c) The District of Columbia government may not*  
7 *transfer or reprogram for operating expenses any funds de-*  
8 *rived from bonds, notes, or other obligations issued for cap-*  
9 *ital projects.*

10 *SEC. 814. None of the Federal funds appropriated in*  
11 *this Act shall remain available for obligation beyond the*  
12 *current fiscal year, nor may any be transferred to other*  
13 *appropriations, unless expressly so provided herein.*

14 *SEC. 815. Except as otherwise specifically provided by*  
15 *law or under this Act, not to exceed 50 percent of unobli-*  
16 *gated balances remaining available at the end of fiscal year*  
17 *2017 from appropriations of Federal funds made available*  
18 *for salaries and expenses for fiscal year 2017 in this Act,*  
19 *shall remain available through September 30, 2018, for each*  
20 *such account for the purposes authorized: Provided, That*  
21 *a request shall be submitted to the Committees on Appro-*  
22 *priations of the House of Representatives and the Senate*  
23 *for approval prior to the expenditure of such funds: Pro-*  
24 *vided further, That these requests shall be made in compli-*

1 *ance with reprogramming guidelines outlined in section*  
2 *803 of this Act.*

3 *SEC. 816. (a)(1) During fiscal year 2018, during a*  
4 *period in which neither a District of Columbia continuing*  
5 *resolution or a regular District of Columbia appropriation*  
6 *bill is in effect, local funds are appropriated in the amount*  
7 *provided for any project or activity for which local funds*  
8 *are provided in the Act referred to in paragraph (2) (subject*  
9 *to any modifications enacted by the District of Columbia*  
10 *as of the beginning of the period during which this sub-*  
11 *section is in effect) at the rate set forth by such Act.*

12 *(2) The Act referred to in this paragraph is the Act*  
13 *of the Council of the District of Columbia pursuant to which*  
14 *a proposed budget is approved for fiscal year 2018 which*  
15 *(subject to the requirements of the District of Columbia*  
16 *Home Rule Act) will constitute the local portion of the an-*  
17 *nual budget for the District of Columbia government for*  
18 *fiscal year 2018 for purposes of section 446 of the District*  
19 *of Columbia Home Rule Act (sec. 1–204.46, D.C. Official*  
20 *Code).*

21 *(b) Appropriations made by subsection (a) shall cease*  
22 *to be available—*

23 *(1) during any period in which a District of Co-*  
24 *lumbia continuing resolution for fiscal year 2018 is*  
25 *in effect; or*

1           (2) upon the enactment into law of the regular  
2       *District of Columbia appropriation bill for fiscal year*  
3       2018.

4           (c) An appropriation made by subsection (a) is pro-  
5       vided under the authority and conditions as provided under  
6       this Act and shall be available to the extent and in the man-  
7       ner that would be provided by this Act.

8           (d) An appropriation made by subsection (a) shall  
9       cover all obligations or expenditures incurred for such  
10      project or activity during the portion of fiscal year 2018  
11      for which this section applies to such project or activity.

12          (e) This section shall not apply to a project or activity  
13      during any period of fiscal year 2018 if any other provision  
14      of law (other than an authorization of appropriations)—

15           (1) makes an appropriation, makes funds avail-  
16      able, or grants authority for such project or activity  
17      to continue for such period; or

18           (2) specifically provides that no appropriation  
19      shall be made, no funds shall be made available, or  
20      no authority shall be granted for such project or ac-  
21      tivity to continue for such period.

22          (f) Nothing in this section shall be construed to affect  
23      obligations of the government of the District of Columbia  
24      mandated by other law.

1        *SEC. 817. Except as expressly provided otherwise, any*  
 2 *reference to “this Act” contained in this title or in title*  
 3 *IV shall be treated as referring only to the provisions of*  
 4 *this title or of title IV.*

5                    *TITLE IX—SOAR REAUTHORIZATION*

6                    *SHORT TITLE; REFERENCES IN TITLE*

7        *SEC. 901. (a) SHORT TITLE.—This title may be cited*  
 8 *as the “Scholarships for Opportunity and Results Reau-*  
 9 *thorization Act” or the “SOAR Reauthorization Act”.*

10        *(b) REFERENCES IN ACT.—Except as otherwise ex-*  
 11 *pressly provided, whenever in this title an amendment is*  
 12 *expressed in terms of an amendment to or repeal of a sec-*  
 13 *tion or other provision, the reference shall be considered to*  
 14 *be made to that section or other provision of the Scholar-*  
 15 *ships for Opportunity and Results Act (division C of Public*  
 16 *Law 112–10; sec. 38–1853.01 et seq., D.C. Official Code).*

17                    *REPEAL*

18        *SEC. 902. Section 817 of the Consolidated Appropria-*  
 19 *tions Act, 2016 (Public Law 114–113) is repealed, and any*  
 20 *provision of law amended or repealed by such section is*  
 21 *restored or revived as if such section had not been enacted*  
 22 *into law.*

23                    *PURPOSES*

24        *SEC. 903. Section 3003 (sec. 38–1853.03, D.C. Official*  
 25 *Code) is amended by striking “particularly parents” and*  
 26 *all that follows through “, with” and inserting “particu-*



1 larly parents of students who attend an elementary school  
2 or secondary school identified as one of the lowest-per-  
3 forming schools under the District of Columbia's account-  
4 ability system, with”.

5       *PROHIBITING IMPOSITION OF LIMITS ON TYPES OF*  
6       *ELIGIBLE STUDENTS PARTICIPATING IN THE PROGRAM*

7       *SEC. 904. Section 3004(a) (sec. 38–1853.04(a), D.C.*  
8 *Official Code) is amended by adding at the end the fol-*  
9 *lowing:*

10               “(3) *PROHIBITING IMPOSITION OF LIMITS ON EL-*  
11 *IGIBLE STUDENTS PARTICIPATING IN THE PRO-*  
12 *GRAM.—*

13               “(A) *IN GENERAL.—In carrying out the*  
14 *program under this division, the Secretary may*  
15 *not limit the number of eligible students receiv-*  
16 *ing scholarships under section 3007(a), and may*  
17 *not prevent otherwise eligible students from par-*  
18 *ticipating in the program under this division,*  
19 *based on any of the following:*

20                       “(i) *The type of school the student pre-*  
21 *viously attended.*

22                       “(ii) *Whether or not the student pre-*  
23 *viously received a scholarship or partici-*  
24 *pated in the program, including whether an*  
25 *eligible student was awarded a scholarship*  
26 *in any previous year but has not used the*

1           *scholarship, regardless of the number of*  
2           *years of nonuse.*

3           “(iii) *Whether or not the student was*  
4           *a member of the control group used by the*  
5           *Institute of Education Sciences to carry out*  
6           *previous evaluations of the program under*  
7           *section 3009.*

8           “(B) *RULE OF CONSTRUCTION.—Nothing in*  
9           *subparagraph (A) may be construed to waive the*  
10          *requirement under section 3005(b)(1)(B) that the*  
11          *eligible entity carrying out the program under*  
12          *this Act must carry out a random selection proc-*  
13          *ess, which gives weight to the priorities described*  
14          *in section 3006, if more eligible students seek ad-*  
15          *mission in the program than the program can*  
16          *accommodate.”.*

17          *REQUIRING ELIGIBLE ENTITIES TO UTILIZE INTERNAL*  
18          *FISCAL AND QUALITY CONTROLS*

19          *SEC. 905. Section 3005(b)(1) (sec. 38–1853.05(b)(1),*  
20          *D.C. Official Code) is amended—*

21                  *(1) in subparagraph (I), by striking “, except*  
22                  *that a participating school may not be required to*  
23                  *submit to more than 1 site visit per school year”;*

24                  *(2) by redesignating subparagraphs (K) and (L)*  
25                  *as subparagraphs (L) and (M), respectively;*

1           (3) *by inserting after subparagraph (J) the fol-*  
2 *lowing:*

3                   “(K) *how the entity will ensure the finan-*  
4 *cial viability of participating schools in which*  
5 *85 percent or more of the total number of stu-*  
6 *dents enrolled at the school are participating eli-*  
7 *gible students that receive and use an oppor-*  
8 *tunity scholarship;”;*

9           (4) *in subparagraph (L), as redesignated by*  
10 *paragraph (2), by striking “and” at the end; and*

11           (5) *by adding at the end the following:*

12                   “(N) *how the eligible entity will ensure that*  
13 *it—*

14                           “(i) *utilizes internal fiscal and quality*  
15 *controls; and*

16                           “(ii) *complies with applicable finan-*  
17 *cial reporting requirements and the require-*  
18 *ments of this division; and”.*

19           *CLARIFICATION OF PRIORITIES FOR AWARDING*

20                   *SCHOLARSHIPS TO ELIGIBLE STUDENTS*

21           *SEC. 906. Section 3006(1) (sec. 38–1853.06(1), D.C.*  
22 *Official Code) is amended—*

23                   (1) *in subparagraph (A), by striking “attended”*  
24 *and all that follows through the semicolon and insert-*  
25 *ing “attended an elementary school or secondary*  
26 *school identified as one of the lowest-performing*

1        *schools under the District of Columbia’s account-*  
 2        *ability system; and”;*

3                *(2) by striking subparagraph (B);*

4                *(3) by redesignating subparagraph (C) as sub-*  
 5        *paragraph (B); and*

6                *(4) in subparagraph (B), as redesignated by*  
 7        *paragraph (3), by striking the semicolon at the end*  
 8        *and inserting “or whether such students have, in the*  
 9        *past, attended a private school;”.*

10        *MODIFICATION OF REQUIREMENTS FOR PARTICIPATING*

11                        *SCHOOLS AND ELIGIBLE ENTITIES*

12        *SEC. 907. (a) CRIMINAL BACKGROUND CHECKS; COM-*  
 13        *PLIANCE WITH REPORTING REQUIREMENTS.—Section*  
 14        *3007(a)(4) (sec. 38–1853.07(a)(4), D.C. Official Code) is*  
 15        *amended—*

16                *(1) in subparagraph (E), by striking “and” at*  
 17        *the end;*

18                *(2) by striking subparagraph (F) and inserting*  
 19        *the following:*

20                        *“(F) ensures that, with respect to core sub-*  
 21        *ject matter, participating students are taught by*  
 22        *a teacher who has a baccalaureate degree or*  
 23        *equivalent degree, whether such degree was*  
 24        *awarded in or outside of the United States;”;*  
 25        *and*

26                *(3) by adding at the end the following:*

1           “(G) conducts criminal background checks  
2           on school employees who have direct and unsu-  
3           pervised interaction with students; and

4           “(H) complies with all requests for data  
5           and information regarding the reporting require-  
6           ments described in section 3010.”.

7           (b) ACCREDITATION.—Section 3007(a) (sec. 38–  
8           1853.07(a), D.C. Official Code), as amended by subsection  
9           (a), is further amended—

10           (1) in paragraph (1), by striking “paragraphs  
11           (2) and (3)” and inserting “paragraphs (2), (3), and  
12           (5)”; and

13           (2) by adding at the end the following:

14           “(5) ACCREDITATION REQUIREMENTS.—

15           “(A) IN GENERAL.—None of the funds pro-  
16           vided under this division for opportunity schol-  
17           arships may be used by a participating eligible  
18           student to enroll in a participating private  
19           school unless the school—

20           “(i) in the case of a school that is a  
21           participating school as of the date of enact-  
22           ment of the SOAR Reauthorization Act—

23           “(I) is fully accredited by an ac-  
24           crediting body described in any of sub-  
25           paragraphs (A) through (G) of section

1                    *2202(16) of the District of Columbia*  
2                    *School Reform Act of 1995 (Public*  
3                    *Law 104–134; sec. 38–1802.02(16)(A)–*  
4                    *(G), D.C. Official Code); or*

5                    *“(II) if such participating school*  
6                    *does not meet the requirements of sub-*  
7                    *clause (I)—*

8                    *“(aa) not later than 1 year*  
9                    *after the date of enactment of the*  
10                    *Consolidated Appropriations Act,*  
11                    *2016 (Public Law 114–113), the*  
12                    *school is pursuing full accredita-*  
13                    *tion by an accrediting body de-*  
14                    *scribed in subclause (I); and*

15                    *“(bb) is fully accredited by*  
16                    *such an accrediting body not later*  
17                    *than 5 years after the date on*  
18                    *which that school began the proc-*  
19                    *ess of pursuing full accreditation*  
20                    *in accordance with item (aa); and*

21                    *“(ii) in the case of a school that is not*  
22                    *a participating school as of the date of en-*  
23                    *actment of the SOAR Reauthorization Act,*  
24                    *is fully accredited by an accrediting body*

1           *described in clause (i)(I) before becoming a*  
2           *participating school under this division.*

3           “(B) *REPORTS TO ELIGIBLE ENTITY.—Not*  
4           *later than 5 years after the date of enactment of*  
5           *the SOAR Reauthorization Act, each partici-*  
6           *parting school shall submit to the eligible entity*  
7           *a certification that the school has been fully ac-*  
8           *credited in accordance with subparagraph (A).*

9           “(C) *ASSISTING STUDENTS IN ENROLLING*  
10          *IN OTHER SCHOOLS.—If a participating school*  
11          *fails to meet the requirements of this paragraph,*  
12          *the eligible entity shall assist the parents of the*  
13          *participating eligible students who attend the*  
14          *school in identifying, applying to, and enrolling*  
15          *in another participating school under this divi-*  
16          *sion.*

17          “(6) *TREATMENT OF STUDENTS AWARDED A*  
18          *SCHOLARSHIP IN A PREVIOUS YEAR.—An eligible en-*  
19          *tity shall treat a participating eligible student who*  
20          *was awarded an opportunity scholarship in any pre-*  
21          *vious year and who has not used the scholarship as*  
22          *a renewal student and not as a new applicant, with-*  
23          *out regard as to—*

24                  “(A) *whether the eligible student has used*  
25                  *the scholarship; and*

1                   “(B) the year in which the scholarship was  
2                   previously awarded.”.

3           (c) *USE OF FUNDS FOR ADMINISTRATIVE EXPENSES*  
4 *AND PARENTAL ASSISTANCE.*—

5           (1) *IN GENERAL.*—Section 3007 (sec. 38–  
6           1853.07, D.C. Official Code) is amended—

7                   (A) by striking subsections (b) and (c) and  
8                   inserting the following:

9           “(b) *ADMINISTRATIVE EXPENSES AND PARENTAL AS-*  
10 *SISTANCE.*—The Secretary shall make \$2,000,000 of the  
11 amount made available under section 3014(a)(1) for each  
12 fiscal year available to eligible entities receiving a grant  
13 under section 3004(a) to cover the following expenses:

14                   “(1) The administrative expenses of carrying out  
15 its program under this division during the year, in-  
16 cluding—

17                           “(A) determining the eligibility of students  
18 to participate;

19                           “(B) selecting the eligible students to receive  
20 scholarships;

21                           “(C) determining the amount of the scholar-  
22 ships and issuing the scholarships to eligible stu-  
23 dents;

24                           “(D) compiling and maintaining financial  
25 and programmatic records;



1           “(E) conducting site visits as described in  
2 section 3005(b)(1)(I); and

3           “(F)(i) conducting a study, including a sur-  
4 vey of participating parents, on any barriers for  
5 participating eligible students in gaining admis-  
6 sion to, or attending, the participating school  
7 that is their first choice; and

8           “(i) not later than the end of the first full  
9 fiscal year after the date of enactment of the  
10 SOAR Reauthorization Act, submitting a report  
11 to Congress that contains the results of such  
12 study.

13           “(2) The expenses of educating parents about the  
14 eligible entity’s program under this division, and as-  
15 sisting parents through the application process under  
16 this division, including—

17           “(A) providing information about the pro-  
18 gram and the participating schools to parents of  
19 eligible students, including information on sup-  
20 plemental financial aid that may be available at  
21 participating schools;

22           “(B) providing funds to assist parents of  
23 students in meeting expenses that might other-  
24 wise preclude the participation of eligible stu-  
25 dents in the program; and

1           “(C) streamlining the application process  
2           for parents.”;

3           (B) by redesignating subsection (d) as sub-  
4           section (c); and

5           (C) by redesignating subsection (e), as  
6           added by section 162(b) of the Continuing Ap-  
7           propriations Act, 2017 (division C of Public  
8           Law 114–223, as amended by section 101(3) of  
9           the Further Continuing and Security Assistance  
10          Appropriations Act, 2017 (Public Law 114–  
11          254)), as subsection (d).

12          (2) *CONFORMING AMENDMENT.*—Section 3007(d)  
13          (sec. 38–1853.07(d), D.C. Official Code), as redesign-  
14          ated by paragraph (1)(C), is amended by striking  
15          “subsections (b), (c), and (d)” each place it appears  
16          in paragraphs (2)(B) and (3) and inserting “sub-  
17          sections (b) and (c)”.

18          (d) *CLARIFICATION OF USE OF FUNDS FOR STUDENT*  
19          *ACADEMIC ASSISTANCE.*—Section 3007(c) (sec. 38–  
20          1853.07(c), D.C. Official Code), as redesignated by sub-  
21          section (c)(1)(B), is amended by striking “previously at-  
22          tended” and all that follows through the period at the end  
23          and inserting “previously attended an elementary school or  
24          secondary school identified as one of the lowest-performing

1 *schools under the District of Columbia’s accountability sys-*  
2 *tem.”.*

3 *PROGRAM EVALUATION*

4 *SEC. 908. (a) REVISION OF EVALUATION PROCEDURES*  
5 *AND REQUIREMENTS.—*

6 *(1) IN GENERAL.—Section 3009(a) (sec. 38–*  
7 *1853.09(a), D.C. Official Code) is amended to read as*  
8 *follows:*

9 *“(a) IN GENERAL.—*

10 *“(1) DUTIES OF THE SECRETARY AND THE*  
11 *MAYOR.—The Secretary and the Mayor of the District*  
12 *of Columbia shall—*

13 *“(A) jointly enter into an agreement with*  
14 *the Institute of Education Sciences of the De-*  
15 *partment of Education to evaluate annually the*  
16 *opportunity scholarship program under this di-*  
17 *vision;*

18 *“(B) jointly enter into an agreement to*  
19 *monitor and evaluate the use of funds authorized*  
20 *and appropriated for the District of Columbia*  
21 *public schools and the District of Columbia pub-*  
22 *lic charter schools under this division; and*

23 *“(C) make the evaluations described in sub-*  
24 *paragraphs (A) and (B) public in accordance*  
25 *with subsection (c).*

1           “(2) *DUTIES OF THE SECRETARY.*—*The Sec-*  
2           *retary, through a grant, contract, or cooperative*  
3           *agreement, shall—*

4                   “(A) *ensure that the evaluation under para-*  
5                   *graph (1)(A)—*

6                           “(i) *is conducted using an acceptable*  
7                           *quasi-experimental research design for de-*  
8                           *termining the effectiveness of the oppor-*  
9                           *tunity scholarship program under this divi-*  
10                           *sion that does not use a control study group*  
11                           *consisting of students who applied for but*  
12                           *did not receive opportunity scholarships;*  
13                           *and*

14                           “(ii) *addresses the issues described in*  
15                           *paragraph (4); and*

16                   “(B) *disseminate information on the impact*  
17                   *of the program—*

18                           “(i) *on academic achievement and edu-*  
19                           *cational attainment of participating eligible*  
20                           *students who use an opportunity scholar-*  
21                           *ship; and*

22                           “(ii) *on students and schools in the*  
23                           *District of Columbia.*

1           “(3) *DUTIES OF THE INSTITUTE ON EDUCATION*  
2           *SCIENCES.—The Institute of Education Sciences of*  
3           *the Department of Education shall—*

4                   “(A) *assess participating eligible students*  
5                   *who use an opportunity scholarship in each of*  
6                   *grades 3 through 8, as well as one of the grades*  
7                   *at the high school level, by supervising the ad-*  
8                   *ministration of the same reading and mathe-*  
9                   *matics assessment used by the District of Colum-*  
10                   *bia public schools to comply with section 1111(b)*  
11                   *of the Elementary and Secondary Education Act*  
12                   *of 1965 (20 U.S.C. 6311(b));*

13                   “(B) *measure the academic achievement of*  
14                   *all participating eligible students who use an op-*  
15                   *portunity scholarship in the grades described in*  
16                   *subparagraph (A); and*

17                   “(C) *work with eligible entities receiving a*  
18                   *grant under this division to ensure that the par-*  
19                   *ents of each student who is a participating eligi-*  
20                   *ble student that uses an opportunity scholarship*  
21                   *agrees to permit their child to participate in the*  
22                   *evaluations and assessments carried out by the*  
23                   *Institute of Education Sciences under this sub-*  
24                   *section.*

1           “(4) *ISSUES TO BE EVALUATED.*—*The issues to*  
2           *be evaluated under paragraph (1)(A) shall include the*  
3           *following:*

4                   “(A) *A comparison of the academic achieve-*  
5                   *ment of participating eligible students who use*  
6                   *an opportunity scholarship on the measurements*  
7                   *described in paragraph (3)(B) to the academic*  
8                   *achievement of a comparison group of students*  
9                   *with similar backgrounds in the District of Co-*  
10                   *lumbia public schools and the District of Colum-*  
11                   *bia public charter schools.*

12                   “(B) *The success of the program under this*  
13                   *division in expanding choice options for parents*  
14                   *of participating eligible students and increasing*  
15                   *the satisfaction of such parents and students*  
16                   *with their choice.*

17                   “(C) *The reasons parents of participating*  
18                   *eligible students choose for their children to par-*  
19                   *ticipate in the program, including important*  
20                   *characteristics for selecting schools.*

21                   “(D) *A comparison of the retention rates,*  
22                   *high school graduation rates, college enrollment*  
23                   *rates, college persistence rates, and college grad-*  
24                   *uation rates of participating eligible students*  
25                   *who use an opportunity scholarship with the*

1           *rates of students in the comparison group de-*  
2           *scribed in subparagraph (A).*

3           “(E) *A comparison of the college enrollment*  
4           *rates, college persistence rates, and college grad-*  
5           *uation rates of students who participated in the*  
6           *program in 2004, 2005, 2011, 2012, 2013, 2014,*  
7           *and 2015 as the result of winning the Oppor-*  
8           *tunity Scholarship Program lottery with such*  
9           *enrollment, persistence, and graduation rates for*  
10          *students who entered but did not win such lot-*  
11          *tery in those years and who, as a result, served*  
12          *as the control group for previous evaluations of*  
13          *the program under this division. Nothing in this*  
14          *subparagraph may be construed to waive section*  
15          *3004(a)(3)(A)(iii) with respect to any such stu-*  
16          *dent.*

17          “(F) *A comparison of the safety of the*  
18          *schools attended by participating eligible stu-*  
19          *dents who use an opportunity scholarship and*  
20          *the schools in the District of Columbia attended*  
21          *by students in the comparison group described in*  
22          *subparagraph (A), based on the perceptions of*  
23          *the students and parents.*

24          “(G) *An assessment of student academic*  
25          *achievement at participating schools in which 85*

1           *percent of the total number of students enrolled*  
2           *at the school are participating eligible students*  
3           *who receive and use an opportunity scholarship.*

4           “(H) *Such other issues with respect to par-*  
5           *ticipating eligible students who use an oppor-*  
6           *tunity scholarship as the Secretary considers ap-*  
7           *propriate for inclusion in the evaluation, such as*  
8           *the impact of the program on public elementary*  
9           *schools and secondary schools in the District of*  
10          *Columbia.*

11          “(5) *PROHIBITING DISCLOSURE OF PERSONAL*  
12          *INFORMATION.—*

13                 “(A) *IN GENERAL.—Any disclosure of per-*  
14                 *sonally identifiable information obtained under*  
15                 *this division shall be in compliance with section*  
16                 *444 of the General Education Provisions Act*  
17                 *(commonly known as the ‘Family Educational*  
18                 *Rights and Privacy Act of 1974’)* (20 U.S.C.  
19                 *1232g).*

20                 “(B) *STUDENTS NOT ATTENDING PUBLIC*  
21                 *SCHOOL.—With respect to any student who is*  
22                 *not attending a public elementary school or sec-*  
23                 *ondary school, personally identifiable informa-*  
24                 *tion obtained under this division shall only be*  
25                 *disclosed to—*



1           “(i) individuals carrying out the eval-  
2           uation described in paragraph (1)(A) for  
3           such student;

4           “(ii) the group of individuals pro-  
5           viding information for carrying out the  
6           evaluation of such student; and

7           “(iii) the parents of such student.”.

8           (2) *TRANSITION OF EVALUATION.*—

9           (A) *TERMINATION OF PREVIOUS EVALUA-*  
10          *TIONS.*—*The Secretary of Education shall—*

11           (i) *terminate the evaluations conducted*  
12           *under section 3009(a) of the Scholarships*  
13           *for Opportunity and Results Act (sec. 38-*  
14           *1853.09(a), D.C. Official Code), as in effect*  
15           *on the day before the date of enactment of*  
16           *this title, after obtaining data for the 2017-*  
17           *2018 school year; and*

18           (ii) *submit any reports required for the*  
19           *2017–2018 school year or preceding years*  
20           *with respect to the evaluations in accord-*  
21           *ance with section 3009(b) of such Act.*

22          (B) *NEW EVALUATIONS.*—

23           (i) *IN GENERAL.*—*Effective beginning*  
24           *with respect to the 2018–2019 school year,*  
25           *the Secretary shall conduct new evaluations*

1           *in accordance with the provisions of section*  
2           *3009(a) of the Scholarships for Opportunity*  
3           *and Results Act (sec. 38–1853.09(a), D.C.*  
4           *Official Code), as amended by this title.*

5           *(ii) MOST RECENT EVALUATION.—As a*  
6           *component of the new evaluations described*  
7           *in clause (i), the Secretary shall continue to*  
8           *monitor and evaluate the students who were*  
9           *evaluated in the most recent evaluation*  
10           *under such section prior to the date of en-*  
11           *actment of this title, including by moni-*  
12           *toring and evaluating the test scores and*  
13           *other information of such students.*

14           *(b) DUTY OF MAYOR TO ENSURE INSTITUTE HAS ALL*  
15           *INFORMATION NECESSARY TO CARRY OUT EVALUATIONS.—*  
16           *Section 3011(a)(1) (sec. 38–1853.11(a)(1), D.C. Official*  
17           *Code) is amended to read as follows:*

18           *“(1) INFORMATION NECESSARY TO CARRY OUT*  
19           *EVALUATIONS.—Ensure that all District of Columbia*  
20           *public schools and District of Columbia public charter*  
21           *schools make available to the Institute of Education*  
22           *Sciences of the Department of Education all of the in-*  
23           *formation the Institute requires to carry out the as-*  
24           *sessments and perform the evaluations required under*  
25           *section 3009(a).”*

1     *FUNDING FOR DISTRICT OF COLUMBIA PUBLIC SCHOOLS*  
2                     *AND PUBLIC CHARTER SCHOOLS*

3             *SEC. 909. (a) MANDATORY WITHHOLDING OF FUNDS*  
4 *FOR FAILURE TO COMPLY WITH CONDITIONS.—Section*  
5 *3011(b) (sec. 38–1853.11(b), D.C. Official Code) is amended*  
6 *to read as follows:*

7             “(b) *ENFORCEMENT.—If, after reasonable notice and*  
8 *an opportunity for a hearing, the Secretary determines that*  
9 *the Mayor has failed to comply with any of the require-*  
10 *ments of subsection (a), the Secretary may withhold from*  
11 *the Mayor, in whole or in part—*

12             “(1) *the funds otherwise authorized to be appro-*  
13 *priated under section 3014(a)(2), if the failure to*  
14 *comply relates to the District of Columbia public*  
15 *schools;*

16             “(2) *the funds otherwise authorized to be appro-*  
17 *priated under section 3014(a)(3), if the failure to*  
18 *comply relates to the District of Columbia public*  
19 *charter schools; or*

20             “(3) *the funds otherwise authorized to be appro-*  
21 *priated under both paragraphs (2) and (3) of section*  
22 *3014(a), if the failure relates to both the District of*  
23 *Columbia public schools and the District of Columbia*  
24 *public charter schools.”.*

1       **(b) RULES FOR USE OF FUNDS PROVIDED FOR SUP-**  
2 **PORT OF PUBLIC CHARTER SCHOOLS.—Section 3011 (sec.**  
3 **38–1853.11, D.C. Official Code) is amended—**

4           **(1) by redesignating subsections (b) and (c) as**  
5 **subsections (c) and (d), respectively; and**

6           **(2) by inserting after subsection (a) the following**  
7 **new subsection:**

8       **“(b) SPECIFIC RULES REGARDING FUNDS PROVIDED**  
9 **FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—The fol-**  
10 **lowing rules shall apply with respect to the funds provided**  
11 **under this division for the support of District of Columbia**  
12 **public charter schools:**

13           **“(1) The Secretary may direct the funds pro-**  
14 **vided for any fiscal year, or any portion thereof, to**  
15 **the Office of the State Superintendent of Education of**  
16 **the District of Columbia.**

17           **“(2) The Office of the State Superintendent of**  
18 **Education of the District of Columbia may transfer**  
19 **the funds to subgrantees that are—**

20           **“(A) specific District of Columbia public**  
21 **charter schools or networks of such schools; or**

22           **“(B) District of Columbia-based nonprofit**  
23 **organizations with experience in successfully**  
24 **providing support or assistance to District of Co-**

1            *lumbia public charter schools or networks of such*  
2            *schools.*

3            *“(3) The funds provided under this division for*  
4            *the support of District of Columbia public charter*  
5            *schools shall be available to any District of Columbia*  
6            *public charter school in good standing with the Dis-*  
7            *trict of Columbia Charter School Board, and the Of-*  
8            *fice of the State Superintendent of Education of the*  
9            *District of Columbia and the District of Columbia*  
10           *Charter School Board may not restrict the avail-*  
11           *ability of such funds to certain types of schools on the*  
12           *basis of the school’s location, governing body, or the*  
13           *school’s facilities.”.*

14           *REVISION OF CURRENT MEMORANDUM OF UNDERSTANDING*

15           *SEC. 910. Not later than the beginning of the 2018–*  
16           *2019 school year, the Secretary of Education and the Mayor*  
17           *of the District of Columbia shall revise the memorandum*  
18           *of understanding which is in effect under section 3012(d)*  
19           *of the Scholarships for Opportunity and Results Act as of*  
20           *the day before the date of the enactment of this title to ad-*  
21           *dress the following:*

22                    *(1) The amendments made by this title.*

23                    *(2) The need to ensure that participating schools*  
24                    *under the Scholarships for Opportunity and Results*  
25                    *Act meet fire code standards and maintain certifi-*  
26                    *cates of occupancy.*

1           (3) *The need to ensure that District of Columbia*  
 2           *public schools and District of Columbia public charter*  
 3           *schools meet the requirements under such Act to com-*  
 4           *ply with all reasonable requests for information nec-*  
 5           *essary to carry out the evaluations required under*  
 6           *section 3009(a) of such Act.*

7   DEFINITIONS

8           *SEC. 911. Section 3013 (sec. 38–1853.13, D.C. Official*  
 9           *Code) is amended—*

10                   (1) *by redesignating paragraphs (1) through (10)*  
 11                   *as paragraphs (2) through (11), respectively;*

12                   (2) *by inserting before paragraph (2), as redesign-*  
 13                   *ated by paragraph (1), the following:*

14                   “*(1) CORE SUBJECT MATTER.—The term ‘core*  
 15                   *subject matter’ means—*

16                                   “*(A) mathematics;*

17                                   “*(B) science; and*

18                                   “*(C) English, reading, or language arts.*”;

19                   *and*

20                   (3) *in paragraph (4)(B), as redesignated by*  
 21                   *paragraph (1), by inserting “household with a” before*  
 22                   “*student*”.

23   EXTENSION OF AUTHORIZATION OF APPROPRIATIONS

24           *SEC. 912. (a) IN GENERAL.—Section 3014(a) (sec. 38–*  
 25           *1853.14, D.C. Official Code) is amended by striking “and*

1 *for each of the 4 succeeding fiscal years” and inserting “and*  
 2 *for each fiscal year through fiscal year 2019”.*

3 *(b) EFFECTIVE DATE.—The amendment made by sub-*  
 4 *section (a) shall take effect on September 30, 2016.*

5 *EFFECTIVE DATE*

6 *SEC. 913. Except as otherwise provided, the amend-*  
 7 *ments made by this title shall apply with respect to school*  
 8 *year 2018–2019 and each succeeding school year.*

9 *This division may be cited as the “Financial Services*  
 10 *and General Government Appropriations Act, 2017”.*

11 ***DIVISION F—DEPARTMENT OF HOMELAND***  
 12 ***SECURITY APPROPRIATIONS ACT, 2017***

13 *TITLE I*

14 *DEPARTMENTAL MANAGEMENT, OPERATIONS,*  
 15 *INTELLIGENCE, AND OVERSIGHT*

16 *OFFICE OF THE SECRETARY AND EXECUTIVE*  
 17 *MANAGEMENT*

18 *OPERATIONS AND SUPPORT*

19 *For necessary expenses of the Office of the Secretary*  
 20 *and for executive management for operations and support,*  
 21 *\$137,034,000: Provided, That not to exceed \$40,000 shall*  
 22 *be for official reception and representation expenses: Pro-*  
 23 *vided further, That of the funds provided under this head-*  
 24 *ing, \$2,000,000 shall be withheld from obligation until the*  
 25 *Secretary complies with section 107 of this Act.*

1                                    *MANAGEMENT DIRECTORATE*2                                    *OPERATIONS AND SUPPORT*

3            *For necessary expenses of the Management Directorate*  
4 *for operations and support, \$597,817,000, of which*  
5 *\$194,092,000 shall remain available until September 30,*  
6 *2018: Provided, That not to exceed \$2,000 shall be for offi-*  
7 *cial reception and representation expenses.*

8                                    *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

9            *For necessary expenses of the Management Directorate*  
10 *for procurement, construction, and improvements,*  
11 *\$18,839,000, to remain available until September 30, 2018.*

12                                    *RESEARCH AND DEVELOPMENT*

13            *For necessary expenses of the Management Directorate*  
14 *for research and development, \$2,500,000, to remain avail-*  
15 *able until September 30, 2018.*

16                                    *INTELLIGENCE, ANALYSIS, AND OPERATIONS*17                                    *COORDINATION*18                                    *OPERATIONS AND SUPPORT*

19            *For necessary expenses of the Office of Intelligence and*  
20 *Analysis and the Office of Operations Coordination for op-*  
21 *erations and support, \$263,551,000, of which \$106,115,000*  
22 *shall remain available until September 30, 2018: Provided,*  
23 *That not to exceed \$3,825 shall be for official reception and*  
24 *representation expenses and not to exceed \$2,000,000 is*



1 *available for facility needs associated with secure space at*  
2 *fusion centers, including improvements to buildings.*

3 *OFFICE OF INSPECTOR GENERAL*

4 *OPERATIONS AND SUPPORT*

5 *For necessary expenses of the Office of Inspector Gen-*  
6 *eral for operations and support, \$175,000,000: Provided,*  
7 *That not to exceed \$300,000 may be used for certain con-*  
8 *fidential operational expenses, including the payment of in-*  
9 *formants, to be expended at the direction of the Inspector*  
10 *General.*

11 *ADMINISTRATIVE PROVISIONS*

12 *SEC. 101. The Secretary of Homeland Security shall*  
13 *submit to the Committees on Appropriations of the Senate*  
14 *and the House of Representatives, at the time the Presi-*  
15 *dent's budget proposal for fiscal year 2018 is submitted pur-*  
16 *suant to section 1105(a) of title 31, United States Code,*  
17 *the Future Years Homeland Security Program, as author-*  
18 *ized by section 874 of Public Law 107-296 (6 U.S.C. 454).*

19 *SEC. 102. Not later than 30 days after the last day*  
20 *of each month, the Chief Financial Officer of the Depart-*  
21 *ment of Homeland Security shall submit to the Committees*  
22 *on Appropriations of the Senate and the House of Rep-*  
23 *resentatives a monthly budget and staffing report that in-*  
24 *cludes total obligations of the Department for that month*  
25 *and for the fiscal year at the appropriation and program,*

1 *project, and activity levels, by the source year of the appro-*  
2 *priation.*

3       *SEC. 103. (a) Notwithstanding section 518 of Public*  
4 *Law 114–113, the Secretary of Homeland Security shall*  
5 *submit a report not later than October 15, 2017, to the In-*  
6 *spector General of the Department of Homeland Security*  
7 *listing all grants and contracts awarded by any means*  
8 *other than full and open competition during fiscal years*  
9 *2016 and 2017.*

10       *(b) The Inspector General shall review the report re-*  
11 *quired by subsection (a) to assess departmental compliance*  
12 *with applicable laws and regulations and report the results*  
13 *of that review to the Committees on Appropriations of the*  
14 *Senate and the House of Representatives not later than Feb-*  
15 *ruary 15, 2018.*

16       *SEC. 104. The Secretary of Homeland Security shall*  
17 *require that all contracts of the Department of Homeland*  
18 *Security that provide award fees link such fees to successful*  
19 *acquisition outcomes, which shall be specified in terms of*  
20 *cost, schedule, and performance.*

21       *SEC. 105. The Secretary of Homeland Security, in*  
22 *consultation with the Secretary of the Treasury, shall notify*  
23 *the Committees on Appropriations of the Senate and the*  
24 *House of Representatives of any proposed transfers of funds*  
25 *available under section 9703(g)(4)(B) of title 31, United*

1 *States Code (as added by Public Law 102–393) from the*  
2 *Department of the Treasury Forfeiture Fund to any agency*  
3 *within the Department of Homeland Security: Provided,*  
4 *That none of the funds identified for such a transfer may*  
5 *be obligated until the Committees on Appropriations of the*  
6 *Senate and the House of Representatives are notified of the*  
7 *proposed transfers.*

8       *SEC. 106. All official costs associated with the use of*  
9 *Government aircraft by Department of Homeland Security*  
10 *personnel to support official travel of the Secretary and the*  
11 *Deputy Secretary shall be paid from amounts made avail-*  
12 *able for the Office of the Secretary.*

13       *SEC. 107. (a) Not later than 30 days after the date*  
14 *of enactment of this Act, the Secretary of Homeland Secu-*  
15 *rity shall submit to the Committees on Appropriations of*  
16 *the Senate and the House of Representatives, the Commit-*  
17 *tees on the Judiciary of the Senate and the House of Rep-*  
18 *resentatives, the Committee on Homeland Security and*  
19 *Governmental Affairs of the Senate, and the Committee on*  
20 *Homeland Security of the House of Representatives, a re-*  
21 *port for fiscal year 2016 on visa overstay data by country*  
22 *as required by section 1376 of title 8, United States Code:*  
23 *Provided, That the report on visa overstay data shall also*  
24 *include—*

1           (1) *overstays from all nonimmigrant visa cat-*  
2           *egories under the immigration laws, delineated by*  
3           *each of the classes and sub-classes of such categories;*  
4           *and*

5           (2) *numbers as well as rates of overstays for each*  
6           *class and sub-class of such nonimmigrant categories*  
7           *on a per-country basis.*

8           (b) *The Secretary of Homeland Security shall publish*  
9           *on the Department's Web site the metrics developed to meas-*  
10          *ure the effectiveness of security between the ports of entry,*  
11          *including the methodology and data supporting the result-*  
12          *ing measures.*

13          *SEC. 108. Within 30 days of the date of enactment of*  
14          *this Act, and monthly thereafter, the Secretary or Chief Fi-*  
15          *nancial Officer shall certify to the Committees on Appro-*  
16          *priations of the Senate and the House of Representatives*  
17          *whether U.S. Immigration and Customs Enforcement is ad-*  
18          *ministering and executing its Enforcement and Removal*  
19          *Operations activities consistent with available budgetary*  
20          *authority provided by law: Provided, That such certifi-*  
21          *cation shall include both actual and projected financial ob-*  
22          *ligation data, with the projections informed by seasonality,*  
23          *planned immigration enforcement operations, all relevant*  
24          *enforcement data systems, and other information sources as*  
25          *necessary.*

1 *TITLE II*  
2 *SECURITY, ENFORCEMENT, AND INVESTIGATIONS*  
3 *U.S. CUSTOMS AND BORDER PROTECTION*  
4 *OPERATIONS AND SUPPORT*

5 *For necessary expenses of U.S. Customs and Border*  
6 *Protection for operations and support, including the trans-*  
7 *portation of unaccompanied minor aliens; the provision of*  
8 *air and marine support to Federal, State, and local agen-*  
9 *cies in the enforcement or administration of laws enforced*  
10 *by the Department of Homeland Security; at the discretion*  
11 *of the Secretary of Homeland Security, the provision of such*  
12 *support to Federal, State, and local agencies in other law*  
13 *enforcement and emergency humanitarian efforts; the pur-*  
14 *chase and lease of up to 7,500 (6,500 for replacement only)*  
15 *police-type vehicles; the purchase, maintenance, or oper-*  
16 *ation of marine vessels, aircraft, and unmanned aerial sys-*  
17 *tems; and contracting with individuals for personal services*  
18 *abroad; \$10,900,636,000; of which \$3,274,000 shall be de-*  
19 *rived from the Harbor Maintenance Trust Fund for admin-*  
20 *istrative expenses related to the collection of the Harbor*  
21 *Maintenance Fee pursuant to section 9505(c)(3) of the In-*  
22 *ternal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and*  
23 *notwithstanding section 1511(e)(1) of the Homeland Secu-*  
24 *rity Act of 2002 (6 U.S.C. 551(e)(1)); of which*  
25 *\$681,441,500 shall be available until September 30, 2018;*

1 *and of which such sums as become available in the Customs*  
2 *User Fee Account, except sums subject to section 13031(f)(3)*  
3 *of the Consolidated Omnibus Budget Reconciliation Act of*  
4 *1985 (19 U.S.C. 58c(f)(3)), shall be derived from that ac-*  
5 *count: Provided, That not to exceed \$34,425 shall be for offi-*  
6 *cial reception and representation expenses: Provided fur-*  
7 *ther, That not to exceed \$150,000 shall be available for pay-*  
8 *ment for rental space in connection with preclearance oper-*  
9 *ations: Provided further, That not to exceed \$1,000,000*  
10 *shall be for awards of compensation to informants, to be*  
11 *accounted for solely under the certificate of the Secretary*  
12 *of Homeland Security.*

13 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

14 *For necessary expenses for U.S. Customs and Border*  
15 *Protection for procurement, construction, and improve-*  
16 *ments, including procurements to buy marine vessels, air-*  
17 *craft, and unmanned aerial systems, \$273,617,000, of which*  
18 *\$252,842,000 shall remain available until September 30,*  
19 *2019, and of which \$20,775,000 shall remain available*  
20 *until September 30, 2021.*

21 *U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT*

22 *OPERATIONS AND SUPPORT*

23 *For necessary expenses of U.S. Immigration and Cus-*  
24 *toms Enforcement for operations and support, including the*  
25 *purchase and lease of up to 3,790 (2,350 for replacement*

1 *only) police-type vehicles; overseas vetted units; and mainte-*  
2 *nance, minor construction, and minor leasehold improve-*  
3 *ments at owned and leased facilities, \$6,168,532,000; of*  
4 *which \$6,000,000 shall remain available until expended for*  
5 *efforts to enforce laws against forced child labor; of which*  
6 *not less than \$15,000,000 shall be available for investiga-*  
7 *tion of intellectual property rights violations, including op-*  
8 *eration of the National Intellectual Property Rights Coordi-*  
9 *nation Center; of which \$18,700,000 shall remain available*  
10 *until September 30, 2018, for the Visa Security Program*  
11 *and investigations abroad; of which not less than*  
12 *\$3,471,806,000 shall be for enforcement, detention, and re-*  
13 *moval operations, including transportation of unaccom-*  
14 *panied minor aliens: Provided, That not to exceed \$11,475*  
15 *shall be for official reception and representation expenses:*  
16 *Provided further, That not to exceed \$10,000,000 shall be*  
17 *available until expended for conducting special operations*  
18 *under section 3131 of the Customs Enforcement Act of 1986*  
19 *(19 U.S.C. 2081): Provided further, That not to exceed*  
20 *\$2,000,000 shall be for awards of compensation to inform-*  
21 *ants, to be accounted for solely under the certificate of the*  
22 *Secretary of Homeland Security: Provided further, That not*  
23 *to exceed \$11,216,000 shall be available to fund or reim-*  
24 *burse other Federal agencies for the costs associated with*  
25 *the care, maintenance, and repatriation of smuggled aliens*

1 *unlawfully present in the United States: Provided further,*  
2 *That of the funds provided under this heading, \$25,000,000*  
3 *shall be withheld from obligation until the comprehensive*  
4 *plan for immigration data improvement is submitted as re-*  
5 *quired in section 212 of this Act.*

6 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

7 *For necessary expenses of U.S. Immigration and Cus-*  
8 *toms Enforcement for procurement, construction, and im-*  
9 *provements, \$29,800,000, to remain available until Sep-*  
10 *tember 30, 2019.*

11 *TRANSPORTATION SECURITY ADMINISTRATION*

12 *OPERATIONS AND SUPPORT*

13 *For necessary expenses of the Transportation Security*  
14 *Administration for operations and support, \$7,105,047,000,*  
15 *to remain available until September 30, 2018: Provided,*  
16 *That not to exceed \$7,650 shall be for official reception and*  
17 *representation expenses: Provided further, That security*  
18 *service fees authorized under section 44940 of title 49,*  
19 *United States Code, shall be credited to this appropriation*  
20 *as offsetting collections and shall be available only for avia-*  
21 *tion security: Provided further, That the sum appropriated*  
22 *under this heading from the general fund shall be reduced*  
23 *on a dollar-for-dollar basis as such offsetting collections are*  
24 *received during fiscal year 2017 so as to result in a final*



1 *fiscal year appropriation from the general fund estimated*  
2 *at not more than \$4,975,047,000.*

3 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

4 *For necessary expenses of the Transportation Security*  
5 *Administration for procurement, construction, and im-*  
6 *provements, \$206,093,000, to remain available until Sep-*  
7 *tember 30, 2019.*

8 *RESEARCH AND DEVELOPMENT*

9 *For necessary expenses of the Transportation Security*  
10 *Administration for research and development, \$5,000,000,*  
11 *to remain available until September 30, 2018.*

12 *COAST GUARD*

13 *OPERATING EXPENSES*

14 *For necessary expenses for the operations and mainte-*  
15 *nance of the Coast Guard, not otherwise provided for; pur-*  
16 *chase or lease of not to exceed 25 passenger motor vehicles,*  
17 *which shall be for replacement only; purchase or lease of*  
18 *small boats for contingent and emergent requirements (at*  
19 *a unit cost of not more than \$700,000) and repairs and*  
20 *service-life replacements, not to exceed a total of*  
21 *\$31,000,000; purchase or lease of boats necessary for over-*  
22 *seas deployments and activities; purchase, lease, or im-*  
23 *provement of other equipment (at a unit cost of not more*  
24 *than \$250,000); minor shore construction projects not ex-*  
25 *ceeding \$1,000,000 in total cost on any location; payments*

1 *pursuant to section 156 of Public Law 97–377 (42 U.S.C.*  
2 *402 note; 96 Stat. 1920); and recreation and welfare;*  
3 *\$7,079,628,000; of which \$502,692,000 shall be for defense-*  
4 *related activities, of which \$162,692,000 is designated by*  
5 *the Congress for Overseas Contingency Operations/Global*  
6 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*  
7 *the Balanced Budget and Emergency Deficit Control Act*  
8 *of 1985; of which \$24,500,000 shall be derived from the Oil*  
9 *Spill Liability Trust Fund to carry out the purposes of sec-*  
10 *tion 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.*  
11 *2712(a)(5)); and of which \$11,000,000 shall remain avail-*  
12 *able until September 30, 2019, of which \$6,000,000 is solely*  
13 *for grants authorized by the Coast Guard Authorization Act*  
14 *of 2010 (46 U.S.C. 4502(i) and (j)) and \$5,000,000 is to*  
15 *meet the obligations specified in 14 U.S.C. 98(b): Provided,*  
16 *That not to exceed \$23,000 shall be for official reception*  
17 *and representation expenses.*

18 *ENVIRONMENTAL COMPLIANCE AND RESTORATION*

19 *For necessary expenses to carry out the environmental*  
20 *compliance and restoration functions of the Coast Guard*  
21 *under chapter 19 of title 14, United States Code,*  
22 *\$13,315,000, to remain available until September 30, 2021.*

23 *RESERVE TRAINING*

24 *For necessary expenses of the Coast Guard Reserve; op-*  
25 *erations and maintenance of the Coast Guard Reserve Pro-*

1 *gram; personnel and training costs; and equipment and*  
2 *services; \$112,302,000.*

3 *ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS*

4 *For necessary expenses of the Coast Guard for acquisi-*  
5 *tion, construction, renovation, and improvement of aids to*  
6 *navigation, shore facilities (including facilities at Depart-*  
7 *ment of Defense installations used by the Coast Guard), ves-*  
8 *sels, and aircraft, including equipment related thereto,*  
9 *\$1,370,007,000; of which \$20,000,000 shall be derived from*  
10 *the Oil Spill Liability Trust Fund to carry out the purposes*  
11 *of section 1012(a)(5) of the Oil Pollution Act of 1990 (33*  
12 *U.S.C. 2712(a)(5)); and of which \$1,256,655,000 shall be*  
13 *available until September 30, 2021, of which \$95,000,000*  
14 *shall be immediately available and allotted to contract for*  
15 *long lead time materials for the tenth National Security*  
16 *Cutter notwithstanding the availability of funds for produc-*  
17 *tion or post-production costs.*

18 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION*

19 *For necessary expenses of the Coast Guard for research,*  
20 *development, test, and evaluation; and for maintenance, re-*  
21 *habilitation, lease, and operation of facilities and equip-*  
22 *ment; \$36,319,000, to remain available until September 30,*  
23 *2019, of which \$500,000 shall be derived from the Oil Spill*  
24 *Liability Trust Fund to carry out the purposes of section*  
25 *1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.*

1 2712(a)(5)): *Provided, That there may be credited to and*  
2 *used for the purposes of this appropriation funds received*  
3 *from State and local governments, other public authorities,*  
4 *private sources, and foreign countries for expenses incurred*  
5 *for research, development, testing, and evaluation.*

6 *RETIREED PAY*

7 *For retired pay, including the payment of obligations*  
8 *otherwise chargeable to lapsed appropriations for this pur-*  
9 *pose, payments under the Retired Serviceman's Family*  
10 *Protection and Survivor Benefits Plans, payment for career*  
11 *status bonuses, concurrent receipts, and combat-related spe-*  
12 *cial compensation, and payments for medical care of retired*  
13 *personnel and their dependents under chapter 55 of title*  
14 *10, United States Code, \$1,666,940,000, to remain available*  
15 *until expended.*

16 *UNITED STATES SECRET SERVICE*

17 *OPERATIONS AND SUPPORT*

18 *For necessary expenses of the United States Secret*  
19 *Service for operations and support, including purchase of*  
20 *not to exceed 652 vehicles for police-type use for replacement*  
21 *only; hire of passenger motor vehicles; purchase of motor-*  
22 *cycles made in the United States; hire of aircraft; rental*  
23 *of buildings in the District of Columbia, fencing, lighting,*  
24 *guard booths, and other facilities on private or other prop-*  
25 *erty not in Government ownership or control, as may be*

1 *necessary to perform protective functions; conduct of and*  
2 *participation in firearms matches; presentation of awards;*  
3 *conduct of behavioral research in support of protective intel-*  
4 *ligence and operations; payment in advance for commercial*  
5 *accommodations as may be necessary to perform protective*  
6 *functions; and payment, without regard to section 5702 of*  
7 *title 5, United States Code, of subsistence expenses of em-*  
8 *ployees who are on protective missions, whether at or away*  
9 *from their duty stations; \$1,821,451,000; of which*  
10 *\$42,966,000 shall remain available until September 30,*  
11 *2018, of which \$6,000,000 shall be for a grant for activities*  
12 *related to investigations of missing and exploited children;*  
13 *and of which not less than \$13,869,000 shall be for activities*  
14 *related to training in electronic crimes investigations and*  
15 *forensics: Provided, That not to exceed \$19,125 shall be for*  
16 *official reception and representation expenses: Provided fur-*  
17 *ther, That not to exceed \$100,000 shall be to provide tech-*  
18 *nical assistance and equipment to foreign law enforcement*  
19 *organizations in counterfeit investigations.*

20 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

21 *For necessary expenses of the United States Secret*  
22 *Service for procurement, construction, and improvements,*  
23 *\$90,627,000, to remain available until September 30, 2019.*



1        *national security purposes and in cases of immigra-*  
2        *tion emergencies.*

3            (2) *“United States Secret Service—Operations*  
4        *and Support”*, except that the Secretary of Homeland  
5        *Security, or the designee of the Secretary, may waive*  
6        *such amount as necessary for national security pur-*  
7        *poses.*

8        *SEC. 202. Funding made available under the heading*  
9        *“U.S. Customs and Border Protection—Operations and*  
10       *Support” and “U.S. Customs and Border Protection—Pro-*  
11       *curement, Construction, and Improvements” shall be avail-*  
12       *able for customs expenses when necessary to maintain oper-*  
13       *ations and prevent adverse personnel actions in Puerto Rico*  
14       *in addition to funding provided by 48 U.S.C. 740.*

15        *SEC. 203. No U.S. Customs and Border Protection air-*  
16       *craft or other related equipment, with the exception of air-*  
17       *craft that are one of a kind and have been identified as*  
18       *excess to U.S. Customs and Border Protection requirements*  
19       *and aircraft that have been damaged beyond repair, shall*  
20       *be transferred to any other Federal agency, department, or*  
21       *office outside of the Department of Homeland Security dur-*  
22       *ing fiscal year 2017 without prior notice to the Committees*  
23       *on Appropriations of the Senate and the House of Rep-*  
24       *resentatives.*

1       *SEC. 204. As authorized by section 601(b) of the*  
2 *United States-Colombia Trade Promotion Agreement Im-*  
3 *plementation Act (Public Law 112–42), fees collected from*  
4 *passengers arriving from Canada, Mexico, or an adjacent*  
5 *island pursuant to section 13031(a)(5) of the Consolidated*  
6 *Omnibus Budget Reconciliation Act of 1985 (19 U.S.C.*  
7 *58c(a)(5)) shall be available until expended.*

8       *SEC. 205. For an additional amount for “U.S. Cus-*  
9 *toms and Border Protection—Operations and Support”,*  
10 *\$31,000,000, to remain available until expended, to be re-*  
11 *duced by amounts collected and credited to this appropria-*  
12 *tion from amounts authorized to be collected by section*  
13 *286(i) of the Immigration and Nationality Act (8 U.S.C.*  
14 *1356(i)), section 10412 of the Farm Security and Rural*  
15 *Investment Act of 2002 (7 U.S.C. 8311), and section 817*  
16 *of the Trade Facilitation and Trade Enforcement Act of*  
17 *2015, or other such authorizing language: Provided, That*  
18 *to the extent that amounts realized from such collections*  
19 *exceed \$31,000,000, those amounts in excess of \$31,000,000*  
20 *shall be credited to this appropriation, to remain available*  
21 *until expended.*

22       *SEC. 206. None of the funds made available in this*  
23 *Act for U.S. Customs and Border Protection may be used*  
24 *to prevent an individual not in the business of importing*  
25 *a prescription drug (within the meaning of section 801(g)*



1 *of the Federal Food, Drug, and Cosmetic Act) from import-*  
2 *ing a prescription drug from Canada that complies with*  
3 *the Federal Food, Drug, and Cosmetic Act: Provided, That*  
4 *this section shall apply only to individuals transporting on*  
5 *their person a personal-use quantity of the prescription*  
6 *drug, not to exceed a 90-day supply: Provided further, That*  
7 *the prescription drug may not be—*

8           (1) *a controlled substance, as defined in section*  
9           *102 of the Controlled Substances Act (21 U.S.C. 802);*  
10          *or*

11           (2) *a biological product, as defined in section*  
12           *351 of the Public Health Service Act (42 U.S.C. 262).*

13          *SEC. 207. Notwithstanding any other provision of law,*  
14 *none of the funds provided in this or any other Act shall*  
15 *be used to approve a waiver of the navigation and vessel-*  
16 *inspection laws pursuant to 46 U.S.C. 501(b) for the trans-*  
17 *portation of crude oil distributed from and to the Strategic*  
18 *Petroleum Reserve until the Secretary of Homeland Secu-*  
19 *rity, after consultation with the Secretaries of the Depart-*  
20 *ments of Energy and Transportation and representatives*  
21 *from the United States flag maritime industry, takes ade-*  
22 *quate measures to ensure the use of United States flag ves-*  
23 *sels: Provided, That the Secretary shall notify the Commit-*  
24 *tees on Appropriations of the Senate and the House of Rep-*  
25 *resentatives, the Committee on Commerce, Science, and*

1 *Transportation of the Senate, and the Committee on Trans-*  
2 *portation and Infrastructure of the House of Representa-*  
3 *tives within 2 business days of any request for waivers of*  
4 *navigation and vessel-inspection laws pursuant to 46*  
5 *U.S.C. 501(b) and the disposition of such requests.*

6 *SEC. 208. (a) Beginning on the date of enactment of*  
7 *this Act, the Secretary of Homeland Security shall not—*

8 *(1) establish, collect, or otherwise impose any*  
9 *new border crossing fee on individuals crossing the*  
10 *Southern border or the Northern border at a land port*  
11 *of entry; or*

12 *(2) conduct any study relating to the imposition*  
13 *of a border crossing fee.*

14 *(b) In this section, the term “border crossing fee”*  
15 *means a fee that every pedestrian, cyclist, and driver and*  
16 *passenger of a private motor vehicle is required to pay for*  
17 *the privilege of crossing the Southern border or the Northern*  
18 *border at a land port of entry.*

19 *SEC. 209. Without regard to the limitation as to time*  
20 *and condition of section 503(d) of this Act, the Secretary*  
21 *may reprogram and transfer funds within and into “U.S.*  
22 *Immigration and Customs Enforcement—Operations and*  
23 *Support” as necessary to ensure the detention of aliens*  
24 *prioritized for removal.*

1        *SEC. 210. None of the funds provided under the head-*  
2 *ing “U.S. Immigration and Customs Enforcement—Oper-*  
3 *ations and Support” may be used to continue a delegation*  
4 *of law enforcement authority authorized under section*  
5 *287(g) of the Immigration and Nationality Act (8 U.S.C.*  
6 *1357(g)) if the Department of Homeland Security Inspector*  
7 *General determines that the terms of the agreement gov-*  
8 *erning the delegation of authority have been materially vio-*  
9 *lated.*

10        *SEC. 211. None of the funds provided under the head-*  
11 *ing “U.S. Immigration and Customs Enforcement—Oper-*  
12 *ations and Support” may be used to continue any contract*  
13 *for the provision of detention services if the two most recent*  
14 *overall performance evaluations received by the contracted*  
15 *facility are less than “adequate” or the equivalent median*  
16 *score in any subsequent performance evaluation system.*

17        *SEC. 212. (a) Not later than 90 days after the date*  
18 *of enactment of this Act, the Director of U.S. Immigration*  
19 *and Customs Enforcement shall submit to the Committees*  
20 *on Appropriations of the Senate and the House of Rep-*  
21 *resentatives a comprehensive plan for immigration data*  
22 *improvement.*

23        *(b) The plan required in subsection (a) shall include—*

24                *(1) an action plan detailing necessary engage-*  
25                *ment with Federal partners, major milestones, and an*

1 *estimated timeline for each of the major milestones*  
2 *leading to completion of the plan;*

3 *(2) a staffing plan, detailing the positions and*  
4 *titles for both Federal and contract staff necessary to*  
5 *execute the plan; and*

6 *(3) an estimate of the funding necessary to im-*  
7 *plement the plan.*

8 *SEC. 213. Members of the United States House of Rep-*  
9 *resentatives and the United States Senate, including the*  
10 *leadership; the heads of Federal agencies and commissions,*  
11 *including the Secretary, Deputy Secretary, Under Secre-*  
12 *taries, and Assistant Secretaries of the Department of*  
13 *Homeland Security; the United States Attorney General,*  
14 *Deputy Attorney General, Assistant Attorneys General, and*  
15 *the United States Attorneys; and senior members of the Ex-*  
16 *ecutive Office of the President, including the Director of the*  
17 *Office of Management and Budget, shall not be exempt from*  
18 *Federal passenger and baggage screening.*

19 *SEC. 214. Any award by the Transportation Security*  
20 *Administration to deploy explosives detection systems shall*  
21 *be based on risk, the airport's current reliance on other*  
22 *screening solutions, lobby congestion resulting in increased*  
23 *security concerns, high injury rates, airport readiness, and*  
24 *increased cost effectiveness.*

1        *SEC. 215. Notwithstanding section 44923 of title 49,*  
2 *United States Code, for fiscal year 2017, any funds in the*  
3 *Aviation Security Capital Fund established by section*  
4 *44923(h) of title 49, United States Code, may be used for*  
5 *the procurement and installation of explosives detection sys-*  
6 *tems or for the issuance of other transaction agreements for*  
7 *the purpose of funding projects described in section*  
8 *44923(a) of such title.*

9        *SEC. 216. The reporting requirement in the ninth pro-*  
10 *viso under the heading “Transportation Security Adminis-*  
11 *tration—Aviation Security” in the Department of Home-*  
12 *land Security Appropriations Act, 2016 (Public Law 114–*  
13 *113), shall apply in fiscal year 2017, except that the ref-*  
14 *erence to “this Act” shall be treated as referring to this Act.*

15        *SEC. 217. None of the funds made available by this*  
16 *or any other Act may be used by the Administrator of the*  
17 *Transportation Security Administration to implement, ad-*  
18 *minister, or enforce, in abrogation of the responsibility de-*  
19 *scribed in section 44903(n)(1) of title 49, United States*  
20 *Code, any requirement that airport operators provide air-*  
21 *port-financed staffing to monitor exit points from the sterile*  
22 *area of any airport at which the Transportation Security*  
23 *Administration provided such monitoring as of December*  
24 *1, 2013.*

1        *SEC. 218. None of the funds made available by this*  
2 *Act under the heading “Coast Guard—Operating Ex-*  
3 *penses” shall be for expenses incurred for recreational ves-*  
4 *sels under section 12114 of title 46, United States Code,*  
5 *except to the extent fees are collected from owners of yachts*  
6 *and credited to the appropriation made available by this*  
7 *Act under the heading “Coast Guard—Operating Ex-*  
8 *penses”: Provided, That to the extent such fees are insuffi-*  
9 *cient to pay expenses of recreational vessel documentation*  
10 *under such section 12114, and there is a backlog of rec-*  
11 *reational vessel applications, then personnel performing*  
12 *non-recreational vessel documentation functions under sub-*  
13 *chapter II of chapter 121 of title 46, United States Code,*  
14 *may perform documentation under section 12114.*

15        *SEC. 219. Without regard to the limitation as to time*  
16 *and condition of section 503(d) of this Act, after June 30,*  
17 *up to \$10,000,000 may be reprogrammed to or from the*  
18 *Military Pay and Allowances funding category within*  
19 *“Coast Guard—Operating Expenses” in accordance with*  
20 *subsection (a) of section 503.*

21        *SEC. 220. None of the funds in this Act shall be used*  
22 *to reduce the Coast Guard’s Operations Systems Center*  
23 *mission or its government-employed or contract staff levels.*

24        *SEC. 221. None of the funds appropriated by this Act*  
25 *may be used to conduct, or to implement the results of, a*

1 *competition under Office of Management and Budget Cir-*  
2 *cular A-76 for activities performed with respect to the Coast*  
3 *Guard National Vessel Documentation Center.*

4       *SEC. 222. Funds made available in this Act may be*  
5 *used to alter operations within the Civil Engineering Pro-*  
6 *gram of the Coast Guard nationwide, including civil engi-*  
7 *neering units, facilities design and construction centers,*  
8 *maintenance and logistics commands, and the Coast Guard*  
9 *Academy, except that none of the funds provided in this*  
10 *Act may be used to reduce operations within any civil engi-*  
11 *neering unit unless specifically authorized by a statute en-*  
12 *acted after the date of enactment of this Act.*

13       *SEC. 223. Funds made available under this heading*  
14 *for Overseas Contingency Operations/Global War on Ter-*  
15 *rorism may be allocated by program, project, and activity,*  
16 *notwithstanding section 503 of this Act.*

17       *SEC. 224. The United States Secret Service is author-*  
18 *ized to obligate funds in anticipation of reimbursements*  
19 *from Federal agencies and entities, as defined in section*  
20 *105 of title 5, United States Code, for personnel receiving*  
21 *training sponsored by the James J. Rowley Training Cen-*  
22 *ter, except that total obligations at the end of the fiscal year*  
23 *shall not exceed total budgetary resources available under*  
24 *the heading “United States Secret Service—Operations and*  
25 *Support” at the end of the fiscal year.*

1       *SEC. 225. None of the funds made available to the*  
2 *United States Secret Service by this Act or by previous ap-*  
3 *propriations Acts may be made available for the protection*  
4 *of the head of a Federal agency other than the Secretary*  
5 *of Homeland Security: Provided, That the Director of the*  
6 *Secret Service may enter into agreements to provide such*  
7 *protection on a fully reimbursable basis.*

8       *SEC. 226. None of the funds made available to the*  
9 *United States Secret Service by this Act or by previous ap-*  
10 *propriations Acts may be obligated for the purpose of open-*  
11 *ing a new permanent domestic or overseas office or location*  
12 *unless the Committees on Appropriations of the Senate and*  
13 *the House of Representatives are notified 15 days in ad-*  
14 *vance of such obligation.*

15       *SEC. 227. For purposes of section 503(a)(3) of this Act,*  
16 *up to \$15,000,000 may be reprogrammed within “United*  
17 *States Secret Service—Operations and Support”.*

18       *SEC. 228. Funding made available in this Act for*  
19 *“United States Secret Service—Operations and Support”*  
20 *is available for travel of United States Secret Service em-*  
21 *ployees on protective missions without regard to the limita-*  
22 *tions on such expenditures in this or any other Act if the*  
23 *Director of the United States Secret Service or a designee*  
24 *notifies the Committees on Appropriations of the Senate*



1 *and the House of Representatives 10 or more days in ad-*  
2 *vance, or as early as practicable, prior to such expenditures.*

3 *TITLE III*

4 *PROTECTION, PREPAREDNESS, RESPONSE, AND*  
5 *RECOVERY*

6 *NATIONAL PROTECTION AND PROGRAMS DIRECTORATE*

7 *OPERATIONS AND SUPPORT*

8 *For necessary expenses of the National Protection and*  
9 *Programs Directorate for operations and support,*  
10 *\$1,372,268,000, of which \$117,148,000 shall remain avail-*  
11 *able until September 30, 2018: Provided, That not to exceed*  
12 *\$3,825 shall be for official reception and representation ex-*  
13 *penses: Provided further, That of the funds provided under*  
14 *this heading, \$20,000,000 shall be withheld from obligation*  
15 *until the Secretary of Homeland Security complies with*  
16 *section 301 of this Act.*

17 *FEDERAL PROTECTIVE SERVICE*

18 *The revenues and collections of security fees credited*  
19 *to this account shall be available until expended for nec-*  
20 *essary expenses related to the protection of federally owned*  
21 *and leased buildings and for the operations of the Federal*  
22 *Protective Service.*

23 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

24 *For necessary expenses of the National Protection and*  
25 *Programs Directorate for procurement, construction, and*

1 *improvements, \$440,035,000, to remain available until*  
2 *September 30, 2018.*

3 *RESEARCH AND DEVELOPMENT*

4 *For necessary expenses of the National Protection and*  
5 *Programs Directorate for research and development,*  
6 *\$6,469,000, to remain available until September 30, 2018.*

7 *OFFICE OF HEALTH AFFAIRS*

8 *OPERATIONS AND SUPPORT*

9 *For necessary expenses of the Office of Health Affairs*  
10 *for operations and support, \$123,548,000, of which*  
11 *\$16,161,000 shall remain available until September 30,*  
12 *2018: Provided, That of the funds provided under this head-*  
13 *ing, \$2,000,000 shall be withheld from obligation for Mis-*  
14 *sion Support until the Chief Medical Officer complies with*  
15 *section 302 of this Act: Provided further, That the Secretary*  
16 *of Homeland Security may transfer up to \$2,000,000 from*  
17 *the funds provided under this heading to “Science and*  
18 *Technology Directorate—Research and Development” for*  
19 *the purpose of advancing early detection capabilities related*  
20 *to a bioterrorism event.*

21 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

22 *OPERATIONS AND SUPPORT*

23 *For necessary expenses of the Federal Emergency Man-*  
24 *agement Agency for operations and support,*

1 \$1,048,551,000: *Provided, That not to exceed \$2,250 shall*  
2 *be for official reception and representation expenses.*

3 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

4 *For necessary expenses of the Federal Emergency Man-*  
5 *agement Agency for procurement, construction, and im-*  
6 *provements, \$35,273,000, to remain available until Sep-*  
7 *tember 30, 2018.*

8 *FEDERAL ASSISTANCE*

9 *For activities of the Federal Emergency Management*  
10 *Agency for Federal assistance through grants, contracts, co-*  
11 *operative agreements, and other activities, \$2,983,458,000,*  
12 *which shall be allocated as follows:*

13 (1) *\$467,000,000 for the State Homeland Secu-*  
14 *rity Grant Program under section 2004 of the Home-*  
15 *land Security Act of 2002 (6 U.S.C. 605), of which*  
16 *\$55,000,000 shall be for Operation Stonegarden: Pro-*  
17 *vided, That notwithstanding subsection (c)(4) of such*  
18 *section 2004, for fiscal year 2017, the Commonwealth*  
19 *of Puerto Rico shall make available to local and trib-*  
20 *al governments amounts provided to the Common-*  
21 *wealth of Puerto Rico under this paragraph in ac-*  
22 *cordance with subsection (c)(1) of such section 2004.*

23 (2) *\$605,000,000 for the Urban Area Security*  
24 *Initiative under section 2003 of the Homeland Secu-*  
25 *rity Act of 2002 (6 U.S.C. 604), of which \$25,000,000*

1 shall be for organizations (as described under section  
2 501(c)(3) of the Internal Revenue Code of 1986 and  
3 exempt from tax under section 501(a) of such code)  
4 determined by the Secretary of Homeland Security to  
5 be at high risk of a terrorist attack.

6 (3) \$100,000,000 for Public Transportation Se-  
7 curity Assistance, Railroad Security Assistance, and  
8 Over-the-Road Bus Security Assistance under sections  
9 1406, 1513, and 1532 of the Implementing Rec-  
10 ommendations of the 9/11 Commission Act of 2007 (6  
11 U.S.C. 1135, 1163, and 1182), of which \$10,000,000  
12 shall be for Amtrak security and \$2,000,000 shall be  
13 for Over-the-Road Bus Security: Provided, That such  
14 public transportation security assistance shall be pro-  
15 vided directly to public transportation agencies.

16 (4) \$100,000,000 for Port Security Grants in ac-  
17 cordance with 46 U.S.C. 70107.

18 (5) \$690,000,000, to remain available until Sep-  
19 tember 30, 2018, of which \$345,000,000 shall be for  
20 Assistance to Firefighter Grants and \$345,000,000  
21 shall be for Staffing for Adequate Fire and Emer-  
22 gency Response Grants under sections 33 and 34 re-  
23 spectively of the Federal Fire Prevention and Control  
24 Act of 1974 (15 U.S.C. 2229 and 2229a).

1           (6) \$350,000,000 for emergency management  
2           performance grants under the National Flood Insur-  
3           ance Act of 1968 (42 U.S.C. 4001), the Robert T.  
4           Stafford Disaster Relief and Emergency Assistance  
5           Act (42 U.S.C. 5121), the Earthquake Hazards Re-  
6           duction Act of 1977 (42 U.S.C. 7701), 6 U.S.C. 762,  
7           and Reorganization Plan No. 3 of 1978 (5 U.S.C.  
8           App.).

9           (7) \$100,000,000 for the National Predisaster  
10          Mitigation Fund under section 203 of the Robert T.  
11          Stafford Disaster Relief and Emergency Assistance  
12          Act (42 U.S.C. 5133), to remain available until ex-  
13          pended.

14          (8) \$177,531,000 for necessary expenses for Flood  
15          Hazard Mapping and Risk Analysis, in addition to  
16          and to supplement any other sums appropriated  
17          under the National Flood Insurance Fund, and such  
18          additional sums as may be provided by States or  
19          other political subdivisions for cost-shared mapping  
20          activities under 42 U.S.C. 4101(f)(2), to remain  
21          available until expended.

22          (9) \$120,000,000 for the emergency food and  
23          shelter program under title III of the McKinney-Vento  
24          Homeless Assistance Act (42 U.S.C. 11331), to re-  
25          main available until expended: Provided, That not to

1        *exceed 3.5 percent shall be for total administrative*  
2        *costs.*

3            *(10) \$273,927,000 to sustain current operations*  
4        *for training, exercises, technical assistance, and other*  
5        *programs.*

6                                    *DISASTER RELIEF FUND*

7        *For necessary expenses in carrying out the Robert T.*  
8        *Stafford Disaster Relief and Emergency Assistance Act (42*  
9        *U.S.C. 5121 et seq.), \$7,328,515,000, to remain available*  
10       *until expended, of which \$6,713,000,000 shall be for major*  
11       *disasters declared pursuant to the Robert T. Stafford Dis-*  
12       *aster Relief and Emergency Assistance Act (42 U.S.C. 5121*  
13       *et seq.) and is designated by the Congress as being for dis-*  
14       *aster relief pursuant to section 251(b)(2)(D) of the Balanced*  
15       *Budget and Emergency Deficit Control Act of 1985.*

16                                    *NATIONAL FLOOD INSURANCE FUND*

17        *For activities under the National Flood Insurance Act*  
18        *of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protec-*  
19        *tion Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-*  
20        *Waters Flood Insurance Reform Act of 2012 (Public Law*  
21        *112–141, 126 Stat. 916), and the Homeowner Flood Insur-*  
22        *ance Affordability Act of 2014 (Public Law 113–89; 128*  
23        *Stat. 1020), \$181,799,000, to remain available until Sep-*  
24        *tember 30, 2018, which shall be derived from offsetting*  
25        *amounts collected under section 1308(d) of the National*

1 *Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which*  
2 *\$13,436,000 shall be available for mission support associ-*  
3 *ated with flood management; and of which \$168,363,000*  
4 *shall be available for flood plain management and flood*  
5 *mapping; Provided, That any additional fees collected pur-*  
6 *suant to section 1308(d) of the National Flood Insurance*  
7 *Act of 1968 (42 U.S.C. 4015(d)) shall be credited as offset-*  
8 *ting collections to this account, to be available for flood*  
9 *plain management and flood mapping; Provided further,*  
10 *That in fiscal year 2017, no funds shall be available from*  
11 *the National Flood Insurance Fund under section 1310 of*  
12 *the National Flood Insurance Act of 1968 (42 U.S.C. 4017)*  
13 *in excess of—*

14           (1) *\$147,042,000 for operating expenses and sal-*  
15           *aries and expenses associated with flood insurance op-*  
16           *erations;*

17           (2) *\$1,123,000,000 for commissions and taxes of*  
18           *agents;*

19           (3) *such sums as are necessary for interest on*  
20           *Treasury borrowings; and*

21           (4) *\$175,061,000, which shall remain available*  
22           *until expended, for flood mitigation actions and for*  
23           *flood mitigation assistance under section 1366 of the*  
24           *National Flood Insurance Act of 1968 (42 U.S.C.*

1       4104c), notwithstanding sections 1366(e) and  
2       1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):  
3       *Provided further, That the amounts collected under section*  
4       *102 of the Flood Disaster Protection Act of 1973 (42 U.S.C.*  
5       *4012a) and section 1366(e) of the National Flood Insurance*  
6       *Act of 1968 shall be deposited in the National Flood Insur-*  
7       *ance Fund to supplement other amounts specified as avail-*  
8       *able for section 1366 of the National Flood Insurance Act*  
9       *of 1968, notwithstanding section 102(f)(8), section 1366(e),*  
10       *and paragraphs (1) through (3) of section 1367(b) of such*  
11       *Act (42 U.S.C. 4012a(f)(8), 4104c(e), 4104d(b)(1)–(3)):*  
12       *Provided further, That total administrative costs shall not*  
13       *exceed 4 percent of the total appropriation: Provided fur-*  
14       *ther, That up to \$5,000,000 is available to carry out section*  
15       *24 of the Homeowner Flood Insurance Affordability Act of*  
16       *2014 (42 U.S.C. 4033).*

17                                    ADMINISTRATIVE PROVISIONS

18                                    (INCLUDING TRANSFER OF FUNDS)

19       SEC. 301. *The Secretary of Homeland Security, or the*  
20       *designee of the Secretary, shall brief the Committees on Ap-*  
21       *propriations of the Senate and the House of Representatives*  
22       *on plans to—*

23                    (1) *implement a facial recognition matching ca-*  
24       *pability for Automated Biometric Identification Sys-*  
25       *tem holdings, including the ability to search, store,*



1 *and match, that is independent of other biometric mo-*  
2 *dalities but scalable for future needs;*

3 *(2) accelerate the development of multi-modal bi-*  
4 *ometric capability (Homeland Advanced Recognition*  
5 *Technology Increment 2) to ensure that full multi-*  
6 *modal capability is available for stakeholders by the*  
7 *end of fiscal year 2018;*

8 *(3) establish a new, equitable governance struc-*  
9 *ture in fiscal year 2017 that ensures stakeholder mis-*  
10 *sion requirements are prioritized for implementation,*  
11 *to include—*

12 *(A) a project plan and capability execution*  
13 *schedule for each stakeholder mission;*

14 *(B) stakeholder management of all requests*  
15 *for services;*

16 *(C) a weighted on-boarding process for new*  
17 *requirements and priorities; and*

18 *(D) an executive stakeholder review process;*

19 *and*

20 *(4) demonstrate new agile projects focused on the*  
21 *ability to fuse biographic intelligence information*  
22 *with biometric data.*

23 *SEC. 302. The Chief Medical Officer shall submit a re-*  
24 *port to the Committees on Appropriations of the Senate and*  
25 *the House of Representatives that includes—*

1           (1) a comprehensive strategy and project plan to  
2           advance the Nation's early detection capabilities re-  
3           lated to a bioterrorism event;

4           (2) a description of the responsibilities of the Of-  
5           fice of Health Affairs, Science and Technology Direc-  
6           torate, and other departmental components as appro-  
7           priate for implementing such strategy;

8           (3) a description of technical and operational  
9           programmatic efficiencies to be gained by replacing  
10          or enhancing the current BioWatch system;

11          (4) specific timelines and benchmarks for imple-  
12          mentation of a new or enhanced system, including,  
13          but not limited to—

14                 (A) a mission needs statement;

15                 (B) operational requirements documents;

16                 (C) key performance parameters;

17                 (D) a test and evaluation master plan; and

18                 (E) an acquisition plan and strategy;

19          (5) an expenditure plan for fiscal year 2017 ac-  
20          tivities that advance the Nation's early detection ca-  
21          pabilities related to a bioterrorism event; and

22          (6) detailed cost estimates for not less than 5  
23          years for the development of a new or enhanced  
24          BioWatch system.

1        *SEC. 303. Notwithstanding section 2008(a)(11) of the*  
2 *Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)) or*  
3 *any other provision of law, not more than 5 percent of the*  
4 *amount of a grant made available in paragraphs (1)*  
5 *through (4) under “Federal Emergency Management Agen-*  
6 *cy—Federal Assistance”, may be used by the grantee for*  
7 *expenses directly related to administration of the grant.*

8        *SEC. 304. Applications for grants under the heading*  
9 *“Federal Emergency Management Agency—Federal Assist-*  
10 *ance”, for paragraphs (1) through (4), shall be made avail-*  
11 *able to eligible applicants not later than 60 days after the*  
12 *date of enactment of this Act, eligible applicants shall sub-*  
13 *mit applications not later than 80 days after the grant an-*  
14 *nouncement, and the Administrator of the Federal Emer-*  
15 *gency Management Agency shall act within 65 days after*  
16 *the receipt of an application.*

17        *SEC. 305. Under the heading “Federal Emergency*  
18 *Management Agency—Federal Assistance”, for grants*  
19 *under paragraphs (1) through (4), the Administrator of the*  
20 *Federal Emergency Management Agency shall brief the*  
21 *Committees on Appropriations of the Senate and the House*  
22 *of Representatives 5 full business days in advance of an-*  
23 *nouncing publicly the intention of making an award.*

24        *SEC. 306. Under the heading “Federal Emergency*  
25 *Management Agency—Federal Assistance”, for grants*

1 *under paragraphs (1) and (2), the installation of commu-*  
2 *nications towers is not considered construction of a building*  
3 *or other physical facility.*

4       *SEC. 307. Notwithstanding section 509 of this Act, the*  
5 *Administrator of the Federal Emergency Management*  
6 *Agency may use the funds provided under the heading*  
7 *“Federal Emergency Management Agency—Federal Assist-*  
8 *ance” in paragraph (10) to acquire real property for the*  
9 *purpose of establishing or appropriately extending the secu-*  
10 *rity buffer zones around Federal Emergency Management*  
11 *Agency training facilities.*

12       *SEC. 308. Notwithstanding any other provision of*  
13 *law—*

14               *(1) grants awarded to States along the Southwest*  
15 *Border of the United States under sections 2003 or*  
16 *2004 of the Homeland Security Act of 2002 (6 U.S.C.*  
17 *604 and 605) using funds provided under the heading*  
18 *“Federal Emergency Management Agency—Federal*  
19 *Assistance” for grants under paragraph (1) in this*  
20 *Act, or under the heading “Federal Emergency Man-*  
21 *agement Agency—State and Local Programs” in*  
22 *Public Law 114–4, division F of Public Law 113–76,*  
23 *or division D of Public Law 113–6 may be used by*  
24 *recipients or sub-recipients for costs, or reimburse-*  
25 *ment of costs, related to providing humanitarian re-*

1 *lief to unaccompanied alien children and alien adults*  
2 *accompanied by an alien minor where they are en-*  
3 *countered after entering the United States, provided*  
4 *that such costs were incurred between January 1,*  
5 *2014, and December 31, 2014, or during the award*  
6 *period of performance; and*

7 (2) *grants awarded to States under section 2004*  
8 *of the Homeland Security Act of 2002 (6 U.S.C. 605)*  
9 *using funds provided under the heading “Federal*  
10 *Emergency Management Agency—Federal Assist-*  
11 *ance” for grants under paragraph (1) in this Act*  
12 *may be used by recipients or sub-recipients for costs,*  
13 *or reimbursement of costs, related to public safety in*  
14 *support of a State declaration of emergency.*

15 *SEC. 309. The reporting requirements in paragraphs*  
16 *(1) and (2) under the heading “Federal Emergency Man-*  
17 *agement Agency—Disaster Relief Fund” in the Department*  
18 *of Homeland Security Appropriations Act, 2015 (Public*  
19 *Law 114–4) shall be applied in fiscal year 2017 with re-*  
20 *spect to budget year 2018 and current fiscal year 2017, re-*  
21 *spectively, by substituting “fiscal year 2018” for “fiscal*  
22 *year 2016” in paragraph (1).*

23 *SEC. 310. The Administrator of the Federal Emer-*  
24 *gency Management Agency shall transfer \$56,872,752 in*  
25 *unobligated balances made available for the appropriations*

1 account for “Federal Emergency Management Agency—  
2 Disaster Assistance Direct Loan Program Account” by sec-  
3 tion 4502 of Public Law 110–28 to the appropriations ac-  
4 count for “Federal Emergency Management Agency—Dis-  
5 aster Relief Fund”: Provided, That amounts transferred to  
6 such account under this section shall be available for any  
7 authorized purpose of such account: Provided further, That  
8 amounts transferred pursuant to this section that were pre-  
9 viously designated by the Congress as an emergency require-  
10 ment pursuant to a concurrent resolution on the budget are  
11 designated by the Congress as an emergency requirement  
12 pursuant to section 251(b)(2)(A)(i) of the Balanced Budget  
13 and Emergency Deficit Control Act of 1985 and shall be  
14 transferred only if the President subsequently so designates  
15 the entire transfer and transmits such designation to the  
16 Congress.

17       SEC.     311.     Notwithstanding     42     U.S.C.  
18     5170c(b)(2)(B)(ii), the Administrator of the Federal Emer-  
19     gency Management Agency may allow the construction of  
20     an earthen levee by a State, local, or tribal government on  
21     covered hazard mitigation land: Provided, That such con-  
22     struction constitutes part of a flood control project, is con-  
23     structed of naturally-occurring materials, and conforms to  
24     other criteria as established by the Administrator of the  
25     Federal Emergency Management Agency through policy.



1        *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

2        *For necessary expenses of U.S. Citizenship and Immi-*  
3 *gration Services for procurement, construction, and im-*  
4 *provements of the E-Verify Program, \$15,227,000.*

5        *FEDERAL LAW ENFORCEMENT TRAINING CENTERS*

6                                *OPERATIONS AND SUPPORT*

7        *For necessary expenses of the Federal Law Enforce-*  
8 *ment Training Centers for operations and support, includ-*  
9 *ing the purchase of not to exceed 117 vehicles for police-*  
10 *type use and hire of passenger motor vehicles, and services*  
11 *as authorized by section 3109 of title 5, United States Code,*  
12 *\$242,518,000, of which up to \$50,748,000 shall remain*  
13 *available until September 30, 2018, and of which*  
14 *\$27,553,000 shall remain available until September 30,*  
15 *2019: Provided, That not to exceed \$7,180 shall be for offi-*  
16 *cial reception and representation expenses.*

17                                *SCIENCE AND TECHNOLOGY DIRECTORATE*

18                                *OPERATIONS AND SUPPORT*

19        *For necessary expenses of the Science and Technology*  
20 *Directorate for operations and support, including the pur-*  
21 *chase or lease of not to exceed 5 vehicles, \$311,122,000, of*  
22 *which \$182,334,000 shall remain available until September*  
23 *30, 2018: Provided, That not to exceed \$7,650 shall be for*  
24 *official reception and representation expenses.*







1 *tion Service Analysts, Contact Representatives, Investiga-*  
2 *tive Assistants, or Immigration Services Officers.*

3       *SEC. 404. (a) Notwithstanding section 1356(n) of title*  
4 *8, United States Code, of the funds deposited into the Immi-*  
5 *gration Examinations Fee Account, up to \$10,000,000 may*  
6 *be allocated by U.S. Citizenship and Immigration Services*  
7 *in fiscal year 2017 for the purpose of providing an immi-*  
8 *grant integration grants program.*

9       *(b) None of the funds made available to U.S. Citizen-*  
10 *ship and Immigration Services for grants for immigrant*  
11 *integration under subsection (a) or (c) may be used to pro-*  
12 *vide services to aliens who have not been lawfully admitted*  
13 *for permanent residence.*

14       *(c) The Director of U.S. Citizenship and Immigration*  
15 *Services is authorized in fiscal year 2017, and in each fiscal*  
16 *year thereafter, to solicit, accept, administer, and utilize*  
17 *gifts, including donations of property, for the purpose of*  
18 *providing an immigrant integration grants program and*  
19 *related activities to promote citizenship and immigrant in-*  
20 *tegration: Provided, That all sums received under this sub-*  
21 *section shall be deposited in a separate account in the gen-*  
22 *eral fund of the Treasury to be known as the “Citizenship*  
23 *Gift and Bequest Account”:* *Provided further, That all funds*  
24 *deposited into the Citizenship Gift and Bequest Account*  
25 *shall remain available until expended, and shall be avail-*

1 *able in addition to any funds appropriated or otherwise*  
2 *made available for an immigrant integration grants pro-*  
3 *gram or other activities to promote citizenship and immi-*  
4 *grant integration.*

5 *(d) Nothing in this section shall be construed to limit*  
6 *the authority of the Secretary of Homeland Security under*  
7 *section 507 of the Department of Homeland Security Ap-*  
8 *propriations Act, 2004 (Public Law 108–90) or any other*  
9 *law with respect to the solicitation and acceptance of gifts.*

10 *SEC. 405. The Director of the Federal Law Enforce-*  
11 *ment Training Centers is authorized to distribute funds to*  
12 *Federal law enforcement agencies for expenses incurred par-*  
13 *ticipating in training accreditation.*

14 *SEC. 406. The Director of the Federal Law Enforce-*  
15 *ment Training Centers shall schedule basic or advanced law*  
16 *enforcement training, or both, at all four training facilities*  
17 *under the control of the Federal Law Enforcement Training*  
18 *Centers to ensure that such training facilities are operated*  
19 *at the highest capacity throughout the fiscal year.*

20 *SEC. 407. The Federal Law Enforcement Training Ac-*  
21 *creditation Board, including representatives from the Fed-*  
22 *eral law enforcement community and non-Federal accredi-*  
23 *tation experts involved in law enforcement training, shall*  
24 *lead the Federal law enforcement training accreditation*  
25 *process to continue the implementation of measuring and*

1 *assessing the quality and effectiveness of Federal law en-*  
2 *forcement training programs, facilities, and instructors.*

3       *SEC. 408. (a) There is to be established a “Federal Law*  
4 *Enforcement Training Centers—Procurement, Construc-*  
5 *tion, and Improvements” appropriations account for plan-*  
6 *ning, operational development, engineering, and purchases*  
7 *prior to sustainment and for information technology-related*  
8 *procurement, construction, and improvements, including*  
9 *non-tangible assets of the Federal Law Enforcement Train-*  
10 *ing Centers.*

11       *(b) The Director of the Federal Law Enforcement*  
12 *Training Centers may accept transfers to the account estab-*  
13 *lished by subsection (a) from Government agencies request-*  
14 *ing the construction of special use facilities, as authorized*  
15 *by the Economy Act (31 U.S.C. 1535(b)): Provided, That*  
16 *the Federal Law Enforcement Training Centers maintain*  
17 *administrative control and ownership upon completion of*  
18 *the facility.*

19       *SEC. 409. The functions of the Federal Law Enforce-*  
20 *ment Training Centers instructor staff shall be classified*  
21 *as inherently governmental for the purpose of the Federal*  
22 *Activities Inventory Reform Act of 1998 (31 U.S.C. 501*  
23 *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,*

1        *or activity for which funds have been denied or re-*  
2        *stricted by the Congress;*

3            *(2) contracts out any function or activity pres-*  
4        *ently performed by Federal employees or any new*  
5        *function or activity proposed to be performed by Fed-*  
6        *eral employees in the President's budget proposal for*  
7        *fiscal year 2017 for the Department of Homeland Se-*  
8        *curity;*

9            *(3) augments funding for existing programs,*  
10       *projects, or activities in excess of \$5,000,000 or 10*  
11       *percent, whichever is less;*

12           *(4) reduces funding for any program, project, or*  
13       *activity, or numbers of personnel, by 10 percent or*  
14       *more;*

15           *(5) reorganizes components; or*

16           *(6) results from any general savings from a re-*  
17       *duction in personnel that would result in a change in*  
18       *funding levels for programs, projects, or activities as*  
19       *approved by the Congress,*

20       *unless the Committees on Appropriations of the Senate and*  
21       *the House of Representatives are notified at least 15 days*  
22       *in advance of such reprogramming.*

23           *(b) Up to 5 percent of any appropriation made avail-*  
24       *able for the current fiscal year for the Department of Home-*  
25       *land Security by this Act or provided by previous appro-*

1 *priations Acts may be transferred between such appropria-*  
2 *tions if the Committees on Appropriations of the Senate*  
3 *and the House of Representatives are notified at least 30*  
4 *days in advance of such transfer, but no such appropria-*  
5 *tion, except as otherwise specifically provided, shall be in-*  
6 *creased by more than 10 percent by such transfer.*

7       *(c) Notwithstanding subsections (a) and (b), no funds*  
8 *shall be reprogrammed within or transferred between ap-*  
9 *propriations based upon an initial notification provided*  
10 *after June 30, except in extraordinary circumstances that*  
11 *imminently threaten the safety of human life or the protec-*  
12 *tion of property.*

13       *(d) The notification thresholds and procedures set forth*  
14 *in subsections (a), (b), and (c) shall apply to any use of*  
15 *deobligated balances of funds provided in previous Depart-*  
16 *ment of Homeland Security Appropriations Acts.*

17       *(e) Notwithstanding subsection (b), the Secretary of*  
18 *Homeland Security may transfer to the fund established by*  
19 *8 U.S.C. 1101 note, up to \$20,000,000 from appropriations*  
20 *available to the Department of Homeland Security: Pro-*  
21 *vided, That the Secretary shall notify the Committees on*  
22 *Appropriations of the Senate and the House of Representa-*  
23 *tives 5 days in advance of such transfer.*

24       *SEC. 504. The Department of Homeland Security*  
25 *Working Capital Fund, established pursuant to section 403*



1 of Public Law 103–356 (31 U.S.C. 501 note), shall continue  
2 operations as a permanent working capital fund for fiscal  
3 year 2017: Provided, That none of the funds appropriated  
4 or otherwise made available to the Department of Home-  
5 land Security may be used to make payments to the Work-  
6 ing Capital Fund, except for the activities and amounts al-  
7 lowed in the President’s fiscal year 2017 budget: Provided  
8 further, That funds provided to the Working Capital Fund  
9 shall be available for obligation until expended to carry out  
10 the purposes of the Working Capital Fund: Provided fur-  
11 ther, That all departmental components shall be charged  
12 only for direct usage of each Working Capital Fund service:  
13 Provided further, That funds provided to the Working Cap-  
14 ital Fund shall be used only for purposes consistent with  
15 the contributing component: Provided further, That the  
16 Working Capital Fund shall be paid in advance or reim-  
17 bursed at rates which will return the full cost of each serv-  
18 ice: Provided further, That the Committees on Appropria-  
19 tions of the Senate and the House of Representatives shall  
20 be notified of any activity added to or removed from the  
21 fund: Provided further, That for any activity added to the  
22 fund, the notification shall identify sources of funds by pro-  
23 gram, project, and activity: Provided further, That the  
24 Chief Financial Officer of the Department of Homeland Se-  
25 curity shall submit a quarterly execution report with activ-

1 *ity-level detail, not later than 30 days after the end of each*  
2 *quarter.*

3       *SEC. 505. Except as otherwise specifically provided by*  
4 *law, not to exceed 50 percent of unobligated balances re-*  
5 *maining available at the end of fiscal year 2017, as re-*  
6 *corded in the financial records at the time of a reprogram-*  
7 *ming notification, but not later than June 30, 2018, from*  
8 *appropriations for “Operations and Support” and for*  
9 *“Coast Guard—Operating Expenses”, and salaries and ex-*  
10 *penses for “Coast Guard—Acquisition, Construction, and*  
11 *Improvements” and “Coast Guard—Reserve Training” for*  
12 *fiscal year 2017 in this Act shall remain available through*  
13 *September 30, 2018, in the account and for the purposes*  
14 *for which the appropriations were provided: Provided, That*  
15 *prior to the obligation of such funds, a notification shall*  
16 *be submitted to the Committees on Appropriations of the*  
17 *Senate and the House of Representatives in accordance with*  
18 *section 503 of this Act.*

19       *SEC. 506. Funds made available by this Act for intel-*  
20 *ligence activities are deemed to be specifically authorized*  
21 *by the Congress for purposes of section 504 of the National*  
22 *Security Act of 1947 (50 U.S.C. 414) during fiscal year*  
23 *2017 until the enactment of an Act authorizing intelligence*  
24 *activities for fiscal year 2017.*

1        *SEC. 507. (a) The Secretary of Homeland Security, or*  
2 *the designee of the Secretary, shall notify the Committees*  
3 *on Appropriations of the Senate and the House of Rep-*  
4 *resentatives at least 3 full business days in advance of—*

5            *(1) making or awarding a grant allocation,*  
6 *grant, contract, other transaction agreement, or task*  
7 *or delivery order on a Department of Homeland Secu-*  
8 *urity multiple award contract, or to issue a letter of*  
9 *intent totaling in excess of \$1,000,000;*

10           *(2) awarding a task or delivery order requiring*  
11 *an obligation of funds in an amount greater than*  
12 *\$10,000,000 from multi-year Department of Home-*  
13 *land Security funds;*

14           *(3) making a sole-source grant award; or*

15           *(4) announcing publicly the intention to make or*  
16 *award items under paragraph (1), (2), or (3), includ-*  
17 *ing a contract covered by the Federal Acquisition*  
18 *Regulation.*

19        *(b) If the Secretary of Homeland Security determines*  
20 *that compliance with this section would pose a substantial*  
21 *risk to human life, health, or safety, an award may be made*  
22 *without notification, and the Secretary shall notify the*  
23 *Committees on Appropriations of the Senate and the House*  
24 *of Representatives not later than 5 full business days after*  
25 *such an award is made or letter issued.*

1       (c) *A notification under this section—*

2               (1) *may not involve funds that are not available*  
3 *for obligation; and*

4               (2) *shall include the amount of the award; the*  
5 *fiscal year for which the funds for the award were ap-*  
6 *propriated; the type of contract; and the account from*  
7 *which the funds are being drawn.*

8       *SEC. 508. Notwithstanding any other provision of law,*  
9 *no agency shall purchase, construct, or lease any additional*  
10 *facilities, except within or contiguous to existing locations,*  
11 *to be used for the purpose of conducting Federal law enforce-*  
12 *ment training without advance notification to the Commit-*  
13 *tees on Appropriations of the Senate and the House of Rep-*  
14 *resentatives, except that the Federal Law Enforcement*  
15 *Training Centers is authorized to obtain the temporary use*  
16 *of additional facilities by lease, contract, or other agreement*  
17 *for training that cannot be accommodated in existing Cen-*  
18 *ter facilities.*

19       *SEC. 509. None of the funds appropriated or otherwise*  
20 *made available by this Act may be used for expenses for*  
21 *any construction, repair, alteration, or acquisition project*  
22 *for which a prospectus otherwise required under chapter 33*  
23 *of title 40, United States Code, has not been approved, ex-*  
24 *cept that necessary funds may be expended for each project*

1 *for required expenses for the development of a proposed pro-*  
2 *spectus.*

3       *SEC. 510. Sections 520, 522, and 530 of the Depart-*  
4 *ment of Homeland Security Appropriations Act, 2008 (di-*  
5 *vision E of Public Law 110–161; 121 Stat. 2073 and 2074)*  
6 *shall apply with respect to funds made available in this*  
7 *Act in the same manner as such sections applied to funds*  
8 *made available in that Act.*

9       *SEC. 511. None of the funds made available in this*  
10 *Act may be used in contravention of the applicable provi-*  
11 *sions of the Buy American Act: Provided, That for purposes*  
12 *of the preceding sentence, the term “Buy American Act”*  
13 *means chapter 83 of title 41, United States Code.*

14       *SEC. 512. None of the funds made available in this*  
15 *Act may be used to amend the oath of allegiance required*  
16 *by section 337 of the Immigration and Nationality Act (8*  
17 *U.S.C. 1448).*

18       *SEC. 513. Section 519 of division F of Public Law*  
19 *114–113, regarding a prohibition on funding for any posi-*  
20 *tion designated as a Principal Federal Official, shall apply*  
21 *with respect to funds made available in this Act in the same*  
22 *manner as such section applied to funds made available in*  
23 *that Act.*

24       *SEC. 514. Section 831 of the Homeland Security Act*  
25 *of 2002 (6 U.S.C. 391) is amended—*

1           (1) *in subsection (a), by striking “Until Sep-*  
2           *tember 30, 2016,” and inserting “Until September 30,*  
3           *2017,”; and*

4           (2) *in subsection (c)(1), by striking “September*  
5           *30, 2016,” and inserting “September 30, 2017.”*

6           *SEC. 515. None of the funds made available in this*  
7           *Act may be used for planning, testing, piloting, or devel-*  
8           *oping a national identification card.*

9           *SEC. 516. Any official that is required by this Act to*  
10          *report or to certify to the Committees on Appropriations*  
11          *of the Senate and the House of Representatives may not*  
12          *delegate such authority to perform that act unless specifi-*  
13          *cally authorized herein.*

14          *SEC. 517. None of the funds appropriated or otherwise*  
15          *made available in this or any other Act may be used to*  
16          *transfer, release, or assist in the transfer or release to or*  
17          *within the United States, its territories, or possessions*  
18          *Khalid Sheikh Mohammed or any other detainee who—*

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

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

24          *SEC. 518. None of the funds made available in this*  
25          *Act may be used for first-class travel by the employees of*

1 agencies funded by this Act in contravention of sections  
2 301–10.122 through 301–10.124 of title 41, Code of Federal  
3 Regulations.

4       *SEC. 519. None of the funds made available in this*  
5 *Act may be used to employ workers described in section*  
6 *274A(h)(3) of the Immigration and Nationality Act (8*  
7 *U.S.C. 1324a(h)(3)).*

8       *SEC. 520. Notwithstanding any other provision of this*  
9 *Act, none of the funds appropriated or otherwise made*  
10 *available by this Act may be used to pay award or incentive*  
11 *fees for contractor performance that has been judged to be*  
12 *below satisfactory performance or performance that does not*  
13 *meet the basic requirements of a contract.*

14       *SEC. 521. In developing any process to screen aviation*  
15 *passengers and crews for transportation or national secu-*  
16 *rity purposes, the Secretary of Homeland Security shall en-*  
17 *sure that all such processes take into consideration such*  
18 *passengers' and crews' privacy and civil liberties consistent*  
19 *with applicable laws, regulations, and guidance.*

20       *SEC. 522. None of the funds appropriated or otherwise*  
21 *made available by this Act may be used by the Department*  
22 *of Homeland Security to enter into any Federal contract*  
23 *unless such contract is entered into in accordance with the*  
24 *requirements of subtitle I of title 41, United States Code,*  
25 *or chapter 137 of title 10, United States Code, and the Fed-*

1 *eral Acquisition Regulation, unless such contract is other-*  
2 *wise authorized by statute to be entered into without regard*  
3 *to the above referenced statutes.*

4       *SEC. 523. For an additional amount for “Management*  
5 *Directorate—Procurement, Construction, and Improve-*  
6 *ments”, \$13,253,000, to remain available until expended,*  
7 *for necessary expenses to plan, acquire, design, construct,*  
8 *renovate, remediate, equip, furnish, improve infrastructure,*  
9 *and occupy buildings and facilities for the Department*  
10 *headquarters consolidation project.*

11       *SEC. 524. (a) For an additional amount for financial*  
12 *systems modernization, \$41,215,000, to remain available*  
13 *until September 30, 2018.*

14       *(b) Funds made available in subsection (a) for finan-*  
15 *cial systems modernization may be transferred by the Sec-*  
16 *retary of Homeland Security between appropriations for*  
17 *the same purpose, notwithstanding section 503 of this Act.*

18       *(c) No transfer described in subsection (b) shall occur*  
19 *until 15 days after the Committees on Appropriations of*  
20 *the Senate and the House of Representatives are notified*  
21 *of such transfer.*

22       *SEC. 525. (a) None of the funds made available in this*  
23 *Act may be used to maintain or establish a computer net-*  
24 *work unless such network blocks the viewing, downloading,*  
25 *and exchanging of pornography.*



1       (b) *Nothing in subsection (a) shall limit the use of*  
2 *funds necessary for any Federal, State, tribal, or local law*  
3 *enforcement agency or any other entity carrying out crimi-*  
4 *nal investigations, prosecution, or adjudication activities.*

5       *SEC. 526. None of the funds made available in this*  
6 *Act may be used by a Federal law enforcement officer to*  
7 *facilitate the transfer of an operable firearm to an indi-*  
8 *vidual if the Federal law enforcement officer knows or sus-*  
9 *pects that the individual is an agent of a drug cartel unless*  
10 *law enforcement personnel of the United States continu-*  
11 *ously monitor or control the firearm at all times.*

12       *SEC. 527. None of the funds made available in this*  
13 *Act may be used to pay for the travel to or attendance of*  
14 *more than 50 employees of a single component of the De-*  
15 *partment of Homeland Security, who are stationed in the*  
16 *United States, at a single international conference unless*  
17 *the Secretary of Homeland Security, or a designee, deter-*  
18 *mines that such attendance is in the national interest and*  
19 *notifies the Committees on Appropriations of the Senate*  
20 *and the House of Representatives within at least 10 days*  
21 *of that determination and the basis for that determination:*  
22 *Provided, That for purposes of this section the term “inter-*  
23 *national conference” shall mean a conference occurring out-*  
24 *side of the United States attended by representatives of the*  
25 *United States Government and of foreign governments,*

1 *international organizations, or nongovernmental organiza-*  
2 *tions: Provided further, That the total cost to the Depart-*  
3 *ment of Homeland Security of any such conference shall*  
4 *not exceed \$500,000.*

5 *SEC. 528. None of the funds made available in this*  
6 *Act may be used to reimburse any Federal department or*  
7 *agency for its participation in a National Special Security*  
8 *Event.*

9 *SEC. 529. None of the funds made available to the De-*  
10 *partment of Homeland Security by this or any other Act*  
11 *may be obligated for any structural pay reform that affects*  
12 *more than 100 full-time positions or costs more than*  
13 *\$5,000,000 in a single year before the end of the 30-day*  
14 *period beginning on the date on which the Secretary of*  
15 *Homeland Security submits to Congress a notification that*  
16 *includes—*

17 *(1) the number of full-time positions affected by*  
18 *such change;*

19 *(2) funding required for such change for the cur-*  
20 *rent year and through the Future Years Homeland*  
21 *Security Program;*

22 *(3) justification for such change; and*

23 *(4) an analysis of compensation alternatives to*  
24 *such change that were considered by the Department.*

1        *SEC. 530. (a) Any agency receiving funds made avail-*  
2 *able in this Act shall, subject to subsections (b) and (c),*  
3 *post on the public website of that agency any report re-*  
4 *quired to be submitted by the Committees on Appropria-*  
5 *tions of the Senate and the House of Representatives in this*  
6 *Act, upon the determination by the head of the agency that*  
7 *it shall serve the national interest.*

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

9            *(1) the public posting of the report compromises*  
10 *homeland or national security; or*

11           *(2) the report contains proprietary information.*

12        *(c) The head of the agency posting such report shall*  
13 *do so only after such report has been made available to the*  
14 *Committees on Appropriations of the Senate and the House*  
15 *of Representatives for not less than 45 days except as other-*  
16 *wise specified in law.*

17        *SEC. 531. None of the funds made available by this*  
18 *Act may be obligated or expended to implement the Arms*  
19 *Trade Treaty until the Senate approves a resolution of rati-*  
20 *fication for the Treaty.*

21        *SEC. 532. Within 60 days of any budget submission*  
22 *for the Department of Homeland Security for fiscal year*  
23 *2018 that assumes revenues or proposes a reduction from*  
24 *the previous year based on user fees proposals that have not*  
25 *been enacted into law prior to the submission of the budget,*

1 *the Secretary of Homeland Security shall provide the Com-*  
2 *mittees on Appropriations of the Senate and the House of*  
3 *Representatives specific reductions in proposed discre-*  
4 *tionary budget authority commensurate with the revenues*  
5 *assumed in such proposals in the event that they are not*  
6 *enacted prior to October 1, 2017.*

7 *SEC. 533. (a) Funding provided in this Act for “Oper-*  
8 *ations and Support” may be used for minor procurement,*  
9 *construction, and improvements.*

10 *(b) For purposes of subsection (a), “minor” refers to*  
11 *end items with a unit cost of \$250,000 or less for personal*  
12 *property, and \$2,000,000 or less for real property.*

13 *(RESCISSIONS)*

14 *SEC. 534. Of the funds appropriated to the Depart-*  
15 *ment of Homeland Security, the following funds are hereby*  
16 *rescinded from the following accounts and programs in the*  
17 *specified amounts: Provided, That no amounts may be re-*  
18 *scinded from amounts that were designated by the Congress*  
19 *as an emergency requirement pursuant to a concurrent res-*  
20 *olution on the budget or the Balanced Budget and Emer-*  
21 *gency Deficit Control Act of 1985 (Public Law 99–177):*

22 *(1) \$95,000,000 from Public Law 109–88;*

23 *(2) \$3,000,000 from unobligated prior year bal-*  
24 *ances from “Office of the Chief Information Officer”;*

1           (3) \$31,293,000 from unobligated prior year bal-  
2           ances from “U.S. Customs and Border Protection,  
3           Automation Modernization”;

4           (4) \$21,150,000 from unobligated prior year bal-  
5           ances from “U.S. Customs and Border Protection—  
6           Border Security, Fencing, Infrastructure, and Tech-  
7           nology”;

8           (5) \$21,450,000 from unobligated prior year bal-  
9           ances from “U.S. Customs and Border Protection, Air  
10           and Marine Operations”;

11           (6) \$20,690,000 from unobligated prior year bal-  
12           ances from “U.S. Customs and Border Protection,  
13           Construction and Facilities Management”;

14           (7) \$13,500,000 from Public Law 114–4 under  
15           the heading “U.S. Immigration and Customs Enforce-  
16           ment, Salaries and Expenses”;

17           (8) \$45,000,000 from Public Law 114–113 under  
18           the heading “U.S. Immigration and Customs Enforce-  
19           ment, Salaries and Expenses”;

20           (9) \$2,900,000 from unobligated prior year bal-  
21           ances from “U.S. Immigration and Customs Enforce-  
22           ment, Construction”;

23           (10) \$104,650,000 from Public Law 114–113  
24           under the heading “Transportation Security Admin-  
25           istration—Aviation Security”;

1           (11) \$2,582,000 from Public Law 114–113 under  
2           the heading “Transportation Security Administra-  
3           tion—Surface Transportation Security”;

4           (12) \$9,930,000 from Public Law 114–113 under  
5           the heading “Transportation Security Administra-  
6           tion—Intelligence and Vetting”;

7           (13) \$2,518,000 from Public Law 114–113 under  
8           the heading “Transportation Security Administra-  
9           tion, Transportation Security Support”;

10          (14) \$4,200,000 from Public Law 113–6 under  
11          the heading “Coast Guard—Acquisition, Construc-  
12          tion, and Improvements”;

13          (15) \$19,300,000 from Public Law 113–76 under  
14          the heading “Coast Guard—Acquisition, Construc-  
15          tion, and Improvements”;

16          (16) \$16,500,000 from Public Law 114–4 under  
17          the heading “Coast Guard, Acquisition, Construction,  
18          and Improvements”;

19          (17) \$31,000,000 from Public Law 114–113  
20          under the heading “Coast Guard—Acquisition, Con-  
21          struction, and Improvements”;

22          (18) \$11,071,000 from unobligated prior year  
23          balances from “Federal Emergency Management  
24          Agency, State and Local Programs” account 70 ×  
25          0560;



1           (6) \$98,532 from “United States Coast Guard—  
2     *Acquisition, Construction and Improvements—IDS*  
3     *Vessels*”; and

4           (7) \$15,562 from “Federal Emergency Manage-  
5     *ment Association—Office of Domestic Preparedness*”.

6   (RESCISSION)

7     SEC. 536. The following unobligated balances made  
8     available to the Department of Homeland Security pursu-  
9     ant to section 505 of the Department of Homeland Security  
10  Appropriations Act, 2016 (Public Law 114–113) are re-  
11  scinded:

12           (1) \$45,676 from “Office of the Chief Financial  
13     Officer”;

14           (2) \$28,726 from “Office of the Chief Informa-  
15     tion Officer”;

16           (3) \$73,013 from “Office of the Secretary and  
17     Executive Management”;

18           (4) \$475,792 from “Analysis and Operations”;

19           (5) \$111,886 from “Office of the Inspector Gen-  
20     eral”;

21           (6) \$11,536,855 from “U.S. Customs and Border  
22     Protection—Salaries and Expenses”;

23           (7) \$587,034 from “U.S. Customs and Border  
24     Protection—Automation Modernization”;



1           (8) \$241,044 from “U.S. Customs and Border  
2           Protection—Air and Marine Interdiction, Operations,  
3           Maintenance, and Procurement”;

4           (9) \$15,807,298 from “Coast Guard—Operation  
5           Expenses”;

6           (10) \$746,434 from “Coast Guard—Reserve  
7           Training”;

8           (11) \$310,872 from “Coast Guard—Acquisition,  
9           Construction and Improvements”;

10          (12) \$8,340,572 from “United States Secret  
11          Service—Salaries and Expenses”;

12          (13) \$332,309 from “Federal Emergency Man-  
13          agement Agency—State and Local Programs”;

14          (14) \$48,524 from “Federal Emergency Manage-  
15          ment Agency—United States Fire Administration”;

16          (15) \$1,275,569 from “Federal Emergency Man-  
17          agement Agency—Management and Administration”;

18          (16) \$59,453 from “Office of Health Affairs”;

19          (17) \$625,696 from “United States Citizenship  
20          and Immigration Services—Salaries and Expenses”;

21          (18) \$372,881 from “Federal Law Enforcement  
22          Training Center—Salaries and Expenses”;

23          (19) \$1,094,894 from “Transportation Security  
24          Agency—Aviation Security”; and



1       *SEC. 540. Subclauses 101(a)(27)(C)(i)(II) and (III)*  
2 *of the Immigration and Nationality Act (8 U.S.C.*  
3 *1101(a)(27)(C)(i)(II) and (III)) shall be applied by sub-*  
4 *stituting “September 30, 2017” for “September 30, 2015”.*

5       *SEC. 541. Section 220(c) of the Immigration and Na-*  
6 *tionality Technical Corrections Act of 1994 (8 U.S.C. 1182*  
7 *note) shall be applied by substituting “September 30, 2017”*  
8 *for “September 30, 2015”.*

9       *SEC. 542. Section 610(b) of the Departments of Com-*  
10 *merce, Justice, and State, the Judiciary, and Related Agen-*  
11 *cies Appropriations Act, 1993 (8 U.S.C. 1153 note) shall*  
12 *be applied by substituting “September 30, 2017” for “Sep-*  
13 *tember 30, 2015”.*

14       *SEC. 543. Notwithstanding the numerical limitation*  
15 *set forth in section 214(g)(1)(B) of the Immigration and*  
16 *Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary of*  
17 *Homeland Security, after consultation with the Secretary*  
18 *of Labor, and upon the determination that the needs of*  
19 *American businesses cannot be satisfied in fiscal year 2017*  
20 *with United States workers who are willing, qualified, and*  
21 *able to perform temporary nonagricultural labor, may in-*  
22 *crease the total number of aliens who may receive a visa*  
23 *under section 101(a)(15)(H)(ii)(b) of such Act (8 U.S.C.*  
24 *1101(a)(15)(H)(ii)(b)) in such fiscal year above such limi-*  
25 *tation by not more than the highest number of H–2B non-*

1 *immigrants who participated in the H-2B returning work-*  
2 *er program in any fiscal year in which returning workers*  
3 *were exempt from such numerical limitation.*

4       *SEC. 544. (a) For an additional amount for “Federal*  
5 *Emergency Management Agency—Federal Assistance”,*  
6 *\$41,000,000, to remain available until September 30, 2018,*  
7 *exclusively for providing reimbursement of extraordinary*  
8 *law enforcement personnel costs for protection activities di-*  
9 *rectly and demonstrably associated with any residence of*  
10 *the President that is designated or identified to be secured*  
11 *by the United States Secret Service.*

12       *(b) Funds under subsection (a) shall be available only*  
13 *for costs that a State or local agency—*

14             *(1) incurs after January 20, 2017, and before*  
15       *October 1, 2017;*

16             *(2) can demonstrate to the Administrator as*  
17       *being—*

18                 *(A) in excess of the costs of normal and typ-*  
19       *ical law enforcement operations;*

20                 *(B) directly attributable to the provision of*  
21       *protection described herein; and*

22                 *(C) associated with a non-governmental*  
23       *property designated or identified to be secured by*  
24       *the United States Secret Service pursuant to sec-*  
25       *tion 3 or section 4 of the Presidential Protection*

1 *Assistance Act of 1976 (Public Law 94–524);*  
2 *and*

3 *(3) certifies to the Administrator as being for*  
4 *protection activities requested by the Director of the*  
5 *United States Secret Service.*

6 *(c) For purposes of subsection (a), a designation or*  
7 *identification of a property to be secured under subsection*  
8 *(b)(2)(C) made after incurring otherwise eligible costs shall*  
9 *apply retroactively to January 20, 2017.*

10 *(d) The Administrator may establish written criteria*  
11 *consistent with subsections (a) and (b).*

12 *(e) None of the funds provided shall be for hiring new*  
13 *or additional personnel.*

14 *(f) The Inspector General of the Department of Home-*  
15 *land Security shall audit reimbursements made under this*  
16 *section.*

17 *TITLE VI*  
18 *DEPARTMENT OF HOMELAND SECURITY—*  
19 *ADDITIONAL APPROPRIATIONS*  
20 *SECURITY, ENFORCEMENT, AND INVESTIGATIONS*  
21 *U.S. CUSTOMS AND BORDER PROTECTION*  
22 *OPERATIONS AND SUPPORT*

23 *For an additional amount for “Operations and Sup-*  
24 *port”, \$274,813,000, to remain available until September*  
25 *30, 2018, which shall be available as follows:*

1           (1) \$91,315,000 for border security technology  
2           deployment;

3           (2) \$47,500,000 to address facilities maintenance  
4           backlogs;

5           (3) \$65,400,000 for improving hiring processes  
6           for Border Patrol Agents, Customs Officers, and Air  
7           and Marine personnel, and for relocation enhance-  
8           ments;

9           (4) \$22,400,000 for border road maintenance;  
10          and

11          (5) \$48,198,000 for surge operations.

12          *PROCUREMENT, CONSTRUCTION AND IMPROVEMENTS*

13          For an additional amount for “Procurement, Con-  
14          struction, and Improvements”, \$497,400,000, to remain  
15          available until September 30, 2021, which shall be available  
16          based on the highest priority border security requirements  
17          as follows:

18                 (1) \$341,200,000 to replace approximately 40  
19                 miles of existing primary pedestrian and vehicle bor-  
20                 der fencing along the southwest border using pre-  
21                 viously deployed and operationally effective designs,  
22                 such as currently deployed steel bollard designs, that  
23                 prioritize agent safety; and to add gates to existing  
24                 barriers;

1           (2) \$78,800,000 for acquisition and deployment  
2           of border security technology; and

3           (3) \$77,400,000 for new border road construc-  
4           tion:

5           *Provided, That the Secretary of Homeland Security shall,*  
6           *not later than 90 days after the date of enactment of this*  
7           *Act, submit to the Committees on Appropriations of the*  
8           *Senate and the House of Representatives a risk-based plan*  
9           *for improving security along the borders of the United*  
10          *States, including the use of personnel, fencing, other forms*  
11          *of tactical infrastructure, and technology, that—*

12           (1) *defines goals, objectives, activities, and mile-*  
13          *stones;*

14           (2) *includes a detailed implementation schedule*  
15          *with estimates for the planned obligation of funds for*  
16          *fiscal year 2017 through fiscal year 2021 that are*  
17          *linked to the milestone-based delivery of specific—*

18                   (A) *capabilities and services;*

19                   (B) *mission benefits and outcomes;*

20                   (C) *program management capabilities; and*

21                   (D) *lifecycle cost estimates;*

22           (3) *describes how specific projects under the plan*  
23          *will enhance border security goals and objectives and*  
24          *address the highest priority border security needs;*

1           (4) identifies the planned locations, quantities,  
2           and types of resources, such as fencing, other physical  
3           barriers, or other tactical infrastructure and tech-  
4           nology;

5           (5) includes a description of the methodology and  
6           analyses used to select specific resources for deploy-  
7           ment to particular locations that includes—

8                   (A) analyses of alternatives, including com-  
9                   parative costs and benefits;

10                   (B) effects on communities and property  
11                   owners near areas of infrastructure deployment;  
12                   and

13                   (C) other factors critical to the decision-  
14                   making process;

15           (6) identifies staffing requirements, including  
16           full-time equivalents, contractors, and detailed per-  
17           sonnel, by activity;

18           (7) identifies performance metrics for assessing  
19           and reporting on the contributions of border security  
20           capabilities realized from current and future invest-  
21           ments;

22           (8) reports on the status of the Department of  
23           Homeland Security's actions to address open rec-  
24           ommendations by the Office of Inspector General and  
25           the Government Accountability Office related to bor-



1 *der security, including plans, schedules, and associ-*  
2 *ated milestones for fully addressing such recommenda-*  
3 *tions; and*

4 *(9) includes certifications by the Under Sec-*  
5 *retary for Management, including all documents,*  
6 *memoranda, and a description of the investment re-*  
7 *view and information technology management over-*  
8 *sight and processes supporting such certifications,*  
9 *that—*

10 *(A) the program has been reviewed and ap-*  
11 *proved in accordance with an acquisition review*  
12 *management process that complies with capital*  
13 *planning and investment control and review re-*  
14 *quirements established by the Office of Manage-*  
15 *ment and Budget, including as provided in Cir-*  
16 *cular A–11, part 7; and*

17 *(B) all planned activities comply with Fed-*  
18 *eral acquisition rules, requirements, guidelines,*  
19 *and practices.*

20 *U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT*

21 *OPERATIONS AND SUPPORT*

22 *For an additional amount for “Operations and Sup-*  
23 *port”, \$236,908,000, to remain available until September*  
24 *30, 2018, of which \$147,870,000 shall be available for cus-*  
25 *tody operations; of which \$57,392,000 shall be available for*

1 *alternatives to detention; and of which \$31,646,000 shall*  
2 *be available for transportation and removal operations.*

3 *UNITED STATES SECRET SERVICE*

4 *OPERATIONS AND SUPPORT*

5 *For an additional amount for “Operations and Sup-*  
6 *port”, \$58,012,000, to remain available until September 30,*  
7 *2017.*

8 *PROCUREMENT, CONSTRUCTION AND IMPROVEMENTS*

9 *For an additional amount for “Procurement, Con-*  
10 *struction, and Improvements” for necessary expenses for*  
11 *Presidential security, \$72,988,000, of which \$22,988,000*  
12 *shall remain available until September 30, 2019, and of*  
13 *which \$50,000,000 shall remain available until September*  
14 *30, 2021.*

15 *ADMINISTRATIVE PROVISIONS—THIS TITLE*

16 *SEC. 601. Notwithstanding any other provision of law,*  
17 *funds made available in this title are in addition to*  
18 *amounts appropriated or otherwise made available for the*  
19 *Department of Homeland Security for fiscal year 2017.*

20 *This division may be cited as the “Department of*  
21 *Homeland Security Appropriations Act, 2017”.*

1 ***DIVISION G—DEPARTMENT OF THE IN-***  
2 ***TERIOR, ENVIRONMENT, AND RE-***  
3 ***LATED AGENCIES APPROPRIATIONS***  
4 ***ACT, 2017***

5 *TITLE I*

6 *DEPARTMENT OF THE INTERIOR*

7 *BUREAU OF LAND MANAGEMENT*

8 *MANAGEMENT OF LANDS AND RESOURCES*

9 *For necessary expenses for protection, use, improve-*  
10 *ment, development, disposal, cadastral surveying, classifica-*  
11 *tion, acquisition of easements and other interests in lands,*  
12 *and performance of other functions, including maintenance*  
13 *of facilities, as authorized by law, in the management of*  
14 *lands and their resources under the jurisdiction of the Bu-*  
15 *reau of Land Management, including the general adminis-*  
16 *tration of the Bureau, and assessment of mineral potential*  
17 *of public lands pursuant to section 1010(a) of Public Law*  
18 *96–487 (16 U.S.C. 3150(a)), \$1,095,375,000, to remain*  
19 *available until expended, including all such amounts as are*  
20 *collected from permit processing fees, as authorized but*  
21 *made subject to future appropriation by section*  
22 *35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191),*  
23 *except that amounts from permit processing fees may be*  
24 *used for any bureau-related expenses associated with the*  
25 *processing of oil and gas applications for permits to drill*

1 *and related use of authorizations; of which \$3,000,000 shall*  
2 *be available in fiscal year 2017 subject to a match by at*  
3 *least an equal amount by the National Fish and Wildlife*  
4 *Foundation for cost-shared projects supporting conservation*  
5 *of Bureau lands; and such funds shall be advanced to the*  
6 *Foundation as a lump-sum grant without regard to when*  
7 *expenses are incurred.*

8 *In addition, \$39,696,000 is for Mining Law Adminis-*  
9 *tration program operations, including the cost of admin-*  
10 *istering the mining claim fee program, to remain available*  
11 *until expended, to be reduced by amounts collected by the*  
12 *Bureau and credited to this appropriation from mining*  
13 *claim maintenance fees and location fees that are hereby*  
14 *authorized for fiscal year 2017, so as to result in a final*  
15 *appropriation estimated at not more than \$1,095,375,000,*  
16 *and \$2,000,000, to remain available until expended, from*  
17 *communication site rental fees established by the Bureau*  
18 *for the cost of administering communication site activities.*

19 *LAND ACQUISITION*

20 *For expenses necessary to carry out sections 205, 206,*  
21 *and 318(d) of Public Law 94-579, including administra-*  
22 *tive expenses and acquisition of lands or waters, or interests*  
23 *therein, \$31,416,000, to be derived from the Land and*  
24 *Water Conservation Fund and to remain available until*  
25 *expended.*

## 1                   OREGON AND CALIFORNIA GRANT LANDS

2           *For expenses necessary for management, protection,*  
3 *and development of resources and for construction, oper-*  
4 *ation, and maintenance of access roads, reforestation, and*  
5 *other improvements on the revested Oregon and California*  
6 *Railroad grant lands, on other Federal lands in the Oregon*  
7 *and California land-grant counties of Oregon, and on adja-*  
8 *cent rights-of-way; and acquisition of lands or interests*  
9 *therein, including existing connecting roads on or adjacent*  
10 *to such grant lands; \$106,985,000, to remain available until*  
11 *expended: Provided, That 25 percent of the aggregate of all*  
12 *receipts during the current fiscal year from the revested Or-*  
13 *egon and California Railroad grant lands is hereby made*  
14 *a charge against the Oregon and California land-grant*  
15 *fund and shall be transferred to the General Fund in the*  
16 *Treasury in accordance with the second paragraph of sub-*  
17 *section (b) of title II of the Act of August 28, 1937 (43*  
18 *U.S.C. 1181f).*

## 19                   RANGE IMPROVEMENTS

20           *For rehabilitation, protection, and acquisition of lands*  
21 *and interests therein, and improvement of Federal range-*  
22 *lands pursuant to section 401 of the Federal Land Policy*  
23 *and Management Act of 1976 (43 U.S.C. 1751), notwith-*  
24 *standing any other Act, sums equal to 50 percent of all*  
25 *moneys received during the prior fiscal year under sections*

1 *3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m)*  
2 *and the amount designated for range improvements from*  
3 *grazing fees and mineral leasing receipts from Bankhead-*  
4 *Jones lands transferred to the Department of the Interior*  
5 *pursuant to law, but not less than \$10,000,000, to remain*  
6 *available until expended: Provided, That not to exceed*  
7 *\$600,000 shall be available for administrative expenses.*

8 *SERVICE CHARGES, DEPOSITS, AND FORFEITURES*

9 *For administrative expenses and other costs related to*  
10 *processing application documents and other authorizations*  
11 *for use and disposal of public lands and resources, for costs*  
12 *of providing copies of official public land documents, for*  
13 *monitoring construction, operation, and termination of fa-*  
14 *cilities in conjunction with use authorizations, and for re-*  
15 *habilitation of damaged property, such amounts as may be*  
16 *collected under Public Law 94–579 (43 U.S.C. 1701 et seq.),*  
17 *and under section 28 of the Mineral Leasing Act (30 U.S.C.*  
18 *185), to remain available until expended: Provided, That*  
19 *notwithstanding any provision to the contrary of section*  
20 *305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any*  
21 *moneys that have been or will be received pursuant to that*  
22 *section, whether as a result of forfeiture, compromise, or set-*  
23 *tlement, if not appropriate for refund pursuant to section*  
24 *305(c) of that Act (43 U.S.C. 1735(c)), shall be available*  
25 *and may be expended under the authority of this Act by*

1 *the Secretary to improve, protect, or rehabilitate any public*  
2 *lands administered through the Bureau of Land Manage-*  
3 *ment which have been damaged by the action of a resource*  
4 *developer, purchaser, permittee, or any unauthorized per-*  
5 *son, without regard to whether all moneys collected from*  
6 *each such action are used on the exact lands damaged which*  
7 *led to the action: Provided further, That any such moneys*  
8 *that are in excess of amounts needed to repair damage to*  
9 *the exact land for which funds were collected may be used*  
10 *to repair other damaged public lands.*

11 *MISCELLANEOUS TRUST FUNDS*

12 *In addition to amounts authorized to be expended*  
13 *under existing laws, there is hereby appropriated such*  
14 *amounts as may be contributed under section 307 of Public*  
15 *Law 94-579 (43 U.S.C. 1737), and such amounts as may*  
16 *be advanced for administrative costs, surveys, appraisals,*  
17 *and costs of making conveyances of omitted lands under sec-*  
18 *tion 211(b) of that Act (43 U.S.C. 1721(b)), to remain*  
19 *available until expended.*

20 *ADMINISTRATIVE PROVISIONS*

21 *The Bureau of Land Management may carry out the*  
22 *operations funded under this Act by direct expenditure, con-*  
23 *tracts, grants, cooperative agreements and reimbursable*  
24 *agreements with public and private entities, including with*  
25 *States. Appropriations for the Bureau shall be available for*

1 purchase, erection, and dismantlement of temporary struc-  
2 tures, and alteration and maintenance of necessary build-  
3 ings and appurtenant facilities to which the United States  
4 has title; up to \$100,000 for payments, at the discretion  
5 of the Secretary, for information or evidence concerning vio-  
6 lations of laws administered by the Bureau; miscellaneous  
7 and emergency expenses of enforcement activities authorized  
8 or approved by the Secretary and to be accounted for solely  
9 on the Secretary's certificate, not to exceed \$10,000: Pro-  
10 vided, That notwithstanding Public Law 90-620 (44 U.S.C.  
11 501), the Bureau may, under cooperative cost-sharing and  
12 partnership arrangements authorized by law, procure  
13 printing services from cooperators in connection with joint-  
14 ly produced publications for which the cooperators share the  
15 cost of printing either in cash or in services, and the Bureau  
16 determines the cooperator is capable of meeting accepted  
17 quality standards: Provided further, That projects to be  
18 funded pursuant to a written commitment by a State gov-  
19 ernment to provide an identified amount of money in sup-  
20 port of the project may be carried out by the Bureau on  
21 a reimbursable basis. Appropriations herein made shall not  
22 be available for the destruction of healthy, unadopted, wild  
23 horses and burros in the care of the Bureau or its contrac-  
24 tors or for the sale of wild horses and burros that results  
25 in their destruction for processing into commercial prod-



1 *ucts: Provided further, That section 35 of the Mineral Leas-*  
2 *ing Act (30 U.S.C. 191) shall be applied for fiscal year 2017*  
3 *as if the following were inserted after the period in sub-*  
4 *section (d)(4):*

5           *“(5) There is appropriated to the Fee Account es-*  
6 *tablished in subsection (c)(3)(B)(ii) of this section,*  
7 *out of any money in the Treasury not otherwise ap-*  
8 *propriated, \$26,000,000 for fiscal year 2017, to re-*  
9 *main available until expended, for the processing of*  
10 *applications for permit to drill and related use au-*  
11 *thorizations, to be reduced by amounts collected by the*  
12 *Bureau and transferred to such Fee Account pursuant*  
13 *to subsection (d)(3)(A)(ii) of this section, so as to re-*  
14 *sult in a final fiscal year 2017 appropriation from*  
15 *the general fund estimated at not more than \$0. Any*  
16 *offsetting receipts received in excess of \$26,000,000 in*  
17 *fiscal year 2017 that would have otherwise been*  
18 *transferred to the Fee Account established in sub-*  
19 *section (c)(3)(B)(ii) of this section pursuant to sub-*  
20 *section (d)(3)(A)(ii) of this section shall instead be de-*  
21 *posited in the general fund of the Treasury.”.*

22           *UNITED STATES FISH AND WILDLIFE SERVICE*  
23                           *RESOURCE MANAGEMENT*

24           *For necessary expenses of the United States Fish and*  
25 *Wildlife Service, as authorized by law, and for scientific*

1 *and economic studies, general administration, and for the*  
2 *performance of other authorized functions related to such*  
3 *resources, \$1,258,761,000, to remain available until Sep-*  
4 *tember 30, 2018: Provided, That not to exceed \$20,515,000*  
5 *shall be used for implementing subsections (a), (b), (c), and*  
6 *(e) of section 4 of the Endangered Species Act of 1973 (16*  
7 *U.S.C. 1533) (except for processing petitions, developing*  
8 *and issuing proposed and final regulations, and taking any*  
9 *other steps to implement actions described in subsection*  
10 *(c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to ex-*  
11 *ceed \$4,605,000 shall be used for any activity regarding the*  
12 *designation of critical habitat, pursuant to subsection*  
13 *(a)(3), excluding litigation support, for species listed pursu-*  
14 *ant to subsection (a)(1) prior to October 1, 2015; of which*  
15 *not to exceed \$1,501,000 shall be used for any activity re-*  
16 *garding petitions to list species that are indigenous to the*  
17 *United States pursuant to subsections (b)(3)(A) and*  
18 *(b)(3)(B); and, of which not to exceed \$1,504,000 shall be*  
19 *used for implementing subsections (a), (b), (c), and (e) of*  
20 *section 4 of the Endangered Species Act of 1973 (16 U.S.C.*  
21 *1533) for species that are not indigenous to the United*  
22 *States.*

23

*CONSTRUCTION*

24

*For construction, improvement, acquisition, or re-*  
25 *moval of buildings and other facilities required in the con-*

1 *ervation, management, investigation, protection, and utili-*  
2 *zation of fish and wildlife resources, and the acquisition*  
3 *of lands and interests therein; \$18,615,000, to remain avail-*  
4 *able until expended.*

5 *LAND ACQUISITION*

6 *For expenses necessary to carry out chapter 2003 of*  
7 *title 54, United States Code, including administrative ex-*  
8 *penses, and for acquisition of land or waters, or interest*  
9 *therein, in accordance with statutory authority applicable*  
10 *to the United States Fish and Wildlife Service, \$59,995,000,*  
11 *to be derived from the Land and Water Conservation Fund*  
12 *and to remain available until expended, of which, notwith-*  
13 *standing section 200306 of title 54, United States Code, not*  
14 *more than \$10,000,000 shall be for land conservation part-*  
15 *nerships authorized by the Highlands Conservation Act of*  
16 *2004, including not to exceed \$320,000 for administrative*  
17 *expenses: Provided, That none of the funds appropriated for*  
18 *specific land acquisition projects may be used to pay for*  
19 *any administrative overhead, planning or other manage-*  
20 *ment costs.*

21 *COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND*

22 *For expenses necessary to carry out section 6 of the*  
23 *Endangered Species Act of 1973 (16 U.S.C. 1535),*  
24 *\$53,495,000, to remain available until expended, of which*  
25 *\$22,695,000 is to be derived from the Cooperative Endan-*

1 *gered Species Conservation Fund; and of which \$30,800,000*  
2 *is to be derived from the Land and Water Conservation*  
3 *Fund.*

4 *NATIONAL WILDLIFE REFUGE FUND*

5 *For expenses necessary to implement the Act of October*  
6 *17, 1978 (16 U.S.C. 715s), \$13,228,000.*

7 *NORTH AMERICAN WETLANDS CONSERVATION FUND*

8 *For expenses necessary to carry out the provisions of*  
9 *the North American Wetlands Conservation Act (16 U.S.C.*  
10 *4401 et seq.), \$38,145,000, to remain available until ex-*  
11 *pended.*

12 *NEOTROPICAL MIGRATORY BIRD CONSERVATION*

13 *For expenses necessary to carry out the Neotropical*  
14 *Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.),*  
15 *\$3,910,000, to remain available until expended.*

16 *MULTINATIONAL SPECIES CONSERVATION FUND*

17 *For expenses necessary to carry out the African Ele-*  
18 *phant Conservation Act (16 U.S.C. 4201 et seq.), the Asian*  
19 *Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.),*  
20 *the Rhinoceros and Tiger Conservation Act of 1994 (16*  
21 *U.S.C. 5301 et seq.), the Great Ape Conservation Act of*  
22 *2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Con-*  
23 *servation Act of 2004 (16 U.S.C. 6601 et seq.), \$11,061,000,*  
24 *to remain available until expended.*

1                    *STATE AND TRIBAL WILDLIFE GRANTS*

2            *For wildlife conservation grants to States and to the*  
3 *District of Columbia, Puerto Rico, Guam, the United States*  
4 *Virgin Islands, the Northern Mariana Islands, American*  
5 *Samoa, and Indian tribes under the provisions of the Fish*  
6 *and Wildlife Act of 1956 and the Fish and Wildlife Coordi-*  
7 *nation Act, for the development and implementation of pro-*  
8 *grams for the benefit of wildlife and their habitat, including*  
9 *species that are not hunted or fished, \$62,571,000, to re-*  
10 *main available until expended: Provided, That of the*  
11 *amount provided herein, \$4,209,000 is for a competitive*  
12 *grant program for Indian tribes not subject to the remain-*  
13 *ing provisions of this appropriation: Provided further, That*  
14 *\$6,362,000 is for a competitive grant program to implement*  
15 *approved plans for States, territories, and other jurisdic-*  
16 *tions and at the discretion of affected States, the regional*  
17 *Associations of fish and wildlife agencies, not subject to the*  
18 *remaining provisions of this appropriation: Provided fur-*  
19 *ther, That the Secretary shall, after deducting \$10,571,000*  
20 *and administrative expenses, apportion the amount pro-*  
21 *vided herein in the following manner: (1) to the District*  
22 *of Columbia and to the Commonwealth of Puerto Rico, each*  
23 *a sum equal to not more than one-half of 1 percent thereof;*  
24 *and (2) to Guam, American Samoa, the United States Vir-*  
25 *gin Islands, and the Commonwealth of the Northern Mar-*

1 iana Islands, each a sum equal to not more than one-fourth  
2 of 1 percent thereof: Provided further, That the Secretary  
3 shall apportion the remaining amount in the following  
4 manner: (1) one-third of which is based on the ratio to  
5 which the land area of such State bears to the total land  
6 area of all such States; and (2) two-thirds of which is based  
7 on the ratio to which the population of such State bears  
8 to the total population of all such States: Provided further,  
9 That the amounts apportioned under this paragraph shall  
10 be adjusted equitably so that no State shall be apportioned  
11 a sum which is less than 1 percent of the amount available  
12 for apportionment under this paragraph for any fiscal year  
13 or more than 5 percent of such amount: Provided further,  
14 That the Federal share of planning grants shall not exceed  
15 75 percent of the total costs of such projects and the Federal  
16 share of implementation grants shall not exceed 65 percent  
17 of the total costs of such projects: Provided further, That  
18 the non-Federal share of such projects may not be derived  
19 from Federal grant programs: Provided further, That any  
20 amount apportioned in 2017 to any State, territory, or  
21 other jurisdiction that remains unobligated as of September  
22 30, 2018, shall be reapportioned, together with funds appro-  
23 priated in 2019, in the manner provided herein.

## ADMINISTRATIVE PROVISIONS

1  
2       *The United States Fish and Wildlife Service may*  
3 *carry out the operations of Service programs by direct ex-*  
4 *penditure, contracts, grants, cooperative agreements and re-*  
5 *imbursable agreements with public and private entities. Ap-*  
6 *propriations and funds available to the United States Fish*  
7 *and Wildlife Service shall be available for repair of damage*  
8 *to public roads within and adjacent to reservation areas*  
9 *caused by operations of the Service; options for the purchase*  
10 *of land at not to exceed \$1 for each option; facilities inci-*  
11 *dent to such public recreational uses on conservation areas*  
12 *as are consistent with their primary purpose; and the*  
13 *maintenance and improvement of aquaria, buildings, and*  
14 *other facilities under the jurisdiction of the Service and to*  
15 *which the United States has title, and which are used pur-*  
16 *suant to law in connection with management, and inves-*  
17 *tigation of fish and wildlife resources: Provided, That not-*  
18 *withstanding 44 U.S.C. 501, the Service may, under cooper-*  
19 *ative cost sharing and partnership arrangements author-*  
20 *ized by law, procure printing services from cooperators in*  
21 *connection with jointly produced publications for which the*  
22 *cooperators share at least one-half the cost of printing either*  
23 *in cash or services and the Service determines the coop-*  
24 *erator is capable of meeting accepted quality standards:*  
25 *Provided further, That the Service may accept donated air-*

1 *craft as replacements for existing aircraft: Provided further,*  
2 *That notwithstanding 31 U.S.C. 3302, all fees collected for*  
3 *non-toxic shot review and approval shall be deposited under*  
4 *the heading “United States Fish and Wildlife Service—Re-*  
5 *source Management” and shall be available to the Sec-*  
6 *retary, without further appropriation, to be used for ex-*  
7 *penses of processing of such non-toxic shot type or coating*  
8 *applications and revising regulations as necessary, and*  
9 *shall remain available until expended.*

10 *NATIONAL PARK SERVICE*

11 *OPERATION OF THE NATIONAL PARK SYSTEM*

12 *For expenses necessary for the management, operation,*  
13 *and maintenance of areas and facilities administered by*  
14 *the National Park Service and for the general administra-*  
15 *tion of the National Park Service, \$2,425,018,000, of which*  
16 *\$10,032,000 for planning and interagency coordination in*  
17 *support of Everglades restoration and \$124,461,000 for*  
18 *maintenance, repair, or rehabilitation projects for con-*  
19 *structed assets shall remain available until September 30,*  
20 *2018: Provided, That funds appropriated under this head-*  
21 *ing in this Act are available for the purposes of section 5*  
22 *of Public Law 95–348.*

23 *NATIONAL RECREATION AND PRESERVATION*

24 *For expenses necessary to carry out recreation pro-*  
25 *grams, natural programs, cultural programs, heritage part-*



1 nership programs, environmental compliance and review,  
2 international park affairs, and grant administration, not  
3 otherwise provided for, \$62,638,000.

4 *HISTORIC PRESERVATION FUND*

5 *For expenses necessary in carrying out the National*  
6 *Historic Preservation Act (division A of subtitle III of title*  
7 *54, United States Code), \$80,910,000, to be derived from*  
8 *the Historic Preservation Fund and to remain available*  
9 *until September 30, 2018, of which \$5,000,000 shall be for*  
10 *Save America's Treasures grants for preservation of na-*  
11 *tional significant sites, structures, and artifacts as author-*  
12 *ized by section 7303 of the Omnibus Public Land Manage-*  
13 *ment Act of 2009 (54 U.S.C. 3089): Provided, That an indi-*  
14 *vidual Save America's Treasures grant shall be matched by*  
15 *non-Federal funds: Provided further, That individual*  
16 *projects shall only be eligible for one grant: Provided fur-*  
17 *ther, That all projects to be funded shall be approved by*  
18 *the Secretary of the Interior in consultation with the House*  
19 *and Senate Committees on Appropriations: Provided fur-*  
20 *ther, That of the funds provided for the Historic Preserva-*  
21 *tion Fund, \$500,000 is for competitive grants for the survey*  
22 *and nomination of properties to the National Register of*  
23 *Historic Places and as National Historic Landmarks asso-*  
24 *ciated with communities currently underrepresented, as de-*  
25 *termined by the Secretary, \$13,000,000 is for competitive*

1 grants to preserve the sites and stories of the Civil Rights  
2 movement, and \$4,000,000 is for grants to Historically  
3 Black Colleges and Universities: Provided further, That  
4 such competitive grants shall be made without imposing the  
5 matching requirements in section 302902(b)(3) of title 54,  
6 United States Code to States and Indian tribes as defined  
7 in chapter 3003 of such title, Native Hawaiian organiza-  
8 tions, local governments, including Certified Local Govern-  
9 ments, and nonprofit organizations.

10 *CONSTRUCTION*

11 *For construction, improvements, repair, or replace-*  
12 *ment of physical facilities, and compliance and planning*  
13 *for programs and areas administered by the National Park*  
14 *Service, \$209,353,000, to remain available until expended:*  
15 *Provided, That, notwithstanding any other provision of*  
16 *law, for any project initially funded in fiscal year 2017*  
17 *with a future phase indicated in the National Park Service*  
18 *5-Year Line Item Construction Plan, a single procurement*  
19 *may be issued which includes the full scope of the project:*  
20 *Provided further, That the solicitation and contract shall*  
21 *contain the clause availability of funds found at 48 CFR*  
22 *52.232–18: Provided further, That National Park Service*  
23 *Donations, Park Concessions Franchise Fees, and Recre-*  
24 *ation Fees may be made available for the cost of adjust-*  
25 *ments and changes within the original scope of effort for*

1 *projects funded by the National Park Service Construction*  
2 *appropriation: Provided further, That the Secretary of the*  
3 *Interior shall consult with the Committees on Appropria-*  
4 *tions, in accordance with current reprogramming thresh-*  
5 *olds, prior to making any charges authorized by this sec-*  
6 *tion.*

7 *LAND AND WATER CONSERVATION FUND*

8 *(RESCISSION)*

9 *The contract authority provided for fiscal year 2017*  
10 *by section 200308 of title 54, United States Code, is re-*  
11 *scinded.*

12 *LAND ACQUISITION AND STATE ASSISTANCE*

13 *For expenses necessary to carry out chapter 2003 of*  
14 *title 54, United States Code, including administrative ex-*  
15 *penses, and for acquisition of lands or waters, or interest*  
16 *therein, in accordance with the statutory authority applica-*  
17 *ble to the National Park Service, \$162,029,000, to be de-*  
18 *rived from the Land and Water Conservation Fund and*  
19 *to remain available until expended, of which \$110,006,000*  
20 *is for the State assistance program and of which*  
21 *\$10,000,000 shall be for the American Battlefield Protection*  
22 *Program grants as authorized by chapter 3081 of title 54,*  
23 *United States Code.*

## CENTENNIAL CHALLENGE

1  
2       *For expenses necessary to carry out the provisions of*  
3 *section 101701 of title 54, United States Code, relating to*  
4 *challenge cost share agreements, \$20,000,000, to remain*  
5 *available until expended, for Centennial Challenge projects*  
6 *and programs: Provided, That not less than 50 percent of*  
7 *the total cost of each project or program shall be derived*  
8 *from non-Federal sources in the form of donated cash, as-*  
9 *sets, or a pledge of donation guaranteed by an irrevocable*  
10 *letter of credit.*

## ADMINISTRATIVE PROVISIONS

## (INCLUDING TRANSFER OF FUNDS)

11  
12  
13       *In addition to other uses set forth in section*  
14 *101917(c)(2) of title 54, United States Code, franchise fees*  
15 *credited to a sub-account shall be available for expenditure*  
16 *by the Secretary, without further appropriation, for use at*  
17 *any unit within the National Park System to extinguish*  
18 *or reduce liability for Possessory Interest or leasehold sur-*  
19 *render interest. Such funds may only be used for this pur-*  
20 *pose to the extent that the benefitting unit anticipated fran-*  
21 *chise fee receipts over the term of the contract at that unit*  
22 *exceed the amount of funds used to extinguish or reduce li-*  
23 *ability. Franchise fees at the benefitting unit shall be cred-*  
24 *ited to the sub-account of the originating unit over a period*  
25 *not to exceed the term of a single contract at the benefitting*

1 unit, in the amount of funds so expended to extinguish or  
2 reduce liability.

3       *For the costs of administration of the Land and Water*  
4 *Conservation Fund grants authorized by section*  
5 *105(a)(2)(B) of the Gulf of Mexico Energy Security Act of*  
6 *2006 (Public Law 109–432), the National Park Service*  
7 *may retain up to 3 percent of the amounts which are au-*  
8 *thorized to be disbursed under such section, such retained*  
9 *amounts to remain available until expended.*

10       *National Park Service funds may be transferred to the*  
11 *Federal Highway Administration (FHWA), Department of*  
12 *Transportation, for purposes authorized under 23 U.S.C.*  
13 *204. Transfers may include a reasonable amount for*  
14 *FHWA administrative support costs.*

15                   *UNITED STATES GEOLOGICAL SURVEY*  
16                   *SURVEYS, INVESTIGATIONS, AND RESEARCH*

17       *For expenses necessary for the United States Geological*  
18 *Survey to perform surveys, investigations, and research cov-*  
19 *ering topography, geology, hydrology, biology, and the min-*  
20 *eral and water resources of the United States, its territories*  
21 *and possessions, and other areas as authorized by 43 U.S.C.*  
22 *31, 1332, and 1340; classify lands as to their mineral and*  
23 *water resources; give engineering supervision to power per-*  
24 *mittees and Federal Energy Regulatory Commission licens-*  
25 *ees; administer the minerals exploration program (30*

1 *U.S.C. 641); conduct inquiries into the economic conditions*  
2 *affecting mining and materials processing industries (30*  
3 *U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related*  
4 *purposes as authorized by law; and to publish and dissemi-*  
5 *nate data relative to the foregoing activities;*  
6 *\$1,085,167,000, to remain available until September 30,*  
7 *2018; of which \$71,237,189 shall remain available until ex-*  
8 *pended for satellite operations; and of which \$7,280,000*  
9 *shall be available until expended for deferred maintenance*  
10 *and capital improvement projects that exceed \$100,000 in*  
11 *cost: Provided, That none of the funds provided for the eco-*  
12 *system research activity shall be used to conduct new sur-*  
13 *veys on private property, unless specifically authorized in*  
14 *writing by the property owner: Provided further, That no*  
15 *part of this appropriation shall be used to pay more than*  
16 *one-half the cost of topographic mapping or water resources*  
17 *data collection and investigations carried on in cooperation*  
18 *with States and municipalities.*

19 *ADMINISTRATIVE PROVISIONS*

20 *From within the amount appropriated for activities*  
21 *of the United States Geological Survey such sums as are*  
22 *necessary shall be available for contracting for the fur-*  
23 *nishing of topographic maps and for the making of geo-*  
24 *physical or other specialized surveys when it is administra-*  
25 *tively determined that such procedures are in the public in-*

1 *terest; construction and maintenance of necessary buildings*  
2 *and appurtenant facilities; acquisition of lands for gauging*  
3 *stations and observation wells; expenses of the United States*  
4 *National Committee for Geological Sciences; and payment*  
5 *of compensation and expenses of persons employed by the*  
6 *Survey duly appointed to represent the United States in*  
7 *the negotiation and administration of interstate compacts:*  
8 *Provided, That activities funded by appropriations herein*  
9 *made may be accomplished through the use of contracts,*  
10 *grants, or cooperative agreements as defined in section 6302*  
11 *of title 31, United States Code: Provided further, That the*  
12 *United States Geological Survey may enter into contracts*  
13 *or cooperative agreements directly with individuals or indi-*  
14 *rectly with institutions or nonprofit organizations, without*  
15 *regard to 41 U.S.C. 6101, for the temporary or intermittent*  
16 *services of students or recent graduates, who shall be consid-*  
17 *ered employees for the purpose of chapters 57 and 81 of*  
18 *title 5, United States Code, relating to compensation for*  
19 *travel and work injuries, and chapter 171 of title 28,*  
20 *United States Code, relating to tort claims, but shall not*  
21 *be considered to be Federal employees for any other pur-*  
22 *poses.*

1            *BUREAU OF OCEAN ENERGY MANAGEMENT*2                            *OCEAN ENERGY MANAGEMENT*

3            *For expenses necessary for granting leases, easements,*  
4 *rights-of-way and agreements for use for oil and gas, other*  
5 *minerals, energy, and marine-related purposes on the Outer*  
6 *Continental Shelf and approving operations related thereto,*  
7 *as authorized by law; for environmental studies, as author-*  
8 *ized by law; for implementing other laws and to the extent*  
9 *provided by Presidential or Secretarial delegation; and for*  
10 *matching grants or cooperative agreements, \$169,560,000,*  
11 *of which \$74,616,000, is to remain available until Sep-*  
12 *tember 30, 2018 and of which \$94,944,000 is to remain*  
13 *available until expended: Provided, That this total appro-*  
14 *priation shall be reduced by amounts collected by the Sec-*  
15 *retary and credited to this appropriation from additions*  
16 *to receipts resulting from increases to lease rental rates in*  
17 *effect on August 5, 1993, and from cost recovery fees from*  
18 *activities conducted by the Bureau of Ocean Energy Man-*  
19 *agement pursuant to the Outer Continental Shelf Lands*  
20 *Act, including studies, assessments, analysis, and miscella-*  
21 *neous administrative activities: Provided further, That the*  
22 *sum herein appropriated shall be reduced as such collections*  
23 *are received during the fiscal year, so as to result in a final*  
24 *fiscal year 2017 appropriation estimated at not more than*  
25 *\$74,616,000: Provided further, That not to exceed \$3,000*



1 *shall be available for reasonable expenses related to pro-*  
2 *moting volunteer beach and marine cleanup activities.*

3 *BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT*  
4 *OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT*  
5 *(INCLUDING RESCISSION OF FUNDS)*

6 *For expenses necessary for the regulation of operations*  
7 *related to leases, easements, rights-of-way and agreements*  
8 *for use for oil and gas, other minerals, energy, and marine-*  
9 *related purposes on the Outer Continental Shelf, as author-*  
10 *ized by law; for enforcing and implementing laws and regu-*  
11 *lations as authorized by law and to the extent provided by*  
12 *Presidential or Secretarial delegation; and for matching*  
13 *grants or cooperative agreements, \$136,772,000, of which*  
14 *\$93,242,000 is to remain available until September 30,*  
15 *2018 and of which \$43,530,000 is to remain available until*  
16 *expended: Provided, That this total appropriation shall be*  
17 *reduced by amounts collected by the Secretary and credited*  
18 *to this appropriation from additions to receipts resulting*  
19 *from increases to lease rental rates in effect on August 5,*  
20 *1993, and from cost recovery fees from activities conducted*  
21 *by the Bureau of Safety and Environmental Enforcement*  
22 *pursuant to the Outer Continental Shelf Lands Act, includ-*  
23 *ing studies, assessments, analysis, and miscellaneous ad-*  
24 *ministrative activities: Provided further, That the sum*  
25 *herein appropriated shall be reduced as such collections are*

1 received during the fiscal year, so as to result in a final  
2 fiscal year 2017 appropriation estimated at not more than  
3 \$93,242,000.

4 For an additional amount, \$53,000,000, to remain  
5 available until expended, to be reduced by amounts collected  
6 by the Secretary and credited to this appropriation, which  
7 shall be derived from non-refundable inspection fees col-  
8 lected in fiscal year 2017, as provided in this Act: Provided,  
9 That to the extent that amounts realized from such inspec-  
10 tion fees exceed \$53,000,000, the amounts realized in excess  
11 of \$53,000,000 shall be credited to this appropriation and  
12 remain available until expended: Provided further, That for  
13 fiscal year 2017, not less than 50 percent of the inspection  
14 fees expended by the Bureau of Safety and Environmental  
15 Enforcement will be used to fund personnel and mission-  
16 related costs to expand capacity and expedite the orderly  
17 development, subject to environmental safeguards, of the  
18 Outer Continental Shelf pursuant to the Outer Continental  
19 Shelf Lands Act (43 U.S.C. 1331 et seq.), including the re-  
20 view of applications for permits to drill.

21 Of the unobligated balances available for this account,  
22 \$25,000,000 are permanently rescinded.

23 OIL SPILL RESEARCH

24 For necessary expenses to carry out title I, section  
25 1016, title IV, sections 4202 and 4303, title VII, and title

1 *VIII, section 8201 of the Oil Pollution Act of 1990,*  
2 *\$14,899,000, which shall be derived from the Oil Spill Li-*  
3 *ability Trust Fund, to remain available until expended.*

4           *OFFICE OF SURFACE MINING RECLAMATION AND*  
5                           *ENFORCEMENT*  
6                           *REGULATION AND TECHNOLOGY*

7           *For necessary expenses to carry out the provisions of*  
8 *the Surface Mining Control and Reclamation Act of 1977,*  
9 *Public Law 95–87, \$121,017,000, to remain available until*  
10 *September 30, 2018: Provided, That appropriations for the*  
11 *Office of Surface Mining Reclamation and Enforcement*  
12 *may provide for the travel and per diem expenses of State*  
13 *and tribal personnel attending Office of Surface Mining*  
14 *Reclamation and Enforcement sponsored training.*

15           *In addition, for costs to review, administer, and en-*  
16 *force permits issued by the Office pursuant to section 507*  
17 *of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to remain*  
18 *available until expended: Provided, That fees assessed and*  
19 *collected by the Office pursuant to such section 507 shall*  
20 *be credited to this account as discretionary offsetting collec-*  
21 *tions, to remain available until expended: Provided further,*  
22 *That the sum herein appropriated from the general fund*  
23 *shall be reduced as collections are received during the fiscal*  
24 *year, so as to result in a fiscal year 2017 appropriation*  
25 *estimated at not more than \$121,017,000.*

## 1 ABANDONED MINE RECLAMATION FUND

2 *For necessary expenses to carry out title IV of the Sur-*  
3 *face Mining Control and Reclamation Act of 1977, Public*  
4 *Law 95–87, \$27,163,000, to be derived from receipts of the*  
5 *Abandoned Mine Reclamation Fund and to remain avail-*  
6 *able until expended: Provided, That pursuant to Public*  
7 *Law 97–365, the Department of the Interior is authorized*  
8 *to use up to 20 percent from the recovery of the delinquent*  
9 *debt owed to the United States Government to pay for con-*  
10 *tracts to collect these debts: Provided further, That funds*  
11 *made available under title IV of Public Law 95–87 may*  
12 *be used for any required non-Federal share of the cost of*  
13 *projects funded by the Federal Government for the purpose*  
14 *of environmental restoration related to treatment or abate-*  
15 *ment of acid mine drainage from abandoned mines: Pro-*  
16 *vided further, That such projects must be consistent with*  
17 *the purposes and priorities of the Surface Mining Control*  
18 *and Reclamation Act: Provided further, That amounts pro-*  
19 *vided under this heading may be used for the travel and*  
20 *per diem expenses of State and tribal personnel attending*  
21 *Office of Surface Mining Reclamation and Enforcement*  
22 *sponsored training.*

23 *In addition, \$105,000,000, to remain available until*  
24 *expended, for grants to States for reclamation of abandoned*  
25 *mine lands and other related activities in accordance with*

1 *the terms and conditions in the explanatory statement de-*  
2 *scribed in section 4 (in the matter preceding division A of*  
3 *this consolidated Act): Provided, That such additional*  
4 *amount shall be used for economic and community develop-*  
5 *ment in conjunction with the priorities in section 403(a)*  
6 *of the Surface Mining Control and Reclamation Act of 1977*  
7 *(30 U.S.C. 1233(a)): Provided further, That of such addi-*  
8 *tional amount, \$75,000,000 shall be distributed in equal*  
9 *amounts to the 3 Appalachian States with the greatest*  
10 *amount of unfunded needs to meet the priorities described*  
11 *in paragraphs (1) and (2) of such section, and \$30,000,000*  
12 *shall be distributed in equal amounts to the 3 Appalachian*  
13 *States with the subsequent greatest amount of unfunded*  
14 *needs to meet such priorities: Provided further, That such*  
15 *additional amount shall be allocated to States within 60*  
16 *days after the date of enactment of this Act.*

17 *BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN*  
18 *EDUCATION*

19 *OPERATION OF INDIAN PROGRAMS*  
20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For expenses necessary for the operation of Indian pro-*  
22 *grams, as authorized by law, including the Snyder Act of*  
23 *November 2, 1921 (25 U.S.C. 13), the Indian Self-Deter-*  
24 *mination and Education Assistance Act of 1975 (25 U.S.C.*  
25 *450 et seq.), the Education Amendments of 1978 (25 U.S.C.*

1 2001–2019), and the Tribally Controlled Schools Act of  
2 1988 (25 U.S.C. 2501 et seq.), \$2,339,346,000, to remain  
3 available until September 30, 2018, except as otherwise pro-  
4 vided herein; of which not to exceed \$8,500 may be for offi-  
5 cial reception and representation expenses; of which not to  
6 exceed \$74,773,000 shall be for welfare assistance payments:  
7 Provided, That in cases of designated Federal disasters, the  
8 Secretary may exceed such cap, from the amounts provided  
9 herein, to provide for disaster relief to Indian communities  
10 affected by the disaster: Provided further, That federally rec-  
11 ognized Indian tribes and tribal organizations of federally  
12 recognized Indian tribes may use their tribal priority allo-  
13 cations for unmet welfare assistance costs: Provided further,  
14 That not to exceed \$652,362,000 for school operations costs  
15 of Bureau-funded schools and other education programs  
16 shall become available on July 1, 2017, and shall remain  
17 available until September 30, 2018: Provided further, That  
18 not to exceed \$49,122,000 shall remain available until ex-  
19 pended for housing improvement, road maintenance, attor-  
20 ney fees, litigation support, land records improvement, and  
21 the Navajo-Hopi Settlement Program: Provided further,  
22 That notwithstanding any other provision of law, including  
23 but not limited to the Indian Self-Determination Act of  
24 1975 (25 U.S.C. 450f et seq.) and section 1128 of the Edu-  
25 cation Amendments of 1978 (25 U.S.C. 2008), not to exceed

1 \$80,165,000 within and only from such amounts made  
2 available for school operations shall be available for admin-  
3 istrative cost grants associated with grants approved prior  
4 to July 1, 2017: Provided further, That any forestry funds  
5 allocated to a federally recognized tribe which remain unob-  
6 ligated as of September 30, 2018, may be transferred during  
7 fiscal year 2019 to an Indian forest land assistance account  
8 established for the benefit of the holder of the funds within  
9 the holder's trust fund account: Provided further, That any  
10 such unobligated balances not so transferred shall expire on  
11 September 30, 2019: Provided further, That in order to en-  
12 hance the safety of Bureau field employees, the Bureau may  
13 use funds to purchase uniforms or other identifying articles  
14 of clothing for personnel.

15 *CONTRACT SUPPORT COSTS*

16 *For payments to tribes and tribal organizations for*  
17 *contract support costs associated with Indian Self-Deter-*  
18 *mination and Education Assistance Act agreements with*  
19 *the Bureau of Indian Affairs for fiscal year 2017, such sums*  
20 *as may be necessary, which shall be available for obligation*  
21 *through September 30, 2018: Provided, That notwith-*  
22 *standing any other provision of law, no amounts made*  
23 *available under this heading shall be available for transfer*  
24 *to another budget account.*

## CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

1  
2  
3       *For construction, repair, improvement, and mainte-*  
4 *nance of irrigation and power systems, buildings, utilities,*  
5 *and other facilities, including architectural and engineering*  
6 *services by contract; acquisition of lands, and interests in*  
7 *lands; and preparation of lands for farming, and for con-*  
8 *struction of the Navajo Indian Irrigation Project pursuant*  
9 *to Public Law 87-483, \$192,017,000, to remain available*  
10 *until expended: Provided, That such amounts as may be*  
11 *available for the construction of the Navajo Indian Irriga-*  
12 *tion Project may be transferred to the Bureau of Reclama-*  
13 *tion: Provided further, That not to exceed 6 percent of con-*  
14 *tract authority available to the Bureau of Indian Affairs*  
15 *from the Federal Highway Trust Fund may be used to cover*  
16 *the road program management costs of the Bureau: Pro-*  
17 *vided further, That any funds provided for the Safety of*  
18 *Dams program pursuant to 25 U.S.C. 13 shall be made*  
19 *available on a nonreimbursable basis: Provided further,*  
20 *That for fiscal year 2017, in implementing new construc-*  
21 *tion, replacement facilities construction, or facilities im-*  
22 *provement and repair project grants in excess of \$100,000*  
23 *that are provided to grant schools under Public Law 100-*  
24 *297, the Secretary of the Interior shall use the Administra-*  
25 *tive and Audit Requirements and Cost Principles for Assist-*



1 *ance Programs contained in 43 CFR part 12 as the regu-*  
2 *latory requirements: Provided further, That such grants*  
3 *shall not be subject to section 12.61 of 43 CFR; the Sec-*  
4 *retary and the grantee shall negotiate and determine a*  
5 *schedule of payments for the work to be performed: Provided*  
6 *further, That in considering grant applications, the Sec-*  
7 *retary shall consider whether such grantee would be defi-*  
8 *cient in assuring that the construction projects conform to*  
9 *applicable building standards and codes and Federal, trib-*  
10 *al, or State health and safety standards as required by 25*  
11 *U.S.C. 2005(b), with respect to organizational and finan-*  
12 *cial management capabilities: Provided further, That if the*  
13 *Secretary declines a grant application, the Secretary shall*  
14 *follow the requirements contained in 25 U.S.C. 2504(f):*  
15 *Provided further, That any disputes between the Secretary*  
16 *and any grantee concerning a grant shall be subject to the*  
17 *disputes provision in 25 U.S.C. 2507(e): Provided further,*  
18 *That in order to ensure timely completion of construction*  
19 *projects, the Secretary may assume control of a project and*  
20 *all funds related to the project, if, within 18 months of the*  
21 *date of enactment of this Act, any grantee receiving funds*  
22 *appropriated in this Act or in any prior Act, has not com-*  
23 *pleted the planning and design phase of the project and*  
24 *commenced construction: Provided further, That this appro-*  
25 *priation may be reimbursed from the Office of the Special*

1 *Trustee for American Indians appropriation for the appro-*  
2 *priate share of construction costs for space expansion need-*  
3 *ed in agency offices to meet trust reform implementation.*

4 *INDIAN LAND AND WATER CLAIM SETTLEMENTS AND*  
5 *MISCELLANEOUS PAYMENTS TO INDIANS*

6 *For payments and necessary administrative expenses*  
7 *for implementation of Indian land and water claim settle-*  
8 *ments pursuant to Public Laws 99–264, 100–580, 101–618,*  
9 *111–11, 111–291, and 114–322, and for implementation of*  
10 *other land and water rights settlements, \$45,045,000, to re-*  
11 *main available until expended.*

12 *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

13 *For the cost of guaranteed loans and insured loans,*  
14 *\$8,757,000, of which \$1,182,000 is for administrative ex-*  
15 *penses, as authorized by the Indian Financing Act of 1974:*  
16 *Provided, That such costs, including the cost of modifying*  
17 *such loans, shall be as defined in section 502 of the Congres-*  
18 *sional Budget Act of 1974: Provided further, That these*  
19 *funds are available to subsidize total loan principal, any*  
20 *part of which is to be guaranteed or insured, not to exceed*  
21 *\$120,050,595.*

22 *ADMINISTRATIVE PROVISIONS*

23 *(INCLUDING RESCISSION OF FUNDS)*

24 *The Bureau of Indian Affairs may carry out the oper-*  
25 *ation of Indian programs by direct expenditure, contracts,*

1 *cooperative agreements, compacts, and grants, either di-*  
2 *rectly or in cooperation with States and other organiza-*  
3 *tions.*

4 *Notwithstanding 25 U.S.C. 15, the Bureau of Indian*  
5 *Affairs may contract for services in support of the manage-*  
6 *ment, operation, and maintenance of the Power Division*  
7 *of the San Carlos Irrigation Project.*

8 *Notwithstanding any other provision of law, no funds*  
9 *available to the Bureau of Indian Affairs for central office*  
10 *oversight and Executive Direction and Administrative*  
11 *Services (except executive direction and administrative*  
12 *services funding for Tribal Priority Allocations, regional of-*  
13 *fices, and facilities operations and maintenance) shall be*  
14 *available for contracts, grants, compacts, or cooperative*  
15 *agreements with the Bureau of Indian Affairs under the*  
16 *provisions of the Indian Self-Determination Act or the*  
17 *Tribal Self-Governance Act of 1994 (Public Law 103–413).*

18 *In the event any tribe returns appropriations made*  
19 *available by this Act to the Bureau of Indian Affairs, this*  
20 *action shall not diminish the Federal Government’s trust*  
21 *responsibility to that tribe, or the government-to-govern-*  
22 *ment relationship between the United States and that tribe,*  
23 *or that tribe’s ability to access future appropriations.*

24 *Notwithstanding any other provision of law, no funds*  
25 *available to the Bureau of Indian Education, other than*

1 *the amounts provided herein for assistance to public schools*  
2 *under 25 U.S.C. 452 et seq., shall be available to support*  
3 *the operation of any elementary or secondary school in the*  
4 *State of Alaska.*

5 *No funds available to the Bureau of Indian Education*  
6 *shall be used to support expanded grades for any school or*  
7 *dormitory beyond the grade structure in place or approved*  
8 *by the Secretary of the Interior at each school in the Bureau*  
9 *of Indian Education school system as of October 1, 1995,*  
10 *except that the Secretary of the Interior may waive this*  
11 *prohibition to support expansion of up to one additional*  
12 *grade when the Secretary determines such waiver is needed*  
13 *to support accomplishment of the mission of the Bureau of*  
14 *Indian Education. Appropriations made available in this*  
15 *or any prior Act for schools funded by the Bureau shall*  
16 *be available, in accordance with the Bureau's funding for-*  
17 *mula, only to the schools in the Bureau school system as*  
18 *of September 1, 1996, and to any school or school program*  
19 *that was reinstated in fiscal year 2012. Funds made avail-*  
20 *able under this Act may not be used to establish a charter*  
21 *school at a Bureau-funded school (as that term is defined*  
22 *in section 1141 of the Education Amendments of 1978 (25*  
23 *U.S.C. 2021)), except that a charter school that is in exist-*  
24 *ence on the date of the enactment of this Act and that has*  
25 *operated at a Bureau-funded school before September 1,*

1 1999, may continue to operate during that period, but only  
2 if the charter school pays to the Bureau a pro rata share  
3 of funds to reimburse the Bureau for the use of the real  
4 and personal property (including buses and vans), the  
5 funds of the charter school are kept separate and apart from  
6 Bureau funds, and the Bureau does not assume any obliga-  
7 tion for charter school programs of the State in which the  
8 school is located if the charter school loses such funding.  
9 Employees of Bureau-funded schools sharing a campus with  
10 a charter school and performing functions related to the  
11 charter school's operation and employees of a charter school  
12 shall not be treated as Federal employees for purposes of  
13 chapter 171 of title 28, United States Code.

14       Notwithstanding any other provision of law, including  
15 section 113 of title I of appendix C of Public Law 106-  
16 113, if in fiscal year 2003 or 2004 a grantee received indi-  
17 rect and administrative costs pursuant to a distribution  
18 formula based on section 5(f) of Public Law 101-301, the  
19 Secretary shall continue to distribute indirect and adminis-  
20 trative cost funds to such grantee using the section 5(f) dis-  
21 tribution formula.

22       Funds available under this Act may not be used to  
23 establish satellite locations of schools in the Bureau school  
24 system as of September 1, 1996, except that the Secretary  
25 may waive this prohibition in order for an Indian tribe

1 *to provide language and cultural immersion educational*  
2 *programs for non-public schools located within the jurisdic-*  
3 *tional area of the tribal government which exclusively serve*  
4 *tribal members, do not include grades beyond those cur-*  
5 *rently served at the existing Bureau-funded school, provide*  
6 *an educational environment with educator presence and*  
7 *academic facilities comparable to the Bureau-funded school,*  
8 *comply with all applicable Tribal, Federal, or State health*  
9 *and safety standards, and the Americans with Disabilities*  
10 *Act, and demonstrate the benefits of establishing operations*  
11 *at a satellite location in lieu of incurring extraordinary*  
12 *costs, such as for transportation or other impacts to stu-*  
13 *dents such as those caused by busing students extended dis-*  
14 *tances: Provided, That no funds available under this Act*  
15 *may be used to fund operations, maintenance, rehabilita-*  
16 *tion, construction or other facilities-related costs for such*  
17 *assets that are not owned by the Bureau: Provided further,*  
18 *That the term “satellite school” means a school location*  
19 *physically separated from the existing Bureau school by*  
20 *more than 50 miles but that forms part of the existing*  
21 *school in all other respects.*

22 *Of the prior year unobligated balances available for*  
23 *the “Operation of Indian Programs” account, \$3,400,000*  
24 *are permanently rescinded.*

1                    *DEPARTMENTAL OFFICES*2                    *OFFICE OF THE SECRETARY*3                    *DEPARTMENTAL OPERATIONS*

4            *For necessary expenses for management of the Depart-*  
5 *ment of the Interior, including the collection and disburse-*  
6 *ment of royalties, fees, and other mineral revenue proceeds,*  
7 *and for grants and cooperative agreements, as authorized*  
8 *by law, \$271,074,000, to remain available until September*  
9 *30, 2018; of which not to exceed \$15,000 may be for official*  
10 *reception and representation expenses; and of which up to*  
11 *\$1,000,000 shall be available for workers compensation pay-*  
12 *ments and unemployment compensation payments associ-*  
13 *ated with the orderly closure of the United States Bureau*  
14 *of Mines; and of which \$11,000,000 for the Office of Valu-*  
15 *ation Services is to be derived from the Land and Water*  
16 *Conservation Fund and shall remain available until ex-*  
17 *pended; and of which \$38,300,000 shall remain available*  
18 *until expended for the purpose of mineral revenue manage-*  
19 *ment activities: Provided, That notwithstanding any other*  
20 *provision of law, \$15,000 under this heading shall be avail-*  
21 *able for refunds of overpayments in connection with certain*  
22 *Indian leases in which the Secretary concurred with the*  
23 *claimed refund due, to pay amounts owed to Indian*  
24 *allottees or tribes, or to correct prior unrecoverable erro-*  
25 *neous payments.*

## ADMINISTRATIVE PROVISIONS

1  
2       *For fiscal year 2017, up to \$400,000 of the payments*  
3 *authorized by chapter 69 of title 31, United States Code,*  
4 *may be retained for administrative expenses of the Pay-*  
5 *ments in Lieu of Taxes Program: Provided, That no pay-*  
6 *ment shall be made pursuant to that chapter to otherwise*  
7 *eligible units of local government if the computed amount*  
8 *of the payment is less than \$100: Provided further, That*  
9 *the Secretary may reduce the payment authorized by that*  
10 *chapter for an individual county by the amount necessary*  
11 *to correct prior year overpayments to that county: Provided*  
12 *further, That the amount needed to correct a prior year un-*  
13 *derpayment to an individual county shall be paid from any*  
14 *reductions for overpayments to other counties and the*  
15 *amount necessary to cover any remaining underpayment*  
16 *is hereby appropriated and shall be paid to individual*  
17 *counties: Provided further, That in the event the sums ap-*  
18 *propriated for any fiscal year for payments pursuant to*  
19 *that chapter are less than the full payments to all units*  
20 *of local government, then the payment to each local govern-*  
21 *ment shall be made proportionally.*

## INSULAR AFFAIRS

## ASSISTANCE TO TERRITORIES

22  
23  
24       *For expenses necessary for assistance to territories*  
25 *under the jurisdiction of the Department of the Interior and*



1 *other jurisdictions identified in section 104(e) of Public*  
2 *Law 108–188, \$91,925,000, of which: (1) \$82,477,000 shall*  
3 *remain available until expended for territorial assistance,*  
4 *including general technical assistance, maintenance assist-*  
5 *ance, disaster assistance, coral reef initiative activities, and*  
6 *brown tree snake control and research; grants to the judici-*  
7 *ary in American Samoa for compensation and expenses,*  
8 *as authorized by law (48 U.S.C. 1661(c)); grants to the*  
9 *Government of American Samoa, in addition to current*  
10 *local revenues, for construction and support of govern-*  
11 *mental functions; grants to the Government of the Virgin*  
12 *Islands as authorized by law; grants to the Government of*  
13 *Guam, as authorized by law; and grants to the Government*  
14 *of the Northern Mariana Islands as authorized by law*  
15 *(Public Law 94–241; 90 Stat. 272); and (2) \$9,448,000*  
16 *shall be available until September 30, 2018, for salaries and*  
17 *expenses of the Office of Insular Affairs: Provided, That all*  
18 *financial transactions of the territorial and local govern-*  
19 *ments herein provided for, including such transactions of*  
20 *all agencies or instrumentalities established or used by such*  
21 *governments, may be audited by the Government Account-*  
22 *ability Office, at its discretion, in accordance with chapter*  
23 *35 of title 31, United States Code: Provided further, That*  
24 *Northern Mariana Islands Covenant grant funding shall be*  
25 *provided according to those terms of the Agreement of the*

1 *Special Representatives on Future United States Financial*  
2 *Assistance for the Northern Mariana Islands approved by*  
3 *Public Law 104–134: Provided further, That the funds for*  
4 *the program of operations and maintenance improvement*  
5 *are appropriated to institutionalize routine operations and*  
6 *maintenance improvement of capital infrastructure with*  
7 *territorial participation and cost sharing to be determined*  
8 *by the Secretary based on the grantee’s commitment to time-*  
9 *ly maintenance of its capital assets: Provided further, That*  
10 *any appropriation for disaster assistance under this head-*  
11 *ing in this Act or previous appropriations Acts may be used*  
12 *as non-Federal matching funds for the purpose of hazard*  
13 *mitigation grants provided pursuant to section 404 of the*  
14 *Robert T. Stafford Disaster Relief and Emergency Assist-*  
15 *ance Act (42 U.S.C. 5170c).*

16 *COMPACT OF FREE ASSOCIATION*

17 *For grants and necessary expenses, \$3,318,000, to re-*  
18 *main available until expended, as provided for in sections*  
19 *221(a)(2) and 233 of the Compact of Free Association for*  
20 *the Republic of Palau; and section 221(a)(2) of the Com-*  
21 *pacts of Free Association for the Government of the Repub-*  
22 *lic of the Marshall Islands and the Federated States of Mi-*  
23 *cronesia, as authorized by Public Law 99–658 and Public*  
24 *Law 108–188.*

## ADMINISTRATIVE PROVISIONS

## (INCLUDING TRANSFER OF FUNDS)

1           *At the request of the Governor of Guam, the Secretary*  
2  
3           *may transfer discretionary funds or mandatory funds pro-*  
4           *vided under section 104(e) of Public Law 108–188 and Pub-*  
5           *lic Law 104–134, that are allocated for Guam, to the Sec-*  
6           *retary of Agriculture for the subsidy cost of direct or guar-*  
7           *anteed loans, plus not to exceed three percent of the amount*  
8           *of the subsidy transferred for the cost of loan administra-*  
9           *tion, for the purposes authorized by the Rural Electrifica-*  
10           *tion Act of 1936 and section 306(a)(1) of the Consolidated*  
11           *Farm and Rural Development Act for construction and re-*  
12           *pair projects in Guam, and such funds shall remain avail-*  
13           *able until expended: Provided, That such costs, including*  
14           *the cost of modifying such loans, shall be as defined in sec-*  
15           *tion 502 of the Congressional Budget Act of 1974: Provided*  
16           *further, That such loans or loan guarantees may be made*  
17           *without regard to the population of the area, credit else-*  
18           *where requirements, and restrictions on the types of eligible*  
19           *entities under the Rural Electrification Act of 1936 and*  
20           *section 306(a)(1) of the Consolidated Farm and Rural De-*  
21           *velopment Act: Provided further, That any funds trans-*  
22           *ferred to the Secretary of Agriculture shall be in addition*  
23           *to funds otherwise made available to make or guarantee*  
24           *loans under such authorities.*  
25

1                    *OFFICE OF THE SOLICITOR*2                    *SALARIES AND EXPENSES*

3            *For necessary expenses of the Office of the Solicitor,*  
4 *\$65,769,000.*

5                    *OFFICE OF INSPECTOR GENERAL*6                    *SALARIES AND EXPENSES*

7            *For necessary expenses of the Office of Inspector Gen-*  
8 *eral, \$50,047,000.*

9                    *OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN*10                   *INDIANS*11                   *FEDERAL TRUST PROGRAMS*12                   *(INCLUDING TRANSFER OF FUNDS)*

13            *For the operation of trust programs for Indians by di-*  
14 *rect expenditure, contracts, cooperative agreements, com-*  
15 *pacts, and grants, \$139,029,000, to remain available until*  
16 *expended, of which not to exceed \$18,688,000 from this or*  
17 *any other Act, may be available for historical accounting:*  
18 *Provided, That funds for trust management improvements*  
19 *and litigation support may, as needed, be transferred to or*  
20 *merged with the Bureau of Indian Affairs and Bureau of*  
21 *Indian Education, "Operation of Indian Programs" ac-*  
22 *count; the Office of the Solicitor, "Salaries and Expenses"*  
23 *account; and the Office of the Secretary, "Departmental Op-*  
24 *erations" account: Provided further, That funds made*  
25 *available through contracts or grants obligated during fiscal*

1 year 2017, as authorized by the Indian Self-Determination  
2 Act of 1975 (25 U.S.C. 450 et seq.), shall remain available  
3 until expended by the contractor or grantee: Provided fur-  
4 ther, That notwithstanding any other provision of law, the  
5 Secretary shall not be required to provide a quarterly state-  
6 ment of performance for any Indian trust account that has  
7 not had activity for at least 15 months and has a balance  
8 of \$15 or less: Provided further, That the Secretary shall  
9 issue an annual account statement and maintain a record  
10 of any such accounts and shall permit the balance in each  
11 such account to be withdrawn upon the express written re-  
12 quest of the account holder: Provided further, That not to  
13 exceed \$50,000 is available for the Secretary to make pay-  
14 ments to correct administrative errors of either disburse-  
15 ments from or deposits to Individual Indian Money or  
16 Tribal accounts after September 30, 2002: Provided further,  
17 That erroneous payments that are recovered shall be cred-  
18 ited to and remain available in this account for this pur-  
19 pose: Provided further, That the Secretary shall not be re-  
20 quired to reconcile Special Deposit Accounts with a balance  
21 of less than \$500 unless the Office of the Special Trustee  
22 receives proof of ownership from a Special Deposit Accounts  
23 claimant: Provided further, That notwithstanding section  
24 102 of the American Indian Trust Fund Management Re-  
25 form Act of 1994 (Public Law 103-412) or any other provi-

1 *sion of law, the Secretary may aggregate the trust accounts*  
2 *of individuals whose whereabouts are unknown for a contin-*  
3 *uous period of at least five years and shall not be required*  
4 *to generate periodic statements of performance for the indi-*  
5 *vidual accounts: Provided further, That with respect to the*  
6 *eighth proviso, the Secretary shall continue to maintain*  
7 *sufficient records to determine the balance of the individual*  
8 *accounts, including any accrued interest and income, and*  
9 *such funds shall remain available to the individual account*  
10 *holders.*

11 *DEPARTMENT-WIDE PROGRAMS*

12 *WILDLAND FIRE MANAGEMENT*

13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *For necessary expenses for fire preparedness, fire sup-*  
15 *pression operations, fire science and research, emergency re-*  
16 *habilitation, fuels management activities, and rural fire as-*  
17 *sistance by the Department of the Interior, \$942,671,000,*  
18 *to remain available until expended, of which not to exceed*  
19 *\$8,427,000 shall be for the renovation or construction of fire*  
20 *facilities: Provided, That such funds are also available for*  
21 *repayment of advances to other appropriation accounts*  
22 *from which funds were previously transferred for such pur-*  
23 *poses: Provided further, That of the funds provided*  
24 *\$180,000,000 is for hazardous fuels management activities:*  
25 *Provided further, That of the funds provided \$20,470,000*

1 *is for burned area rehabilitation: Provided further, That*  
2 *persons hired pursuant to 43 U.S.C. 1469 may be furnished*  
3 *subsistence and lodging without cost from funds available*  
4 *from this appropriation: Provided further, That notwith-*  
5 *standing 42 U.S.C. 1856d, sums received by a bureau or*  
6 *office of the Department of the Interior for fire protection*  
7 *rendered pursuant to 42 U.S.C. 1856 et seq., protection of*  
8 *United States property, may be credited to the appropria-*  
9 *tion from which funds were expended to provide that protec-*  
10 *tion, and are available without fiscal year limitation: Pro-*  
11 *vided further, That using the amounts designated under this*  
12 *title of this Act, the Secretary of the Interior may enter*  
13 *into procurement contracts, grants, or cooperative agree-*  
14 *ments, for fuels management and resilient landscapes ac-*  
15 *tivities, and for training and monitoring associated with*  
16 *such fuels management and resilient landscapes activities,*  
17 *on Federal land, or on adjacent non-Federal land for activi-*  
18 *ties that benefit resources on Federal land: Provided further,*  
19 *That the costs of implementing any cooperative agreement*  
20 *between the Federal Government and any non-Federal enti-*  
21 *ty may be shared, as mutually agreed on by the affected*  
22 *parties: Provided further, That notwithstanding require-*  
23 *ments of the Competition in Contracting Act, the Secretary,*  
24 *for purposes of fuels management and resilient landscapes*  
25 *activities, may obtain maximum practicable competition*

1 among: (1) local private, nonprofit, or cooperative entities;  
2 (2) Youth Conservation Corps crews, Public Lands Corps  
3 (Public Law 109–154), or related partnerships with State,  
4 local, or nonprofit youth groups; (3) small or micro-busi-  
5 nesses; or (4) other entities that will hire or train locally  
6 a significant percentage, defined as 50 percent or more, of  
7 the project workforce to complete such contracts: Provided  
8 further, That in implementing this section, the Secretary  
9 shall develop written guidance to field units to ensure ac-  
10 countability and consistent application of the authorities  
11 provided herein: Provided further, That funds appropriated  
12 under this heading may be used to reimburse the United  
13 States Fish and Wildlife Service and the National Marine  
14 Fisheries Service for the costs of carrying out their respon-  
15 sibilities under the Endangered Species Act of 1973 (16  
16 U.S.C. 1531 et seq.) to consult and conference, as required  
17 by section 7 of such Act, in connection with wildland fire  
18 management activities: Provided further, That the Sec-  
19 retary of the Interior may use wildland fire appropriations  
20 to enter into leases of real property with local governments,  
21 at or below fair market value, to construct capitalized im-  
22 provements for fire facilities on such leased properties, in-  
23 cluding but not limited to fire guard stations, retardant sta-  
24 tions, and other initial attack and fire support facilities,  
25 and to make advance payments for any such lease or for



1 *construction activity associated with the lease: Provided*  
2 *further, That the Secretary of the Interior and the Secretary*  
3 *of Agriculture may authorize the transfer of funds appro-*  
4 *priated for wildland fire management, in an aggregate*  
5 *amount not to exceed \$50,000,000, between the Departments*  
6 *when such transfers would facilitate and expedite wildland*  
7 *fire management programs and projects: Provided further,*  
8 *That funds provided for wildfire suppression shall be avail-*  
9 *able for support of Federal emergency response actions: Pro-*  
10 *vided further, That funds appropriated under this heading*  
11 *shall be available for assistance to or through the Depart-*  
12 *ment of State in connection with forest and rangeland re-*  
13 *search, technical information, and assistance in foreign*  
14 *countries, and, with the concurrence of the Secretary of*  
15 *State, shall be available to support forestry, wildland fire*  
16 *management, and related natural resource activities outside*  
17 *the United States and its territories and possessions, in-*  
18 *cluding technical assistance, education and training, and*  
19 *cooperation with United States and international organiza-*  
20 *tions.*

21 *FLAME WILDFIRE SUPPRESSION RESERVE FUND*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For necessary expenses for large fire suppression oper-*  
24 *ations of the Department of the Interior and as a reserve*  
25 *fund for suppression and Federal emergency response ac-*

1 *tivities, \$65,000,000, to remain available until expended:*  
2  *Provided, That such amounts are only available for transfer*  
3  *to the “Wildland Fire Management” account following a*  
4  *declaration by the Secretary in accordance with section 502*  
5  *of the FLAME Act of 2009 (43 U.S.C. 1748a): Provided*  
6  *further, That such amount is designated by the Congress*  
7  *as an emergency requirement pursuant to section*  
8  *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
9  *Deficit Control Act of 1985.*

10 *CENTRAL HAZARDOUS MATERIALS FUND*

11  *For necessary expenses of the Department of the Inte-*  
12  *rior and any of its component offices and bureaus for the*  
13  *response action, including associated activities, performed*  
14  *pursuant to the Comprehensive Environmental Response,*  
15  *Compensation, and Liability Act (42 U.S.C. 9601 et seq.),*  
16  *\$10,010,000, to remain available until expended.*

17 *NATURAL RESOURCE DAMAGE ASSESSMENT AND*  
18 *RESTORATION*

19 *NATURAL RESOURCE DAMAGE ASSESSMENT FUND*

20  *To conduct natural resource damage assessment, res-*  
21  *toration activities, and onshore oil spill preparedness by the*  
22  *Department of the Interior necessary to carry out the provi-*  
23  *sions of the Comprehensive Environmental Response, Com-*  
24  *pensation, and Liability Act (42 U.S.C. 9601 et seq.), the*  
25  *Federal Water Pollution Control Act (33 U.S.C. 1251 et*

1 *seq.*), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.),  
2 and 54 U.S.C. 100721 et seq., \$7,767,000, to remain avail-  
3 able until expended.

4 WORKING CAPITAL FUND

5 *For the operation and maintenance of a departmental*  
6 *financial and business management system, information*  
7 *technology improvements of general benefit to the Depart-*  
8 *ment, cybersecurity, and the consolidation of facilities and*  
9 *operations throughout the Department, \$67,100,000, to re-*  
10 *main available until expended: Provided, That none of the*  
11 *funds appropriated in this Act or any other Act may be*  
12 *used to establish reserves in the Working Capital Fund ac-*  
13 *count other than for accrued annual leave and depreciation*  
14 *of equipment without prior approval of the Committees on*  
15 *Appropriations of the House of Representatives and the*  
16 *Senate: Provided further, That the Secretary may assess*  
17 *reasonable charges to State, local and tribal government em-*  
18 *ployees for training services provided by the National In-*  
19 *dian Program Training Center, other than training related*  
20 *to Public Law 93–638: Provided further, That the Secretary*  
21 *may lease or otherwise provide space and related facilities,*  
22 *equipment or professional services of the National Indian*  
23 *Program Training Center to State, local and tribal govern-*  
24 *ment employees or persons or organizations engaged in cul-*  
25 *tural, educational, or recreational activities (as defined in*

1 *section 3306(a) of title 40, United States Code) at the pre-*  
2 *vailing rate for similar space, facilities, equipment, or serv-*  
3 *ices in the vicinity of the National Indian Program Train-*  
4 *ing Center: Provided further, That all funds received pursu-*  
5 *ant to the two preceding provisos shall be credited to this*  
6 *account, shall be available until expended, and shall be used*  
7 *by the Secretary for necessary expenses of the National In-*  
8 *dian Program Training Center: Provided further, That the*  
9 *Secretary may enter into grants and cooperative agree-*  
10 *ments to support the Office of Natural Resource Revenue's*  
11 *collection and disbursement of royalties, fees, and other*  
12 *mineral revenue proceeds, as authorized by law.*

13 *ADMINISTRATIVE PROVISION*

14 *There is hereby authorized for acquisition from avail-*  
15 *able resources within the Working Capital Fund, aircraft*  
16 *which may be obtained by donation, purchase or through*  
17 *available excess surplus property: Provided, That existing*  
18 *aircraft being replaced may be sold, with proceeds derived*  
19 *or trade-in value used to offset the purchase price for the*  
20 *replacement aircraft.*

21 *PAYMENTS IN LIEU OF TAXES*

22 *For necessary expenses for payments authorized by*  
23 *chapter 69 of title 31, United States Code, \$465,000,000*  
24 *shall be available for fiscal year 2017.*

1    *GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR*  
2                                    *(INCLUDING TRANSFERS OF FUNDS)*

3        *EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU*

4        *SEC. 101. Appropriations made in this title shall be*  
5 *available for expenditure or transfer (within each bureau*  
6 *or office), with the approval of the Secretary, for the emer-*  
7 *gency reconstruction, replacement, or repair of aircraft,*  
8 *buildings, utilities, or other facilities or equipment dam-*  
9 *aged or destroyed by fire, flood, storm, or other unavoidable*  
10 *causes: Provided, That no funds shall be made available*  
11 *under this authority until funds specifically made available*  
12 *to the Department of the Interior for emergencies shall have*  
13 *been exhausted: Provided further, That all funds used pur-*  
14 *suant to this section must be replenished by a supplemental*  
15 *appropriation, which must be requested as promptly as pos-*  
16 *sible.*

17        *EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE*

18        *SEC. 102. The Secretary may authorize the expendi-*  
19 *ture or transfer of any no year appropriation in this title,*  
20 *in addition to the amounts included in the budget programs*  
21 *of the several agencies, for the suppression or emergency*  
22 *prevention of wildland fires on or threatening lands under*  
23 *the jurisdiction of the Department of the Interior; for the*  
24 *emergency rehabilitation of burned-over lands under its ju-*  
25 *risdiction; for emergency actions related to potential or ac-*

1 tual earthquakes, floods, volcanoes, storms, or other un-  
2 avoidable causes; for contingency planning subsequent to  
3 actual oil spills; for response and natural resource damage  
4 assessment activities related to actual oil spills or releases  
5 of hazardous substances into the environment; for the pre-  
6 vention, suppression, and control of actual or potential  
7 grasshopper and Mormon cricket outbreaks on lands under  
8 the jurisdiction of the Secretary, pursuant to the authority  
9 in section 417(b) of Public Law 106–224 (7 U.S.C.  
10 7717(b)); for emergency reclamation projects under section  
11 410 of Public Law 95–87; and shall transfer, from any no-  
12 year funds available to the Office of Surface Mining Rec-  
13 lamation and Enforcement, such funds as may be necessary  
14 to permit assumption of regulatory authority in the event  
15 a primacy State is not carrying out the regulatory provi-  
16 sions of the Surface Mining Act: Provided, That appropria-  
17 tions made in this title for wildland fire operations shall  
18 be available for the payment of obligations incurred during  
19 the preceding fiscal year, and for reimbursement to other  
20 Federal agencies for destruction of vehicles, aircraft, or  
21 other equipment in connection with their use for wildland  
22 fire operations, such reimbursement to be credited to appro-  
23 priations currently available at the time of receipt thereof:  
24 Provided further, That for wildland fire operations, no  
25 funds shall be made available under this authority until

1 *the Secretary determines that funds appropriated for*  
2 *“wildland fire operations” and “FLAME Wildfire Suppres-*  
3 *sion Reserve Fund” shall be exhausted within 30 days: Pro-*  
4 *vided further, That all funds used pursuant to this section*  
5 *must be replenished by a supplemental appropriation,*  
6 *which must be requested as promptly as possible: Provided*  
7 *further, That such replenishment funds shall be used to re-*  
8 *imburse, on a pro rata basis, accounts from which emer-*  
9 *gency funds were transferred.*

10 *AUTHORIZED USE OF FUNDS*

11 *SEC. 103. Appropriations made to the Department of*  
12 *the Interior in this title shall be available for services as*  
13 *authorized by section 3109 of title 5, United States Code,*  
14 *when authorized by the Secretary, in total amount not to*  
15 *exceed \$500,000; purchase and replacement of motor vehi-*  
16 *cles, including specially equipped law enforcement vehicles;*  
17 *hire, maintenance, and operation of aircraft; hire of pas-*  
18 *senger motor vehicles; purchase of reprints; payment for*  
19 *telephone service in private residences in the field, when au-*  
20 *thorized under regulations approved by the Secretary; and*  
21 *the payment of dues, when authorized by the Secretary, for*  
22 *library membership in societies or associations which issue*  
23 *publications to members only or at a price to members*  
24 *lower than to subscribers who are not members.*

1 *AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT*

2       *SEC. 104. Appropriations made in this Act under the*  
3 *headings Bureau of Indian Affairs and Bureau of Indian*  
4 *Education, and Office of the Special Trustee for American*  
5 *Indians and any unobligated balances from prior appro-*  
6 *priations Acts made under the same headings shall be avail-*  
7 *able for expenditure or transfer for Indian trust manage-*  
8 *ment and reform activities. Total funding for historical ac-*  
9 *counting activities shall not exceed amounts specifically*  
10 *designated in this Act for such purpose.*

11 *REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS*

12       *SEC. 105. Notwithstanding any other provision of law,*  
13 *the Secretary of the Interior is authorized to redistribute*  
14 *any Tribal Priority Allocation funds, including tribal base*  
15 *funds, to alleviate tribal funding inequities by transferring*  
16 *funds to address identified, unmet needs, dual enrollment,*  
17 *overlapping service areas or inaccurate distribution meth-*  
18 *odologies. No tribe shall receive a reduction in Tribal Pri-*  
19 *ority Allocation funds of more than 10 percent in fiscal*  
20 *year 2017. Under circumstances of dual enrollment, over-*  
21 *lapping service areas or inaccurate distribution methodolo-*  
22 *gies, the 10 percent limitation does not apply.*

23               *ELLIS, GOVERNORS, AND LIBERTY ISLANDS*

24       *SEC. 106. Notwithstanding any other provision of law,*  
25 *the Secretary of the Interior is authorized to acquire lands,*



1 *waters, or interests therein including the use of all or part*  
2 *of any pier, dock, or landing within the State of New York*  
3 *and the State of New Jersey, for the purpose of operating*  
4 *and maintaining facilities in the support of transportation*  
5 *and accommodation of visitors to Ellis, Governors, and Lib-*  
6 *erty Islands, and of other program and administrative ac-*  
7 *tivities, by donation or with appropriated funds, including*  
8 *franchise fees (and other monetary consideration), or by ex-*  
9 *change; and the Secretary is authorized to negotiate and*  
10 *enter into leases, subleases, concession contracts or other*  
11 *agreements for the use of such facilities on such terms and*  
12 *conditions as the Secretary may determine reasonable.*

13 *OUTER CONTINENTAL SHELF INSPECTION FEES*

14 *SEC. 107. (a) In fiscal year 2017, the Secretary shall*  
15 *collect a nonrefundable inspection fee, which shall be depos-*  
16 *ited in the “Offshore Safety and Environmental Enforce-*  
17 *ment” account, from the designated operator for facilities*  
18 *subject to inspection under 43 U.S.C. 1348(c).*

19 *(b) Annual fees shall be collected for facilities that are*  
20 *above the waterline, excluding drilling rigs, and are in*  
21 *place at the start of the fiscal year. Fees for fiscal year 2017*  
22 *shall be:*

23 *(1) \$10,500 for facilities with no wells, but with*  
24 *processing equipment or gathering lines;*

1           (2) \$17,000 for facilities with 1 to 10 wells, with  
2           any combination of active or inactive wells; and

3           (3) \$31,500 for facilities with more than 10  
4           wells, with any combination of active or inactive  
5           wells.

6           (c) Fees for drilling rigs shall be assessed for all inspec-  
7           tions completed in fiscal year 2017. Fees for fiscal year  
8           2017 shall be:

9           (1) \$30,500 per inspection for rigs operating in  
10          water depths of 500 feet or more; and

11          (2) \$16,700 per inspection for rigs operating in  
12          water depths of less than 500 feet.

13          (d) The Secretary shall bill designated operators under  
14          subsection (b) within 60 days, with payment required with-  
15          in 30 days of billing. The Secretary shall bill designated  
16          operators under subsection (c) within 30 days of the end  
17          of the month in which the inspection occurred, with pay-  
18          ment required within 30 days of billing.

19          BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION  
20          AND ENFORCEMENT REORGANIZATION

21          SEC. 108. The Secretary of the Interior, in order to  
22          implement a reorganization of the Bureau of Ocean Energy  
23          Management, Regulation and Enforcement, may transfer  
24          funds among and between the successor offices and bureaus  
25          affected by the reorganization only in conformance with the

1 *reprogramming guidelines described in the explanatory*  
2 *statement described in section 4 (in the matter preceding*  
3 *division A of this consolidated Act).*

4 *CONTRACTS AND AGREEMENTS FOR WILD HORSE AND*  
5 *BURRO HOLDING FACILITIES*

6 *SEC. 109. Notwithstanding any other provision of this*  
7 *Act, the Secretary of the Interior may enter into multiyear*  
8 *cooperative agreements with nonprofit organizations and*  
9 *other appropriate entities, and may enter into multiyear*  
10 *contracts in accordance with the provisions of section 3903*  
11 *of title 41, United States Code (except that the 5-year term*  
12 *restriction in subsection (a) shall not apply), for the long-*  
13 *term care and maintenance of excess wild free roaming*  
14 *horses and burros by such organizations or entities on pri-*  
15 *vate land. Such cooperative agreements and contracts may*  
16 *not exceed 10 years, subject to renewal at the discretion of*  
17 *the Secretary.*

18 *MASS MARKING OF SALMONIDS*

19 *SEC. 110. The United States Fish and Wildlife Service*  
20 *shall, in carrying out its responsibilities to protect threat-*  
21 *ened and endangered species of salmon, implement a system*  
22 *of mass marking of salmonid stocks, intended for harvest,*  
23 *that are released from federally operated or federally fi-*  
24 *nanced hatcheries including but not limited to fish releases*  
25 *of coho, chinook, and steelhead species. Marked fish must*

1 *have a visible mark that can be readily identified by com-*  
2 *mercial and recreational fishers.*

3 *EXHAUSTION OF ADMINISTRATIVE REVIEW*

4 *SEC. 111. Paragraph (1) of section 122(a) of division*  
5 *E of Public Law 112-74 (125 Stat. 1013) is amended by*  
6 *striking “through 2018,” in the first sentence and inserting*  
7 *“through 2020,”.*

8 *WILD LANDS FUNDING PROHIBITION*

9 *SEC. 112. None of the funds made available in this*  
10 *Act or any other Act may be used to implement, administer,*  
11 *or enforce Secretarial Order No. 3310 issued by the Sec-*  
12 *retary of the Interior on December 22, 2010: Provided, That*  
13 *nothing in this section shall restrict the Secretary’s authori-*  
14 *ties under sections 201 and 202 of the Federal Land Policy*  
15 *and Management Act of 1976 (43 U.S.C. 1711 and 1712).*

16 *CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS*

17 *SEC. 113. Notwithstanding any other provision of law,*  
18 *during fiscal year 2017, in carrying out work involving co-*  
19 *operation with State, local, and tribal governments or any*  
20 *political subdivision thereof, Indian Affairs may record ob-*  
21 *ligations against accounts receivable from any such entities,*  
22 *except that total obligations at the end of the fiscal year*  
23 *shall not exceed total budgetary resources available at the*  
24 *end of the fiscal year.*

## SAGE-GROUSE

1  
2       *SEC. 114. None of the funds made available by this*  
3 *or any other Act may be used by the Secretary of the Inte-*  
4 *rior to write or issue pursuant to section 4 of the Endan-*  
5 *gered Species Act of 1973 (16 U.S.C. 1533)—*

6           (1) *a proposed rule for greater sage-grouse*  
7 *(Centrocercus urophasianus);*

8           (2) *a proposed rule for the Columbia basin dis-*  
9 *tinct population segment of greater sage-grouse.*

## 10       BLUE RIDGE NATIONAL HERITAGE AREA AND ERIE

## 11       CANALWAY NATIONAL HERITAGE CORRIDOR

12       *SEC. 115. (a) Section 140(i)(1) of Title I of Public*  
13 *Law 108–108, as amended (54 U.S.C. 320101 note), is fur-*  
14 *ther amended by striking “\$10,000,000” and inserting*  
15 *“\$12,000,000”; and*

16       *(b) Section 810(a)(1) of Title VIII of Division B of*  
17 *Appendix D of Public Law 106–554, as amended (54*  
18 *U.S.C. 320101 note), is further amended by striking*  
19 *“\$10,000,000” and inserting “\$12,000,000”.*

## 20       HUMANE TRANSFER OF EXCESS ANIMALS

21       *SEC. 116. Notwithstanding any other provision of law,*  
22 *the Secretary of the Interior may transfer excess wild horses*  
23 *or burros that have been removed from the public lands to*  
24 *other Federal, State, and local government agencies for use*  
25 *as work animals: Provided, That the Secretary may make*

1 *any such transfer immediately upon request of such Fed-*  
2 *eral, State, or local government agency: Provided further,*  
3 *That any excess animal transferred under this provision*  
4 *shall lose its status as a wild free-roaming horse or burro*  
5 *as defined in the Wild Free-Roaming Horses and Burros*  
6 *Act: Provided further, That any Federal, State, or local gov-*  
7 *ernment agency receiving excess wild horses or burros as*  
8 *authorized in this section shall not: destroy the horses or*  
9 *burros in a way that results in their destruction into com-*  
10 *mercial products; sell or otherwise transfer the horses or*  
11 *burros in a way that results in their destruction for proc-*  
12 *essing into commercial products; or euthanize the horses or*  
13 *burros except upon the recommendation of a licensed veteri-*  
14 *narian, in cases of severe injury, illness, or advanced age.*

15 *REPUBLIC OF PALAU*

16 *SEC. 117. (a) IN GENERAL.—Subject to subsection (c),*  
17 *the United States Government, through the Secretary of the*  
18 *Interior shall provide to the Government of Palau for fiscal*  
19 *year 2017 grants in amounts equal to the annual amounts*  
20 *specified in subsections (a), (c), and (d) of section 211 of*  
21 *the Compact of Free Association between the Government*  
22 *of the United States of America and the Government of*  
23 *Palau (48 U.S.C. 1931 note) (referred to in this section as*  
24 *the “Compact”).*

1       (b) *PROGRAMMATIC ASSISTANCE.*—Subject to sub-  
2 section (c), the United States shall provide programmatic  
3 assistance to the Republic of Palau for fiscal year 2017 in  
4 amounts equal to the amounts provided in subsections (a)  
5 and (b)(1) of section 221 of the Compact.

6       (c) *LIMITATIONS ON ASSISTANCE.*—

7           (1) *IN GENERAL.*—The grants and programmatic  
8 assistance provided under subsections (a) and (b)  
9 shall be provided to the same extent and in the same  
10 manner as the grants and assistance were provided in  
11 fiscal year 2009.

12           (2) *TRUST FUND.*—If the Government of Palau  
13 withdraws more than \$5,000,000 from the trust fund  
14 established under section 211(f) of the Compact,  
15 amounts to be provided under subsections (a) and (b)  
16 shall be withheld from the Government of Palau.

17 *DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES*

18 *PROGRAM*

19 *SEC. 118. (a) Notwithstanding any other provision of*  
20 *law relating to Federal grants and cooperative agreements,*  
21 *the Secretary of the Interior is authorized to make grants*  
22 *to, or enter into cooperative agreements with, private non-*  
23 *profit organizations designated by the Secretary of Labor*  
24 *under title V of the Older Americans Act of 1965 to utilize*  
25 *the talents of older Americans in programs authorized by*

1 *other provisions of law administered by the Secretary and*  
2 *consistent with such provisions of law.*

3 *(b) Prior to awarding any grant or agreement under*  
4 *subsection (a), the Secretary shall ensure that the agreement*  
5 *would not—*

6 *(1) result in the displacement of individuals cur-*  
7 *rently employed by the Department, including partial*  
8 *displacement through reduction of non-overtime*  
9 *hours, wages, or employment benefits;*

10 *(2) result in the use of an individual under the*  
11 *Department of the Interior Experienced Services Pro-*  
12 *gram for a job or function in a case in which a Fed-*  
13 *eral employee is in a layoff status from the same or*  
14 *substantially equivalent job within the Department;*  
15 *or*

16 *(3) affect existing contracts for services.*

17 *NATCHEZ NATIONAL HISTORICAL PARK*

18 *SEC. 119. The Secretary of the Interior is authorized*  
19 *to acquire by donation or purchase from willing sellers, any*  
20 *lands at the site of the historic Forks of the Road Slave*  
21 *Market, as generally depicted on the map entitled “Natchez*  
22 *National Historical Park—Proposed Boundary Addition”,*  
23 *numbered 339/116045, and dated April 2016. Upon acqui-*  
24 *sition of any land or interests in land, the Secretary shall*  
25 *revise the boundary of Natchez National Historical Park*



1 *to reflect the acquisition and the land shall be managed in*  
2 *accordance with the laws and regulations applicable to the*  
3 *park: Provided, That section 7 of Public Law 100-479 is*  
4 *amended by inserting “land acquisition and development*  
5 *as authorized in” after “carry out”.*

6 *SPECIAL RESOURCE STUDY TO PRESERVE CIVIL RIGHTS*

7 *SITES*

8 *SEC. 120. (a) STUDY.—The Secretary of the Interior*  
9 *(referred to in this section as the “Secretary”) shall conduct*  
10 *a special resource study of significant civil rights sites in*  
11 *the State of Mississippi, including—*

12 *(1) the home of the late civil rights activist*  
13 *Medgar Evers, located at 2332 Margaret Walker Alex-*  
14 *ander Drive, Jackson, Mississippi;*

15 *(2) the Tallahatchie County Courthouse, located*  
16 *at 100 North Court Street, Sumner, Mississippi;*

17 *(3) the site of Bryant’s Store, located at the*  
18 *intersection of County Road 518 and County Road*  
19 *24, Money, Mississippi;*

20 *(4) the site of the former office of Dr. Gilbert*  
21 *Mason, Sr., located at 670 Division Street, Biloxi,*  
22 *Mississippi; and*

23 *(5) the Old Neshoba County Jail, located at 422*  
24 *Myrtle Avenue, East, Philadelphia, Mississippi.*

1       (b) *CONTENTS.*—*In conducting the study under sub-*  
2 *section (a), the Secretary shall—*

3           (1) *evaluate the national significance of each*  
4 *site;*

5           (2) *determine the suitability and feasibility of*  
6 *designating each site as a unit of the National Park*  
7 *System;*

8           (3)(A) *take into consideration other alternatives*  
9 *for preservation, protection, and interpretation of*  
10 *each site by—*

11               (i) *Federal, State, or local governmental en-*  
12 *tities; or*

13               (ii) *private or nonprofit organizations; and*

14           (B) *identify cost estimates for any Federal ac-*  
15 *quisition, development, interpretation, operation, and*  
16 *maintenance associated with the alternatives; and*

17           (4) *consult with interested Federal, State, and*  
18 *local governmental entities, private and nonprofit or-*  
19 *ganizations, and other individuals.*

20       (c) *APPLICABLE LAW.*—*The study under subsection (a)*  
21 *shall be conducted in accordance with section 100507 of title*  
22 *54, United States Code.*

23       (d) *STUDY RESULTS.*—*Not later than 3 years after the*  
24 *date on which funds are initially made available for the*  
25 *study under subsection (a), the Secretary shall submit to*



1           (3) *PUBLIC LAND.*—The term “public land” has  
2           the meaning given the term “public lands” in section  
3           103 of the *Federal Land Policy and Management Act*  
4           of 1976 (43 U.S.C. 1702).

5           (4) *SECRETARY.*—The term “Secretary” means  
6           the Secretary of the Interior.

7           (5) *WILD FREE-ROAMING HORSES AND BUR-*  
8           *ROS.*—The term “wild free-roaming horses and bur-

9           ros” has the meaning given the term in section 2 of  
10          *Public Law 92–195* (commonly known as the “*Wild*  
11          *Free-Roaming Horses And Burros Act*”) (16 U.S.C.  
12          1332).

13         (b) *ESTABLISHMENT AND PURPOSES.*—

14                 (1) *ESTABLISHMENT.*—

15                         (A) *IN GENERAL.*—There is established a  
16                         foundation, to be known as the “*Bureau of Land*  
17                         *Management Foundation*”.

18                         (B) *LIMITATION.*—The Foundation shall not  
19                         be considered to be an agency or establishment of  
20                         the United States.

21                         (C) *TAX EXEMPTION.*—The Foundation  
22                         shall be considered to be a charitable and non-  
23                         profit corporation under section 501(c)(3) of the  
24                         *Internal Revenue Code of 1986.*

1           (2) *PURPOSES.*—*The purposes of the Foundation*  
2     *are—*

3           (A) *to encourage, accept, and administer*  
4     *private gifts of money and real and personal*  
5     *property for the benefit of, or in connection with*  
6     *the activities and services of, the Bureau of Land*  
7     *Management;*

8           (B) *to carry out activities that advance the*  
9     *purposes for which public land is administered;*

10          (C) *to carry out and encourage educational,*  
11     *technical, scientific, and other assistance or ac-*  
12     *tivities that support the mission of the Bureau of*  
13     *Land Management; and*

14          (D) *to assist the Bureau of Land Manage-*  
15     *ment with challenges that could be better ad-*  
16     *ressed with the support of a foundation, includ-*  
17     *ing—*

18           (i) *reclamation and conservation ac-*  
19     *tivities;*

20           (ii) *activities relating to wild free-*  
21     *roaming horses and burros; and*

22           (iii) *the stewardship of cultural and*  
23     *archeological treasures on public land.*

24     (c) *BOARD OF DIRECTORS.*—

25           (1) *ESTABLISHMENT.*—

1           (A) *IN GENERAL.*—*The Foundation shall be*  
2           *governed by a Board of Directors.*

3           (B) *COMPOSITION.*—

4           (i) *IN GENERAL.*—*The Board shall*  
5           *consist of not more than 9 members.*

6           (ii) *EX-OFFICIO MEMBER.*—*The Direc-*  
7           *tor of the Bureau of Land Management*  
8           *shall be an ex-officio, nonvoting member of*  
9           *the Board.*

10          (C) *REQUIREMENTS.*—

11          (i) *CITIZENSHIP.*—*A member ap-*  
12          *pointed to the Board shall be a citizen of*  
13          *the United States.*

14          (ii) *EXPERTISE.*—*A majority of mem-*  
15          *bers appointed to the Board shall have edu-*  
16          *cation or experience relating to natural,*  
17          *cultural, conservation, or other resource*  
18          *management, law, or research.*

19          (iii) *DIVERSE POINTS OF VIEW.*—*To*  
20          *the maximum extent practicable, the mem-*  
21          *bers of the Board shall represent diverse*  
22          *points of view.*

23          (2) *DATE OF INITIAL APPOINTMENT.*—*Not later*  
24          *than 1 year after the date of enactment of this Act,*

1        *the Secretary shall appoint the initial members of the*  
2        *Board.*

3            (3) *TERMS.—*

4                    (A) *IN GENERAL.—Except as provided in*  
5                    *subparagraph (B), a member of the Board shall*  
6                    *be appointed for a term of 6 years.*

7                    (B) *INITIAL APPOINTMENTS.—The Secretary*  
8                    *shall stagger the initial appointments to the*  
9                    *Board, as the Secretary determines to be appro-*  
10                   *priate, in a manner that ensures that—*

11                            (i) *1/3 of the members shall serve for a*  
12                            *term of 2 years;*

13                            (ii) *1/3 of the members shall serve for*  
14                            *a term of 4 years; and*

15                            (iii) *1/3 of the members shall serve for*  
16                            *a term of 6 years.*

17                    (C) *VACANCIES.—A vacancy on the Board*  
18                    *shall be filled—*

19                            (i) *not later than 60 days after the*  
20                            *date of the vacancy;*

21                            (ii) *in the manner in which the origi-*  
22                            *nal appointment was made; and*

23                            (iii) *for the remainder of the term of*  
24                            *the member vacating the Board.*

1           (D) *REMOVAL FOR FAILURE TO ATTEND*  
2 *MEETINGS.*—

3           (i) *IN GENERAL.*—A member of the  
4 Board may be removed from the Board by  
5 a majority vote of the Board, if the indi-  
6 vidual fails to attend 3 consecutive regu-  
7 larly scheduled meetings of the Board.

8           (ii) *REQUIREMENTS.*—A vacancy as  
9 the result of a removal under clause (i) shall  
10 be filled in accordance with subparagraph  
11 (C).

12           (E) *LIMITATION.*—A member of the Board  
13 shall not serve more than 12 consecutive years on  
14 the Board.

15 (4) *CHAIRPERSON.*—

16           (A) *IN GENERAL.*—The Board shall elect a  
17 Chairperson from among the members of the  
18 Board.

19           (B) *TERM.*—The Chairperson of the  
20 Board—

21           (i) shall serve as Chairperson for a 2-  
22 year term; and

23           (ii) may be reelected as Chairperson  
24 while serving as a member of the Board.



1           (5) *QUORUM.*—*A majority of the voting members*  
2 *of the Board shall constitute a quorum for the trans-*  
3 *action of business of the Board.*

4           (6) *MEETINGS.*—*The Board shall meet—*

5                 (A) *at the call of the Chairperson; but*

6                 (B) *not less than once each calendar year.*

7           (7) *REIMBURSEMENT OF EXPENSES.*—

8                 (A) *IN GENERAL.*—*Serving as a member of*  
9 *the Board shall not constitute employment by the*  
10 *Federal Government for any purpose.*

11                (B) *REIMBURSEMENT.*—*A member of the*  
12 *Board shall serve without pay, other than reim-*  
13 *bursement for the actual and necessary traveling*  
14 *and subsistence expenses incurred in the per-*  
15 *formance of the duties of the member for the*  
16 *Foundation, in accordance with section 5703 of*  
17 *title 5, United States Code.*

18           (8) *GENERAL POWERS.*—*The Board may—*

19                 (A) *appoint officers and employees in ac-*  
20 *cordance with paragraph (9);*

21                 (B) *adopt a constitution and bylaws con-*  
22 *sistent with the purposes of the Foundation and*  
23 *this section; and*

1           (C) carry out any other activities that may  
2 be necessary to function and to carry out this  
3 section.

4           (9) OFFICERS AND EMPLOYEES.—

5           (A) IN GENERAL.—No officer or employee  
6 may be appointed to the Foundation until the  
7 date on which the Board determines that the  
8 Foundation has sufficient funds to pay for the  
9 service of the officer or employee.

10           (B) LIMITATION.—Appointment as an offi-  
11 cer or employee of the Foundation shall not con-  
12 stitute employment by the Federal Government.

13           (10) LIMITATION AND CONFLICTS OF INTER-  
14 EST.—

15           (A) PROHIBITION ON POLITICAL ACTIV-  
16 ITY.—The Foundation shall not participate or  
17 intervene in a political campaign on behalf of  
18 any candidate for public office.

19           (B) LIMITATION ON PARTICIPATION.—No  
20 member of the Board or officer or employee of the  
21 Foundation shall participate, directly or indi-  
22 rectly, in the consideration or determination of  
23 any question before the Foundation that af-  
24 fects—

1                   (i) *the financial interests of the mem-*  
2                   *ber of the Board, officer, or employee; or*

3                   (ii) *the interests of any corporation*  
4                   *partnership, entity, or organization in*  
5                   *which the member of the Board, officer, or*  
6                   *employee—*

7                   (I) *is an officer, director, or trust-*  
8                   *ee; or*

9                   (II) *has any direct or indirect fi-*  
10                  *nancial interest.*

11           (d) *POWERS AND OBLIGATIONS.—*

12                   (1) *IN GENERAL.—The Foundation—*

13                           (A) *shall have perpetual succession; and*

14                           (B) *may conduct business throughout the*  
15                   *several States, territories, and possessions of the*  
16                   *United States.*

17                   (2) *NOTICE; SERVICE OF PROCESS.—*

18                           (A) *DESIGNATED AGENT.—The Foundation*  
19                   *shall at all times maintain a designated agent in*  
20                   *the District of Columbia authorized to accept*  
21                   *service of process for the Foundation.*

22                           (B) *SERVICE OF PROCESS.—The serving of*  
23                   *notice to, or service of process on, the agent re-*  
24                   *quired under this paragraph, or mailed to the*  
25                   *business address of the agent, shall be deemed to*

1           *be notice to, or the service of process on, the*  
2           *Foundation.*

3           (3) *SEAL.*—*The Foundation shall have an offi-*  
4           *cial seal, to be selected by the Board, which shall be*  
5           *judicially noticed.*

6           (4) *POWERS.*—*To carry out the purposes of the*  
7           *Foundation, the Foundation shall have, in addition*  
8           *to powers otherwise authorized by this section, the*  
9           *usual powers of a not-for-profit corporation in the*  
10          *District of Columbia, including the power—*

11                 (A) *to accept, receive, solicit, hold, admin-*  
12                 *ister, and use any gift, devise, or bequest, abso-*  
13                 *lutely or in trust, of real or personal property,*  
14                 *or any income from, or other interest in, the*  
15                 *property;*

16                 (B) *to acquire by donation, gift, devise,*  
17                 *purchase, or exchange, and to dispose of, any*  
18                 *real or personal property or interest in the prop-*  
19                 *erty;*

20                 (C) *to sell, donate, lease, invest, reinvest, re-*  
21                 *tain, or otherwise dispose of any property or in-*  
22                 *come from property, unless limited by the instru-*  
23                 *ment of transfer;*

24                 (D) *to borrow money and issue bonds, de-*  
25                 *bentures, or other debt instruments;*

1           (E) to sue and be sued, and complain and  
2 defend itself in any court of competent jurisdic-  
3 tion, except that the members of the Board shall  
4 not be held personally liable, except in a case of  
5 gross negligence;

6           (F)(i) to enter into contracts or other agree-  
7 ments with public agencies, private organiza-  
8 tions, and persons; and

9           (ii) to make such payments as may be  
10 necessary to carry out the purposes of the  
11 contracts or agreements; and

12           (G) to carry out any activity necessary and  
13 proper to advance the purposes of the Founda-  
14 tion.

15 (5) REAL PROPERTY.—

16           (A) IN GENERAL.—For purposes of this sec-  
17 tion, an interest in real property shall include  
18 mineral and water rights, rights-of-way, and  
19 easements, appurtenant or in gross.

20           (B) ACCEPTANCE.—A gift, devise, or bequest  
21 of real property may be accepted by the Founda-  
22 tion, regardless of whether the property is en-  
23 cumbered, restricted, or subject to beneficial in-  
24 terests of a private person, if any current or fu-

1           *ture interest in the property is for the benefit of*  
2           *the Foundation.*

3           (C) *DECLINING GIFTS.*—*The Foundation*  
4           *may, at the discretion of the Foundation, decline*  
5           *any gift, devise, or bequest of real property.*

6           (D) *PROHIBITION ON CONDEMNATION.*—*No*  
7           *land, water, or interest in land or water, that is*  
8           *owned by the Foundation shall be subject to con-*  
9           *demnation by any State, political subdivision of*  
10           *a State, or agent or instrumentality of a State*  
11           *or political subdivision of a State.*

12       (e) *ADMINISTRATIVE SERVICES AND SUPPORT.*—

13           (1) *FUNDING.*—

14           (A) *IN GENERAL.*—*For the purposes of as-*  
15           *isting the Foundation in establishing an office*  
16           *and meeting initial administrative, project, and*  
17           *other expenses, the Secretary may provide to the*  
18           *Foundation, from funds appropriated under sub-*  
19           *section (j), such sums as are necessary for fiscal*  
20           *years 2017 and 2018.*

21           (B) *AVAILABILITY OF FUNDS.*—*Funds made*  
22           *available under subparagraph (A) shall remain*  
23           *available to the Foundation until expended for*  
24           *authorized purposes.*

25           (2) *ADMINISTRATIVE EXPENSES.*—

1           (A) *IN GENERAL.*—*The Secretary may pro-*  
2           *vide to the Foundation personnel, facilities,*  
3           *equipment, and other administrative services,*  
4           *subject to such limitations, terms, and conditions*  
5           *as the Secretary may establish.*

6           (B) *REIMBURSEMENT.*—*The Foundation*  
7           *may reimburse the Secretary for any support*  
8           *provided under subparagraph (A), in whole or in*  
9           *part, and any reimbursement received by the*  
10          *Secretary under this subparagraph shall be de-*  
11          *posited in the Treasury to the credit of the ap-*  
12          *propriations then current and chargeable for the*  
13          *cost of providing the services.*

14          (f) *VOLUNTEERS.*—*The Secretary may accept, without*  
15          *regard to the civil service classification laws (including reg-*  
16          *ulations), the services of the Foundation, the Board, and*  
17          *the officers, employees, and agents of the Foundation, with-*  
18          *out compensation from the Department of the Interior, as*  
19          *volunteers for the performance of the functions under section*  
20          *307(d) of the Federal Land Policy and Management Act*  
21          *of 1976 (43 U.S.C. 1737(d)).*

22          (g) *AUDITS AND REPORT REQUIREMENTS.*—

23                  (1) *AUDITS.*—*For purposes of section 10101 of*  
24          *title 36, United States Code, the Foundation shall be*

1       *considered to be a private corporation established*  
2       *under Federal law.*

3               (2) *ANNUAL REPORTS.*—*At the end of each fiscal*  
4       *year, the Board shall submit to Congress a report that*  
5       *describes the proceedings and activities of the Foun-*  
6       *ation during that fiscal year, including a full and*  
7       *complete statement of the receipts, expenditures, and*  
8       *investments.*

9       (h) *UNITED STATES RELEASE FROM LIABILITY.*—

10              (1) *IN GENERAL.*—*The United States shall not be*  
11       *liable for any debt, default, act, or omission of the*  
12       *Foundation.*

13              (2) *FULL FAITH AND CREDIT.*—*The full faith*  
14       *and credit of the United States shall not extend to*  
15       *any obligation of the Foundation.*

16       (i) *LIMITATION ON AUTHORITY.*—*Nothing in this sec-*  
17       *tion authorizes the Foundation to perform any function the*  
18       *authority for which is provided to the Bureau of Land Man-*  
19       *agement under any other provision of law.*

20       (j) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
21       *authorized to be appropriated such sums as are necessary*  
22       *to carry out this section.*





1 *changes to funding projections due to routine attrition dur-*  
2 *ing fiscal year 2017.*

3 *ENVIRONMENTAL PROGRAMS AND MANAGEMENT*

4 *(INCLUDING RESCISSION OF FUNDS)*

5 *For environmental programs and management, in-*  
6 *cluding necessary expenses, not otherwise provided for, for*  
7 *personnel and related costs and travel expenses; hire of pas-*  
8 *senger motor vehicles; hire, maintenance, and operation of*  
9 *aircraft; purchase of reprints; library memberships in soci-*  
10 *eties or associations which issue publications to members*  
11 *only or at a price to members lower than to subscribers*  
12 *who are not members; administrative costs of the*  
13 *brownfields program under the Small Business Liability*  
14 *Relief and Brownfields Revitalization Act of 2002; and not*  
15 *to exceed \$9,000 for official reception and representation*  
16 *expenses, \$2,619,799,000, to remain available until Sep-*  
17 *tember 30, 2018: Provided, That of the funds included under*  
18 *this heading, \$12,700,000 shall be for Environmental Pro-*  
19 *tection: National Priorities as specified in the explanatory*  
20 *statement described in section 4 (in the matter preceding*  
21 *division A of this consolidated Act): Provided further, That*  
22 *of the funds included under this heading, \$435,857,000 shall*  
23 *be for Geographic Programs specified in the explanatory*  
24 *statement described in section 4 (in the matter preceding*  
25 *division A of this consolidated Act): Provided further, That*

1 of the unobligated balances from appropriations made  
2 available under this heading, \$21,800,000 are permanently  
3 rescinded: Provided further, That no amounts may be re-  
4 scinded pursuant to the preceding proviso from amounts  
5 made available in the first proviso for Environmental Pro-  
6 tection: National Priorities, from amounts made available  
7 in the second proviso for Geographic Programs, or from the  
8 National Estuary Program (33 U.S.C. 1330): Provided fur-  
9 ther, That such rescission shall be applied to program  
10 project areas, to the extent practicable, to reflect changes  
11 to funding projections due to routine attrition during fiscal  
12 year 2017.

13 In addition, \$3,000,000 to remain available until ex-  
14 pended, for necessary expenses of activities described in sec-  
15 tion 26(b)(1) of the Toxic Substances Control Act (15  
16 U.S.C. 2625(b)(1)): Provided, That fees collected pursuant  
17 to that section of that Act and deposited in the “TSCA Serv-  
18 ice Fee Fund” as discretionary offsetting receipts in fiscal  
19 year 2017 shall be retained and used for necessary salaries  
20 and expenses in this appropriation and shall remain avail-  
21 able until expended: Provided further, That the sum herein  
22 appropriated in this paragraph from the general fund for  
23 fiscal year 2017 shall be reduced by the amount of discre-  
24 tionary offsetting receipts received during fiscal year 2017,  
25 so as to result in a final fiscal year 2017 appropriation

1 *from the general fund estimated at not more than \$0: Pro-*  
 2 *vided further, That to the extent that amounts realized from*  
 3 *such receipts exceed \$3,000,000, those amount in excess of*  
 4 *\$3,000,000 shall be deposited in the “TSCA Service Fee*  
 5 *Fund” as discretionary offsetting receipts in fiscal year*  
 6 *2017, shall be retained and used for necessary salaries and*  
 7 *expenses in this account, and shall remain available until*  
 8 *expended: Provided further, That of the funds included in*  
 9 *the first paragraph under this heading, the Chemical Risk*  
 10 *Review and Reduction program project shall be allocated*  
 11 *for this fiscal year, excluding the amount of any fees appro-*  
 12 *priated, not less than the amount of appropriations for that*  
 13 *program project for fiscal year 2014.*

14     *HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM*  
 15                                     *FUND*

16     *For necessary expenses to carry out section 3024 of the*  
 17 *Solid Waste Disposal Act (42 U.S.C. 6939g), including the*  
 18 *development, operation, maintenance, and upgrading of the*  
 19 *hazardous waste electronic manifest system established by*  
 20 *such section, \$3,178,000, to remain available until Sep-*  
 21 *tember 30, 2019.*

22                                     *OFFICE OF INSPECTOR GENERAL*

23     *For necessary expenses of the Office of Inspector Gen-*  
 24 *eral in carrying out the provisions of the Inspector General*

1 *Act of 1978, \$41,489,000, to remain available until Sep-*  
2 *tember 30, 2018.*

3 *BUILDINGS AND FACILITIES*

4 *For construction, repair, improvement, extension, al-*  
5 *teration, and purchase of fixed equipment or facilities of,*  
6 *or for use by, the Environmental Protection Agency,*  
7 *\$34,467,000, to remain available until expended.*

8 *HAZARDOUS SUBSTANCE SUPERFUND*

9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *For necessary expenses to carry out the Comprehensive*  
11 *Environmental Response, Compensation, and Liability Act*  
12 *of 1980 (CERCLA), including sections 111(c)(3), (c)(5),*  
13 *(c)(6), and (e)(4) (42 U.S.C. 9611) \$1,088,769,000, to re-*  
14 *main available until expended, consisting of such sums as*  
15 *are available in the Trust Fund on September 30, 2016,*  
16 *as authorized by section 517(a) of the Superfund Amend-*  
17 *ments and Reauthorization Act of 1986 (SARA) and up*  
18 *to \$1,088,769,000 as a payment from general revenues to*  
19 *the Hazardous Substance Superfund for purposes as au-*  
20 *thorized by section 517(b) of SARA: Provided, That funds*  
21 *appropriated under this heading may be allocated to other*  
22 *Federal agencies in accordance with section 111(a) of*  
23 *CERCLA: Provided further, That of the funds appropriated*  
24 *under this heading, \$8,778,000 shall be paid to the “Office*  
25 *of Inspector General” appropriation to remain available*

1 *until September 30, 2018, and \$15,496,000 shall be paid*  
2 *to the “Science and Technology” appropriation to remain*  
3 *available until September 30, 2018.*

4 *LEAKING UNDERGROUND STORAGE TANK TRUST FUND*  
5 *PROGRAM*

6 *For necessary expenses to carry out leaking under-*  
7 *ground storage tank cleanup activities authorized by sub-*  
8 *title I of the Solid Waste Disposal Act, \$91,941,000, to re-*  
9 *main available until expended, of which \$66,572,000 shall*  
10 *be for carrying out leaking underground storage tank clean-*  
11 *up activities authorized by section 9003(h) of the Solid*  
12 *Waste Disposal Act; \$25,369,000 shall be for carrying out*  
13 *the other provisions of the Solid Waste Disposal Act speci-*  
14 *fied in section 9508(c) of the Internal Revenue Code: Pro-*  
15 *vided, That the Administrator is authorized to use appro-*  
16 *priations made available under this heading to implement*  
17 *section 9013 of the Solid Waste Disposal Act to provide fi-*  
18 *nancial assistance to federally recognized Indian tribes for*  
19 *the development and implementation of programs to man-*  
20 *age underground storage tanks.*

21 *INLAND OIL SPILL PROGRAMS*

22 *For expenses necessary to carry out the Environmental*  
23 *Protection Agency’s responsibilities under the Oil Pollution*  
24 *Act of 1990, \$18,209,000, to be derived from the Oil Spill*  
25 *Liability trust fund, to remain available until expended.*

1            *STATE AND TRIBAL ASSISTANCE GRANTS*

2            *For environmental programs and infrastructure as-*  
3 *sistance, including capitalization grants for State revolving*  
4 *funds and performance partnership grants, \$3,527,161,000,*  
5 *to remain available until expended, of which—*

6            (1) *\$1,393,887,000 shall be for making capital-*  
7 *ization grants for the Clean Water State Revolving*  
8 *Funds under title VI of the Federal Water Pollution*  
9 *Control Act; and of which \$863,233,000 shall be for*  
10 *making capitalization grants for the Drinking Water*  
11 *State Revolving Funds under section 1452 of the Safe*  
12 *Drinking Water Act: Provided, That for fiscal year*  
13 *2017, to the extent there are sufficient eligible project*  
14 *applications and projects are consistent with State*  
15 *Intended Use Plans, not less than 10 percent of the*  
16 *funds made available under this title to each State for*  
17 *Clean Water State Revolving Fund capitalization*  
18 *grants shall be used by the State for projects to ad-*  
19 *dress green infrastructure, water or energy efficiency*  
20 *improvements, or other environmentally innovative*  
21 *activities: Provided further, That for fiscal year 2017,*  
22 *funds made available under this title to each State for*  
23 *Drinking Water State Revolving Fund capitalization*  
24 *grants may, at the discretion of each State, be used*  
25 *for projects to address green infrastructure, water or*

1 *energy efficiency improvements, or other environ-*  
2 *mentally innovative activities: Provided further, That*  
3 *notwithstanding section 603(d)(7) of the Federal*  
4 *Water Pollution Control Act, the limitation on the*  
5 *amounts in a State water pollution control revolving*  
6 *fund that may be used by a State to administer the*  
7 *fund shall not apply to amounts included as prin-*  
8 *icipal in loans made by such fund in fiscal year 2017*  
9 *and prior years where such amounts represent costs*  
10 *of administering the fund to the extent that such*  
11 *amounts are or were deemed reasonable by the Ad-*  
12 *ministrator, accounted for separately from other as-*  
13 *sets in the fund, and used for eligible purposes of the*  
14 *fund, including administration: Provided further,*  
15 *That for fiscal year 2017, notwithstanding the provi-*  
16 *sions of sections 201(g)(1), (h), and (l) of the Federal*  
17 *Water Pollution Control Act, grants under title II of*  
18 *the Federal Water Pollution Control Act for American*  
19 *Samoa, Guam, the Commonwealth of the Northern*  
20 *Marianas, the United States Virgin Islands, and the*  
21 *District of Columbia may also be made for the pur-*  
22 *pose of providing assistance: (1) solely for facility*  
23 *plans, design activities, or plans, specification, and*  
24 *estimates for any proposed project for the construction*  
25 *of treatment works; and (2) for the construction, re-*



1       *pair, or replacement of privately owned treatment*  
2       *works serving one or more principal residences or*  
3       *small commercial establishments: Provided further,*  
4       *That for fiscal year 2017, notwithstanding the provi-*  
5       *sions of 201(g)(1), (h), and (l) and section 518(c) of*  
6       *the Federal Water Pollution Control Act, funds re-*  
7       *served by the Administrator for grants under section*  
8       *518(c) of the Federal Water Pollution Control Act*  
9       *may also be used to provide assistance: (1) solely for*  
10      *facility plans, design activities, or plans, specifica-*  
11      *tions, and estimates for any proposed project for the*  
12      *construction of treatment works; and (2) for the con-*  
13      *struction, repair, or replacement of privately owned*  
14      *treatment works serving one or more principal resi-*  
15      *dences or small commercial establishments; Funds re-*  
16      *served under section 518(c) of such Act shall be avail-*  
17      *able for grants only to Indian tribes, as defined in*  
18      *section 518(h) of such Act and former Indian reserva-*  
19      *tions in Oklahoma (as defined by the Secretary of the*  
20      *Interior) and Native Villages (as defined in Public*  
21      *Law 92–203): Provided further, That for fiscal year*  
22      *2017, notwithstanding any provision of the Clean*  
23      *Water Act and regulations issued pursuant thereof,*  
24      *up to a total of \$2,000,000 of the funds reserved by*  
25      *the Administrator for grants under section 518(c) of*

1        *the Federal Water Pollution Control Act may also be*  
2        *used for grants for training, technical assistance, and*  
3        *educational programs relating to the operation and*  
4        *management of the treatment works specified in sec-*  
5        *tion 518(c) of such Act; Funds reserved under section*  
6        *518(c) of such Act shall be available for grants only*  
7        *to Indian tribes, as defined in section 518(h) of such*  
8        *Act and former Indian reservations in Oklahoma (as*  
9        *determined by the Secretary of the Interior) and Na-*  
10       *tive Villages (as defined in Public Law 92–203): Pro-*  
11       *vided further, That for fiscal year 2017, notwith-*  
12       *standing the limitation on amounts in section 518(c)*  
13       *of the Federal Water Pollution Control Act, up to a*  
14       *total of 2 percent of the funds appropriated, or*  
15       *\$30,000,000, whichever is greater, and notwith-*  
16       *standing the limitation on amounts in section 1452(i)*  
17       *of the Safe Drinking Water Act, up to a total of 2*  
18       *percent of the funds appropriated, or \$20,000,000,*  
19       *whichever is greater, for State Revolving Funds under*  
20       *such Acts may be reserved by the Administrator for*  
21       *grants under section 518(c) and section 1452(i) of*  
22       *such Acts: Provided further, That for fiscal year 2017,*  
23       *notwithstanding the amounts specified in section*  
24       *205(c) of the Federal Water Pollution Control Act, up*  
25       *to 1.5 percent of the aggregate funds appropriated for*

1     *the Clean Water State Revolving Fund program*  
2     *under the Act less any sums reserved under section*  
3     *518(c) of the Act, may be reserved by the Adminis-*  
4     *trator for grants made under title II of the Federal*  
5     *Water Pollution Control Act for American Samoa,*  
6     *Guam, the Commonwealth of the Northern Marianas,*  
7     *and United States Virgin Islands: Provided further,*  
8     *That for fiscal year 2017, notwithstanding the limita-*  
9     *tions on amounts specified in section 1452(j) of the*  
10    *Safe Drinking Water Act, up to 1.5 percent of the*  
11    *funds appropriated for the Drinking Water State Re-*  
12    *volving Fund programs under the Safe Drinking*  
13    *Water Act may be reserved by the Administrator for*  
14    *grants made under section 1452(j) of the Safe Drink-*  
15    *ing Water Act: Provided further, That 10 percent of*  
16    *the funds made available under this title to each State*  
17    *for Clean Water State Revolving Fund capitalization*  
18    *grants and 20 percent of the funds made available*  
19    *under this title to each State for Drinking Water*  
20    *State Revolving Fund capitalization grants shall be*  
21    *used by the State to provide additional subsidy to eli-*  
22    *gible recipients in the form of forgiveness of principal,*  
23    *negative interest loans, or grants (or any combination*  
24    *of these), and shall be so used by the State only where*  
25    *such funds are provided as initial financing for an*

1 *eligible recipient or to buy, refinance, or restructure*  
2 *the debt obligations of eligible recipients where such*  
3 *debt was incurred on or after the date of enactment*  
4 *of this Act, or where such debt was incurred prior to*  
5 *the date of enactment of this Act if the State, with*  
6 *concurrence from the Administrator, determines that*  
7 *such funds could be used to help address a threat to*  
8 *public health from heightened exposure to lead in*  
9 *drinking water or if a Federal or State emergency*  
10 *declaration has been issued due to a threat to public*  
11 *health from heightened exposure to lead in a munic-*  
12 *ipal drinking water supply before the date of enact-*  
13 *ment of this Act: Provided further, That in a State*  
14 *in which such an emergency declaration has been*  
15 *issued, the State may use more than 20 percent of the*  
16 *funds made available under this title to the State for*  
17 *Drinking Water State Revolving Fund capitalization*  
18 *grants to provide additional subsidy to eligible recipi-*  
19 *ents;*

20 *(2) \$10,000,000 shall be for architectural, engi-*  
21 *neering, planning, design, construction and related*  
22 *activities in connection with the construction of high*  
23 *priority water and wastewater facilities in the area*  
24 *of the United States-Mexico Border, after consultation*  
25 *with the appropriate border commission: Provided,*

1       *That no funds provided by this appropriations Act to*  
2       *address the water, wastewater and other critical in-*  
3       *frastructure needs of the colonias in the United States*  
4       *along the United States-Mexico border shall be made*  
5       *available to a county or municipal government unless*  
6       *that government has established an enforceable local*  
7       *ordinance, or other zoning rule, which prevents in*  
8       *that jurisdiction the development or construction of*  
9       *any additional colonia areas, or the development*  
10       *within an existing colonia the construction of any*  
11       *new home, business, or other structure which lacks*  
12       *water, wastewater, or other necessary infrastructure;*

13               *(3) \$20,000,000 shall be for grants to the State*  
14       *of Alaska to address drinking water and wastewater*  
15       *infrastructure needs of rural and Alaska Native Vil-*  
16       *lages: Provided, That of these funds: (A) the State of*  
17       *Alaska shall provide a match of 25 percent; (B) no*  
18       *more than 5 percent of the funds may be used for ad-*  
19       *ministrative and overhead expenses; and (C) the State*  
20       *of Alaska shall make awards consistent with the*  
21       *Statewide priority list established in conjunction with*  
22       *the Agency and the U.S. Department of Agriculture*  
23       *for all water, sewer, waste disposal, and similar*  
24       *projects carried out by the State of Alaska that are*  
25       *funded under section 221 of the Federal Water Pollu-*

1        *tion Control Act (33 U.S.C. 1301) or the Consolidated*  
2        *Farm and Rural Development Act (7 U.S.C. 1921 et*  
3        *seq.) which shall allocate not less than 25 percent of*  
4        *the funds provided for projects in regional hub com-*  
5        *munities;*

6            (4) \$80,000,000 shall be to carry out section  
7        *104(k) of the Comprehensive Environmental Re-*  
8        *sponse, Compensation, and Liability Act of 1980*  
9        *(CERCLA), including grants, interagency agree-*  
10       *ments, and associated program support costs: Pro-*  
11       *vided, That not more than 25 percent of the amount*  
12       *appropriated to carry out section 104(k) of CERCLA*  
13       *shall be used for site characterization, assessment, and*  
14       *remediation of facilities described in section*  
15       *101(39)(D)(ii)(II) of CERCLA: Provided further,*  
16       *That at least 10 percent shall be allocated for assist-*  
17       *ance in persistent poverty counties: Provided further,*  
18       *That for purposes of this section, the term “persistent*  
19       *poverty counties” means any county that has had 20*  
20       *percent or more of its population living in poverty*  
21       *over the past 30 years, as measured by the 1990 and*  
22       *2000 decennial censuses and the most recent Small*  
23       *Area Income and Poverty Estimates;*

24            (5) \$60,000,000 shall be for grants under title  
25        *VII, subtitle G of the Energy Policy Act of 2005;*

1           (6) \$30,000,000 shall be for targeted airshed  
2           grants in accordance with the terms and conditions  
3           of the explanatory statement described in section 4 (in  
4           the matter preceding division A of this consolidated  
5           Act);

6           (7) \$4,000,000 shall be to carry out the water  
7           quality program authorized in section 5004(d) of the  
8           Water Infrastructure Improvements for the Nation  
9           Act (Public Law 114–322); and

10          (8) \$1,066,041,000 shall be for grants, including  
11          associated program support costs, to States, federally  
12          recognized tribes, interstate agencies, tribal consortia,  
13          and air pollution control agencies for multi-media or  
14          single media pollution prevention, control and abate-  
15          ment and related activities, including activities pur-  
16          suant to the provisions set forth under this heading  
17          in Public Law 104–134, and for making grants under  
18          section 103 of the Clean Air Act for particulate mat-  
19          ter monitoring and data collection activities subject to  
20          terms and conditions specified by the Administrator,  
21          of which: \$47,745,000 shall be for carrying out section  
22          128 of CERCLA; \$9,646,000 shall be for Environ-  
23          mental Information Exchange Network grants, in-  
24          cluding associated program support costs; \$1,498,000  
25          shall be for grants to States under section 2007(f)(2)

1        *of the Solid Waste Disposal Act, which shall be in ad-*  
2        *dition to funds appropriated under the heading*  
3        *“Leaking Underground Storage Tank Trust Fund*  
4        *Program” to carry out the provisions of the Solid*  
5        *Waste Disposal Act specified in section 9508(c) of the*  
6        *Internal Revenue Code other than section 9003(h) of*  
7        *the Solid Waste Disposal Act; \$17,848,000 of the*  
8        *funds available for grants under section 106 of the*  
9        *Federal Water Pollution Control Act shall be for State*  
10       *participation in national- and State-level statistical*  
11       *surveys of water resources and enhancements to State*  
12       *monitoring programs.*

13       *WATER INFRASTRUCTURE FINANCE AND INNOVATION*

14                    *PROGRAM ACCOUNT*

15        *For the cost of direct loans and for the cost of guaran-*  
16        *teed loans, as authorized by the Water Infrastructure Fi-*  
17        *nance and Innovation Act of 2014, \$8,000,000, to remain*  
18        *available until expended: Provided, That such costs, includ-*  
19        *ing the cost of modifying such loans, shall be as defined*  
20        *in section 502 of the Congressional Budget Act of 1974: Pro-*  
21        *vided further, That these funds are available to subsidize*  
22        *gross obligations for the principal amount of direct loans,*  
23        *including capitalized interest, and total loan principal, in-*  
24        *cluding capitalized interest, any part of which is to be*  
25        *guaranteed, not to exceed \$976,000,000: Provided further,*



1 *That amounts made available under this heading in this*  
2 *Act are in addition to amounts appropriated or otherwise*  
3 *made available for the Water Infrastructure Finance and*  
4 *Innovation Program for fiscal year 2017.*

5 *In addition, fees authorized to be collected pursuant*  
6 *to sections 5029 and 5030 of the Water Infrastructure Fi-*  
7 *nance and Innovation Act of 2014 shall be deposited in this*  
8 *account to remain available until expended.*

9 *In addition, for administrative expenses to carry out*  
10 *the direct and guaranteed loan programs, notwithstanding*  
11 *section 5033 of the Water Infrastructure Finance and Inno-*  
12 *vation Act of 2014, \$2,000,000, to remain available until*  
13 *September 30, 2018.*

14 *ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL*

15 *PROTECTION AGENCY*

16 *(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)*

17 *For fiscal year 2017, notwithstanding 31 U.S.C.*  
18 *6303(1) and 6305(1), the Administrator of the Environ-*  
19 *mental Protection Agency, in carrying out the Agency's*  
20 *function to implement directly Federal environmental pro-*  
21 *grams required or authorized by law in the absence of an*  
22 *acceptable tribal program, may award cooperative agree-*  
23 *ments to federally recognized Indian tribes or Intertribal*  
24 *consortia, if authorized by their member tribes, to assist the*  
25 *Administrator in implementing Federal environmental*

1 *programs for Indian tribes required or authorized by law,*  
2 *except that no such cooperative agreements may be awarded*  
3 *from funds designated for State financial assistance agree-*  
4 *ments.*

5 *The Administrator of the Environmental Protection*  
6 *Agency is authorized to collect and obligate pesticide reg-*  
7 *istration service fees in accordance with section 33 of the*  
8 *Federal Insecticide, Fungicide, and Rodenticide Act, as*  
9 *amended by Public Law 112–177, the Pesticide Registra-*  
10 *tion Improvement Extension Act of 2012.*

11 *Notwithstanding section 33(d)(2) of the Federal Insec-*  
12 *ticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C.*  
13 *136w–8(d)(2)), the Administrator of the Environmental*  
14 *Protection Agency may assess fees under section 33 of*  
15 *FIFRA (7 U.S.C. 136w–8) for fiscal year 2017.*

16 *The Administrator is authorized to transfer up to*  
17 *\$300,000,000 of the funds appropriated for the Great Lakes*  
18 *Restoration Initiative under the heading “Environmental*  
19 *Programs and Management” to the head of any Federal de-*  
20 *partment or agency, with the concurrence of such head, to*  
21 *carry out activities that would support the Great Lakes*  
22 *Restoration Initiative and Great Lakes Water Quality*  
23 *Agreement programs, projects, or activities; to enter into*  
24 *an interagency agreement with the head of such Federal de-*  
25 *partment or agency to carry out these activities; and to*

1 *make grants to governmental entities, nonprofit organiza-*  
2 *tions, institutions, and individuals for planning, research,*  
3 *monitoring, outreach, and implementation in furtherance*  
4 *of the Great Lakes Restoration Initiative and the Great*  
5 *Lakes Water Quality Agreement.*

6 *The Science and Technology, Environmental Programs*  
7 *and Management, Office of Inspector General, Hazardous*  
8 *Substance Superfund, and Leaking Underground Storage*  
9 *Tank Trust Fund Program Accounts, are available for the*  
10 *construction, alteration, repair, rehabilitation, and renova-*  
11 *tion of facilities provided that the cost does not exceed*  
12 *\$150,000 per project.*

13 *For fiscal year 2017, and notwithstanding section*  
14 *518(f) of the Federal Water Pollution Control Act (33*  
15 *U.S.C. 1377(f)), the Administrator is authorized to use the*  
16 *amounts appropriated for any fiscal year under section 319*  
17 *of the Act to make grants to Indian tribes pursuant to sec-*  
18 *tions 319(h) and 518(e) of that Act.*

19 *The Administrator is authorized to use the amounts*  
20 *appropriated under the heading “Environmental Programs*  
21 *and Management” for fiscal year 2017 to provide grants*  
22 *to implement the Southeastern New England Watershed*  
23 *Restoration Program.*

24 *Notwithstanding the limitation on amounts in section*  
25 *320(i) of the Federal Water Pollution Control Act, funds*

1 *made available under this title for the National Estuary*  
2 *Program shall be used for the development, implementation,*  
3 *and monitoring of comprehensive conservation and man-*  
4 *agement plans.*

5 *Of the unobligated balances available for “State and*  
6 *Tribal Assistance Grants” account, \$61,198,000 are perma-*  
7 *nently rescinded: Provided, That no amounts may be re-*  
8 *scinded from amounts that were designated by the Congress*  
9 *as an emergency requirement pursuant to the Concurrent*  
10 *Resolution on the Budget or the Balanced Budget and*  
11 *Emergency Deficit Control Act of 1985 or from amounts*  
12 *that were made available by subsection (a) of section 196*  
13 *of the Continuing Appropriations Act, 2017 (division C of*  
14 *Public Law 114–223), as amended by the Further Con-*  
15 *tinuing and Security Assistance Appropriations Act, 2017*  
16 *(Public Law 114–254).*

17 *TITLE III*

18 *RELATED AGENCIES*

19 *DEPARTMENT OF AGRICULTURE*

20 *FOREST SERVICE*

21 *FOREST AND RANGELAND RESEARCH*

22 *For necessary expenses of forest and rangeland re-*  
23 *search as authorized by law, \$288,514,000, to remain avail-*  
24 *able through September 30, 2020: Provided, That of the*

1 *funds provided, \$77,000,000 is for the forest inventory and*  
2 *analysis program.*

3 *STATE AND PRIVATE FORESTRY*

4 *(INCLUDING RESCISSION OF FUNDS)*

5 *For necessary expenses of cooperating with and pro-*  
6 *viding technical and financial assistance to States, terri-*  
7 *tories, possessions, and others, and for forest health manage-*  
8 *ment, including treatments of pests, pathogens, and*  
9 *invasive or noxious plants and for restoring and rehabili-*  
10 *tating forests damaged by pests or invasive plants, coopera-*  
11 *tive forestry, and education and land conservation activi-*  
12 *ties and conducting an international program as author-*  
13 *ized, \$228,923,000, to remain available through September*  
14 *30, 2020, as authorized by law; of which \$62,347,000 is to*  
15 *be derived from the Land and Water Conservation Fund*  
16 *to be used for the Forest Legacy Program, to remain avail-*  
17 *able until expended.*

18 *Of the unobligated balances from amounts made avail-*  
19 *able for the Forest Legacy Program and derived from the*  
20 *Land and Water Conservation Fund, \$12,002,000 is hereby*  
21 *permanently rescinded from projects with cost savings or*  
22 *failed or partially failed projects that had funds returned.*

## 1 NATIONAL FOREST SYSTEM

2 (INCLUDING TRANSFERS OF FUNDS)

3 *For necessary expenses of the Forest Service, not other-*  
4 *wise provided for, for management, protection, improve-*  
5 *ment, and utilization of the National Forest System,*  
6 *\$1,513,318,000, to remain available through September 30,*  
7 *2020: Provided, That of the funds provided, \$40,000,000*  
8 *shall be deposited in the Collaborative Forest Landscape*  
9 *Restoration Fund for ecological restoration treatments as*  
10 *authorized by 16 U.S.C. 7303(f): Provided further, That of*  
11 *the funds provided, \$367,805,000 shall be for forest prod-*  
12 *ucts: Provided further, That of the funds provided, up to*  
13 *\$81,941,000 is for the Integrated Resource Restoration pilot*  
14 *program for Region 1, Region 3 and Region 4: Provided*  
15 *further, That of the funds provided for forest products, up*  
16 *to \$65,560,000 may be transferred to support the Integrated*  
17 *Resource Restoration pilot program in the preceding pro-*  
18 *viso: Provided further, That the Secretary of Agriculture*  
19 *may transfer to the Secretary of the Interior any unobli-*  
20 *gated funds appropriated in a previous fiscal year for oper-*  
21 *ation of the Valles Caldera National Preserve: Provided fur-*  
22 *ther, That notwithstanding section 33 of the Bankhead*  
23 *Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of*  
24 *Agriculture, in calculating a fee for grazing on a National*  
25 *Grassland, may provide a credit of up to 50 percent of the*

1 *calculated fee to a Grazing Association or direct permittee*  
2 *for a conservation practice approved by the Secretary in*  
3 *advance of the fiscal year in which the cost of the conserva-*  
4 *tion practice is incurred. And, that the amount credited*  
5 *shall remain available to the Grazing Association or the*  
6 *direct permittee, as appropriate, in the fiscal year in which*  
7 *the credit is made and each fiscal year thereafter for use*  
8 *on the project for conservation practices approved by the*  
9 *Secretary.*

10 *CAPITAL IMPROVEMENT AND MAINTENANCE*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For necessary expenses of the Forest Service, not other-*  
13 *wise provided for, \$364,014,000, to remain available*  
14 *through September 30, 2020, for construction, capital im-*  
15 *provement, maintenance and acquisition of buildings and*  
16 *other facilities and infrastructure; and for construction, re-*  
17 *construction, decommissioning of roads that are no longer*  
18 *needed, including unauthorized roads that are not part of*  
19 *the transportation system, and maintenance of forest roads*  
20 *and trails by the Forest Service as authorized by 16 U.S.C.*  
21 *532–538 and 23 U.S.C. 101 and 205: Provided, That*  
22 *\$40,000,000 shall be designated for urgently needed road*  
23 *decommissioning, road and trail repair and maintenance*  
24 *and associated activities, and removal of fish passage bar-*  
25 *riers, especially in areas where Forest Service roads may*

1 *be contributing to water quality problems in streams and*  
2 *water bodies which support threatened, endangered, or sen-*  
3 *sitive species or community water sources: Provided further,*  
4 *That funds becoming available in fiscal year 2017 under*  
5 *the Act of March 4, 1913 (16 U.S.C. 501) shall be trans-*  
6 *ferred to the General Fund of the Treasury and shall not*  
7 *be available for transfer or obligation for any other purpose*  
8 *unless the funds are appropriated: Provided further, That*  
9 *of the funds provided for decommissioning of roads, up to*  
10 *\$14,743,000 may be transferred to the “National Forest*  
11 *System” to support the Integrated Resource Restoration*  
12 *pilot program.*

13 *LAND ACQUISITION*

14 *For expenses necessary to carry out the provisions of*  
15 *chapter 2003 of title 54, United States Code, including ad-*  
16 *ministrative expenses, and for acquisition of land or waters,*  
17 *or interest therein, in accordance with statutory authority*  
18 *applicable to the Forest Service, \$54,415,000, to be derived*  
19 *from the Land and Water Conservation Fund and to re-*  
20 *main available until expended.*

21 *ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL*

22 *ACTS*

23 *For acquisition of lands within the exterior boundaries*  
24 *of the Cache, Uinta, and Wasatch National Forests, Utah;*  
25 *the Toiyabe National Forest, Nevada; and the Angeles, San*



1 *Bernardino, Sequoia, and Cleveland National Forests, Cali-*  
2 *fornia, as authorized by law, \$950,000, to be derived from*  
3 *forest receipts.*

4 *ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES*

5 *For acquisition of lands, such sums, to be derived from*  
6 *funds deposited by State, county, or municipal govern-*  
7 *ments, public school districts, or other public school authori-*  
8 *ties, and for authorized expenditures from funds deposited*  
9 *by non-Federal parties pursuant to Land Sale and Ex-*  
10 *change Acts, pursuant to the Act of December 4, 1967 (16*  
11 *U.S.C. 484a), to remain available through September 30,*  
12 *2020, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Pub-*  
13 *lic Law 76–589, 76–591; and Public Law 78–310).*

14 *RANGE BETTERMENT FUND*

15 *For necessary expenses of range rehabilitation, protec-*  
16 *tion, and improvement, 50 percent of all moneys received*  
17 *during the prior fiscal year, as fees for grazing domestic*  
18 *livestock on lands in National Forests in the 16 Western*  
19 *States, pursuant to section 401(b)(1) of Public Law 94–*  
20 *579, to remain available through September 30, 2020, of*  
21 *which not to exceed 6 percent shall be available for adminis-*  
22 *trative expenses associated with on-the-ground range reha-*  
23 *bilitation, protection, and improvements.*

1       *GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND*  
2                               *RANGELAND RESEARCH*

3       *For expenses authorized by 16 U.S.C. 1643(b),*  
4       *\$45,000, to remain available through September 30, 2020,*  
5       *to be derived from the fund established pursuant to the*  
6       *above Act.*

7                               *MANAGEMENT OF NATIONAL FOREST LANDS FOR*  
8                               *SUBSISTENCE USES*

9       *For necessary expenses of the Forest Service to manage*  
10       *Federal lands in Alaska for subsistence uses under title VIII*  
11       *of the Alaska National Interest Lands Conservation Act*  
12       *(Public Law 96–487), \$2,500,000, to remain available*  
13       *through September 30, 2020.*

14                               *WILDLAND FIRE MANAGEMENT*  
15                               *(INCLUDING TRANSFERS OF FUNDS)*

16       *For necessary expenses for forest fire presuppression*  
17       *activities on National Forest System lands, for emergency*  
18       *fire suppression on or adjacent to such lands or other lands*  
19       *under fire protection agreement, hazardous fuels manage-*  
20       *ment on or adjacent to such lands, emergency rehabilitation*  
21       *of burned-over National Forest System lands and water,*  
22       *and for State and volunteer fire assistance, \$2,833,415,000,*  
23       *to remain available through September 30, 2020: Provided,*  
24       *That such funds including unobligated balances under this*  
25       *heading, are available for repayment of advances from other*

1 appropriations accounts previously transferred for such  
2 purposes: Provided further, That such funds shall be avail-  
3 able to reimburse State and other cooperating entities for  
4 services provided in response to wildfire and other emer-  
5 gencies or disasters to the extent such reimbursements by  
6 the Forest Service for non-fire emergencies are fully repaid  
7 by the responsible emergency management agency: Provided  
8 further, That funds provided shall be available for emer-  
9 gency rehabilitation and restoration, hazardous fuels man-  
10 agement activities, support to Federal emergency response,  
11 and wildfire suppression activities of the Forest Service:  
12 Provided further, That of the funds provided, \$390,000,000  
13 is for hazardous fuels management activities, \$19,795,000  
14 is for research activities and to make competitive research  
15 grants pursuant to the Forest and Rangeland Renewable  
16 Resources Research Act, (16 U.S.C. 1641 et seq.),  
17 \$78,000,000 is for State fire assistance, and \$15,000,000  
18 is for volunteer fire assistance under section 10 of the Coop-  
19 erative Forestry Assistance Act of 1978 (16 U.S.C. 2106):  
20 Provided further, That amounts in this paragraph may be  
21 transferred to the “National Forest System”, and “Forest  
22 and Rangeland Research” accounts to fund forest and  
23 rangeland research, vegetation and watershed management,  
24 heritage site rehabilitation, and wildlife and fish habitat  
25 management and restoration: Provided further, That the

1 *costs of implementing any cooperative agreement between*  
2 *the Federal Government and any non-Federal entity may*  
3 *be shared, as mutually agreed on by the affected parties:*  
4 *Provided further, That up to \$15,000,000 of the funds pro-*  
5 *vided herein may be used by the Secretary of Agriculture*  
6 *to enter into procurement contracts or cooperative agree-*  
7 *ments or to issue grants for hazardous fuels management*  
8 *activities and for training or monitoring associated with*  
9 *such hazardous fuels management activities on Federal land*  
10 *or on non-Federal land if the Secretary determines such ac-*  
11 *tivities benefit resources on Federal land: Provided further,*  
12 *That funds made available to implement the Community*  
13 *Forest Restoration Act, Public Law 106–393, title VI, shall*  
14 *be available for use on non-Federal lands in accordance*  
15 *with authorities made available to the Forest Service under*  
16 *the “State and Private Forestry” appropriation: Provided*  
17 *further, That the Secretary of the Interior and the Secretary*  
18 *of Agriculture may authorize the transfer of funds appro-*  
19 *priated for wildland fire management, in an aggregate*  
20 *amount not to exceed \$50,000,000, between the Departments*  
21 *when such transfers would facilitate and expedite wildland*  
22 *fire management programs and projects: Provided further,*  
23 *That of the funds provided for hazardous fuels management,*  
24 *not to exceed \$15,000,000 may be used to make grants,*  
25 *using any authorities available to the Forest Service under*

1 the “State and Private Forestry” appropriation, for the  
2 purpose of creating incentives for increased use of biomass  
3 from National Forest System lands: Provided further, That  
4 funds designated for wildfire suppression, including funds  
5 transferred from the “FLAME Wildfire Suppression Re-  
6 serve Fund”, shall be assessed for cost pools on the same  
7 basis as such assessments are calculated against other agen-  
8 cy programs: Provided further, That of the funds for haz-  
9 ardous fuels management, up to \$24,000,000 may be trans-  
10 ferred to the “National Forest System” to support the Inte-  
11 grated Resource Restoration pilot program.

12 *FLAME WILDFIRE SUPPRESSION RESERVE FUND*

13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *For necessary expenses for large fire suppression oper-*  
15 *ations of the Department of Agriculture and as a reserve*  
16 *fund for suppression and Federal emergency response ac-*  
17 *tivities, \$342,000,000, to remain available until expended:*  
18 *Provided, That such amounts are only available for transfer*  
19 *to the “Wildland Fire Management” account following a*  
20 *declaration by the Secretary in accordance with section 502*  
21 *of the FLAME Act of 2009 (43 U.S.C. 1748a): Provided*  
22 *further, That such amount is designated by the Congress*  
23 *as an emergency requirement pursuant to section*  
24 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*  
25 *Deficit Control Act of 1985.*

1        *ADMINISTRATIVE PROVISIONS—FOREST SERVICE*2        *(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)*

3        *Appropriations to the Forest Service for the current*  
4 *fiscal year shall be available for: (1) purchase of passenger*  
5 *motor vehicles; acquisition of passenger motor vehicles from*  
6 *excess sources, and hire of such vehicles; purchase, lease, op-*  
7 *eration, maintenance, and acquisition of aircraft to main-*  
8 *tain the operable fleet for use in Forest Service wildland*  
9 *fire programs and other Forest Service programs; notwith-*  
10 *standing other provisions of law, existing aircraft being re-*  
11 *placed may be sold, with proceeds derived or trade-in value*  
12 *used to offset the purchase price for the replacement air-*  
13 *craft; (2) services pursuant to 7 U.S.C. 2225, and not to*  
14 *exceed \$100,000 for employment under 5 U.S.C. 3109; (3)*  
15 *purchase, erection, and alteration of buildings and other*  
16 *public improvements (7 U.S.C. 2250); (4) acquisition of*  
17 *land, waters, and interests therein pursuant to 7 U.S.C.*  
18 *428a; (5) for expenses pursuant to the Volunteers in the Na-*  
19 *tional Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a*  
20 *note); (6) the cost of uniforms as authorized by 5 U.S.C.*  
21 *5901–5902; and (7) for debt collection contracts in accord-*  
22 *ance with 31 U.S.C. 3718(c).*

23        *Any appropriations or funds available to the Forest*  
24 *Service may be transferred to the Wildland Fire Manage-*  
25 *ment appropriation for forest firefighting, emergency reha-*

1 *bilitation of burned-over or damaged lands or waters under*  
2 *its jurisdiction, and fire preparedness due to severe burning*  
3 *conditions upon the Secretary's notification of the House*  
4 *and Senate Committees on Appropriations that all fire sup-*  
5 *pression funds appropriated under the headings "Wildland*  
6 *Fire Management" and "FLAME Wildfire Suppression Re-*  
7 *serve Fund" will be obligated within 30 days: Provided,*  
8 *That all funds used pursuant to this paragraph must be*  
9 *replenished by a supplemental appropriation which must*  
10 *be requested as promptly as possible.*

11 *Notwithstanding any other provision of this Act, the*  
12 *Forest Service may transfer unobligated balances of discre-*  
13 *tionary funds appropriated to the Forest Service by this*  
14 *Act to or within the Wildland Fire Management Account,*  
15 *or reprogram funds within the Wildland Fire Management*  
16 *Account, to be used for the purposes of hazardous fuels man-*  
17 *agement and emergency rehabilitation of burned-over Na-*  
18 *tional Forest System lands and water, such transferred*  
19 *funds shall remain available through September 30, 2020:*  
20 *Provided, That none of the funds transferred pursuant to*  
21 *this section shall be available for obligation without written*  
22 *notification to and the prior approval of the Committees*  
23 *on Appropriations of both Houses of Congress: Provided*  
24 *further, That this section does not apply to funds appro-*  
25 *priated to the FLAME Wildfire Suppression Reserve Fund*

1 *or funds derived from the Land and Water Conservation*  
2 *Fund.*

3 *Funds appropriated to the Forest Service shall be*  
4 *available for assistance to or through the Agency for Inter-*  
5 *national Development in connection with forest and range-*  
6 *land research, technical information, and assistance in for-*  
7 *ign countries, and shall be available to support forestry*  
8 *and related natural resource activities outside the United*  
9 *States and its territories and possessions, including tech-*  
10 *nical assistance, education and training, and cooperation*  
11 *with United States, private, and international organiza-*  
12 *tions. The Forest Service, acting for the International Pro-*  
13 *gram, may sign direct funding agreements with foreign gov-*  
14 *ernments and institutions as well as other domestic agencies*  
15 *(including the United States Agency for International De-*  
16 *velopment, the Department of State, and the Millennium*  
17 *Challenge Corporation), United States private sector firms,*  
18 *institutions and organizations to provide technical assist-*  
19 *ance and training programs overseas on forestry and range-*  
20 *land management.*

21 *Funds appropriated to the Forest Service shall be*  
22 *available for expenditure or transfer to the Department of*  
23 *the Interior, Bureau of Land Management, for removal,*  
24 *preparation, and adoption of excess wild horses and burros*  
25 *from National Forest System lands, and for the perform-*



1 *ance of cadastral surveys to designate the boundaries of such*  
2 *lands.*

3 *None of the funds made available to the Forest Service*  
4 *in this Act or any other Act with respect to any fiscal year*  
5 *shall be subject to transfer under the provisions of section*  
6 *702(b) of the Department of Agriculture Organic Act of*  
7 *1944 (7 U.S.C. 2257), section 442 of Public Law 106–224*  
8 *(7 U.S.C. 7772), or section 10417(b) of Public Law 107–*  
9 *171 (7 U.S.C. 8316(b)).*

10 *None of the funds available to the Forest Service may*  
11 *be reprogrammed without the advance approval of the*  
12 *House and Senate Committees on Appropriations in ac-*  
13 *cordance with the reprogramming procedures contained in*  
14 *the explanatory statement described in section 4 (in the*  
15 *matter preceding division A of this consolidated Act).*

16 *Not more than \$82,000,000 of funds available to the*  
17 *Forest Service shall be transferred to the Working Capital*  
18 *Fund of the Department of Agriculture and not more than*  
19 *\$14,500,000 of funds available to the Forest Service shall*  
20 *be transferred to the Department of Agriculture for Depart-*  
21 *ment Reimbursable Programs, commonly referred to as*  
22 *Greenbook charges. Nothing in this paragraph shall pro-*  
23 *hibit or limit the use of reimbursable agreements requested*  
24 *by the Forest Service in order to obtain services from the*  
25 *Department of Agriculture’s National Information Tech-*

1 *nology Center and the Department of Agriculture's Inter-*  
2 *national Technology Service.*

3 *Of the funds available to the Forest Service, up to*  
4 *\$5,000,000 shall be available for priority projects within*  
5 *the scope of the approved budget, which shall be carried out*  
6 *by the Youth Conservation Corps and shall be carried out*  
7 *under the authority of the Public Lands Corps Act of 1993,*  
8 *Public Law 103–82, as amended by Public Lands Corps*  
9 *Healthy Forests Restoration Act of 2005, Public Law 109–*  
10 *154.*

11 *Of the funds available to the Forest Service, \$4,000 is*  
12 *available to the Chief of the Forest Service for official recep-*  
13 *tion and representation expenses.*

14 *Pursuant to sections 405(b) and 410(b) of Public Law*  
15 *101–593, of the funds available to the Forest Service, up*  
16 *to \$3,000,000 may be advanced in a lump sum to the Na-*  
17 *tional Forest Foundation to aid conservation partnership*  
18 *projects in support of the Forest Service mission, without*  
19 *regard to when the Foundation incurs expenses, for projects*  
20 *on or benefitting National Forest System lands or related*  
21 *to Forest Service programs: Provided, That of the Federal*  
22 *funds made available to the Foundation, no more than*  
23 *\$300,000 shall be available for administrative expenses:*  
24 *Provided further, That the Foundation shall obtain, by the*  
25 *end of the period of Federal financial assistance, private*

1 *contributions to match on at least one-for-one basis funds*  
2 *made available by the Forest Service: Provided further,*  
3 *That the Foundation may transfer Federal funds to a Fed-*  
4 *eral or a non-Federal recipient for a project at the same*  
5 *rate that the recipient has obtained the non-Federal match-*  
6 *ing funds.*

7 *Pursuant to section 2(b)(2) of Public Law 98-244, up*  
8 *to \$3,000,000 of the funds available to the Forest Service*  
9 *may be advanced to the National Fish and Wildlife Foun-*  
10 *dation in a lump sum to aid cost-share conservation*  
11 *projects, without regard to when expenses are incurred, on*  
12 *or benefitting National Forest System lands or related to*  
13 *Forest Service programs: Provided, That such funds shall*  
14 *be matched on at least a one-for-one basis by the Founda-*  
15 *tion or its sub-recipients: Provided further, That the Foun-*  
16 *dation may transfer Federal funds to a Federal or non-*  
17 *Federal recipient for a project at the same rate that the*  
18 *recipient has obtained the non-Federal matching funds.*

19 *Funds appropriated to the Forest Service shall be*  
20 *available for interactions with and providing technical as-*  
21 *sistance to rural communities and natural resource-based*  
22 *businesses for sustainable rural development purposes.*

23 *Funds appropriated to the Forest Service shall be*  
24 *available for payments to counties within the Columbia*  
25 *River Gorge National Scenic Area, pursuant to section*

1 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–  
2 663.

3 *Any funds appropriated to the Forest Service may be*  
4 *used to meet the non-Federal share requirement in section*  
5 *502(c) of the Older Americans Act of 1965 (42 U.S.C.*  
6 *3056(c)(2)).*

7 *Funds available to the Forest Service, not to exceed*  
8 *\$65,000,000, shall be assessed for the purpose of performing*  
9 *fire, administrative and other facilities maintenance and*  
10 *decommissioning. Such assessments shall occur using a*  
11 *square foot rate charged on the same basis the agency uses*  
12 *to assess programs for payment of rent, utilities, and other*  
13 *support services.*

14 *Notwithstanding any other provision of law, any ap-*  
15 *propriations or funds available to the Forest Service not*  
16 *to exceed \$500,000 may be used to reimburse the Office of*  
17 *the General Counsel (OGC), Department of Agriculture, for*  
18 *travel and related expenses incurred as a result of OGC as-*  
19 *sistance or participation requested by the Forest Service at*  
20 *meetings, training sessions, management reviews, land pur-*  
21 *chase negotiations and similar nonlitigation-related mat-*  
22 *ters. Future budget justifications for both the Forest Service*  
23 *and the Department of Agriculture should clearly display*  
24 *the sums previously transferred and the requested funding*  
25 *transfers.*

1        *An eligible individual who is employed in any project*  
2 *funded under title V of the Older Americans Act of 1965*  
3 *(42 U.S.C. 3056 et seq.) and administered by the Forest*  
4 *Service shall be considered to be a Federal employee for pur-*  
5 *poses of chapter 171 of title 28, United States Code.*

6        *Notwithstanding any other provision of this Act,*  
7 *through the Office of Budget and Program Analysis, the*  
8 *Forest Service shall report no later than 30 business days*  
9 *following the close of each fiscal quarter all current and*  
10 *prior year unobligated balances, by fiscal year, budget line*  
11 *item and account, to the House and Senate Committees on*  
12 *Appropriations.*

13        *The following unobligated balances identified by the*  
14 *following accounts are hereby rescinded: Forest and Range-*  
15 *land Research, \$815,000; National Forest System,*  
16 *\$2,000,000; and State and Private Forestry, \$3,500,000.*

17            *DEPARTMENT OF HEALTH AND HUMAN*  
18                            *SERVICES*

19                            *INDIAN HEALTH SERVICE*

20                            *INDIAN HEALTH SERVICES*

21        *For expenses necessary to carry out the Act of August*  
22 *5, 1954 (68 Stat. 674), the Indian Self-Determination and*  
23 *Education Assistance Act, the Indian Health Care Improve-*  
24 *ment Act, and titles II and III of the Public Health Service*  
25 *Act with respect to the Indian Health Service,*

1 \$3,694,462,000, together with payments received during the  
2 fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for serv-  
3 ices furnished by the Indian Health Service: Provided, That  
4 funds made available to tribes and tribal organizations  
5 through contracts, grant agreements, or any other agree-  
6 ments or compacts authorized by the Indian Self-Deter-  
7 mination and Education Assistance Act of 1975 (25 U.S.C.  
8 450), shall be deemed to be obligated at the time of the grant  
9 or contract award and thereafter shall remain available to  
10 the tribe or tribal organization without fiscal year limita-  
11 tion: Provided further, That \$2,000,000 shall be available  
12 for grants or contracts with public or private institutions  
13 to provide alcohol or drug treatment services to Indians,  
14 including alcohol detoxification services: Provided further,  
15 That \$928,830,000 for Purchased/Referred Care, including  
16 \$53,000,000 for the Indian Catastrophic Health Emergency  
17 Fund, shall remain available until expended: Provided fur-  
18 ther, That of the funds provided, up to \$36,000,000 shall  
19 remain available until expended for implementation of the  
20 loan repayment program under section 108 of the Indian  
21 Health Care Improvement Act: Provided further, That of  
22 the funds provided, \$11,000,000 shall remain available  
23 until expended to supplement funds available for oper-  
24 ational costs at tribal clinics operated under an Indian  
25 Self-Determination and Education Assistance Act compact

1 *or contract where health care is delivered in space acquired*  
2 *through a full service lease, which is not eligible for mainte-*  
3 *nance and improvement and equipment funds from the In-*  
4 *dian Health Service, and \$29,000,000 shall be for costs re-*  
5 *lated to or resulting from accreditation emergencies, of*  
6 *which up to \$4,000,000 may be used to supplement amounts*  
7 *otherwise available for Purchased and Referred Care: Pro-*  
8 *vided further, That the amounts collected by the Federal*  
9 *Government as authorized by sections 104 and 108 of the*  
10 *Indian Health Care Improvement Act (25 U.S.C. 1613a*  
11 *and 1616a) during the preceding fiscal year for breach of*  
12 *contracts shall be deposited to the Fund authorized by sec-*  
13 *tion 108A of the Act (25 U.S.C. 1616a-1) and shall remain*  
14 *available until expended and, notwithstanding section*  
15 *108A(c) of the Act (25 U.S.C. 1616a-1(c)), funds shall be*  
16 *available to make new awards under the loan repayment*  
17 *and scholarship programs under sections 104 and 108 of*  
18 *the Act (25 U.S.C. 1613a and 1616a): Provided further,*  
19 *That the amounts made available within this account for*  
20 *the Substance Abuse and Suicide Prevention Program, for*  
21 *the Domestic Violence Prevention Program, for the Zero*  
22 *Suicide Initiative, for aftercare pilots at Youth Regional*  
23 *Treatment Centers, to improve collections from public and*  
24 *private insurance at Indian Health Service and tribally op-*  
25 *erated facilities, and for accreditation emergencies shall be*

1 *allocated at the discretion of the Director of the Indian*  
2 *Health Service and shall remain available until expended:*  
3 *Provided further, That funds provided in this Act may be*  
4 *used for annual contracts and grants that fall within 2 fis-*  
5 *cal years, provided the total obligation is recorded in the*  
6 *year the funds are appropriated: Provided further, That the*  
7 *amounts collected by the Secretary of Health and Human*  
8 *Services under the authority of title IV of the Indian Health*  
9 *Care Improvement Act shall remain available until ex-*  
10 *pended for the purpose of achieving compliance with the*  
11 *applicable conditions and requirements of titles XVIII and*  
12 *XIX of the Social Security Act, except for those related to*  
13 *the planning, design, or construction of new facilities: Pro-*  
14 *vided further, That funding contained herein for scholar-*  
15 *ship programs under the Indian Health Care Improvement*  
16 *Act (25 U.S.C. 1613) shall remain available until expended:*  
17 *Provided further, That amounts received by tribes and trib-*  
18 *al organizations under title IV of the Indian Health Care*  
19 *Improvement Act shall be reported and accounted for and*  
20 *available to the receiving tribes and tribal organizations*  
21 *until expended: Provided further, That the Bureau of In-*  
22 *dian Affairs may collect from the Indian Health Service,*  
23 *tribes and tribal organizations operating health facilities*  
24 *pursuant to Public Law 93-638, such individually identifi-*  
25 *able health information relating to disabled children as may*



1 *be necessary for the purpose of carrying out its functions*  
2 *under the Individuals with Disabilities Education Act (20*  
3 *U.S.C. 1400, et seq.): Provided further, That the Indian*  
4 *Health Care Improvement Fund may be used, as needed,*  
5 *to carry out activities typically funded under the Indian*  
6 *Health Facilities account.*

7 *CONTRACT SUPPORT COSTS*

8 *For payments to tribes and tribal organizations for*  
9 *contract support costs associated with Indian Self-Deter-*  
10 *mination and Education Assistance Act agreements with*  
11 *the Indian Health Service for fiscal year 2017, such sums*  
12 *as may be necessary: Provided, That notwithstanding any*  
13 *other provision of law, no amounts made available under*  
14 *this heading shall be available for transfer to another budget*  
15 *account.*

16 *INDIAN HEALTH FACILITIES*

17 *For construction, repair, maintenance, improvement,*  
18 *and equipment of health and related auxiliary facilities, in-*  
19 *cluding quarters for personnel; preparation of plans, speci-*  
20 *fications, and drawings; acquisition of sites, purchase and*  
21 *erection of modular buildings, and purchases of trailers;*  
22 *and for provision of domestic and community sanitation*  
23 *facilities for Indians, as authorized by section 7 of the Act*  
24 *of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Deter-*  
25 *mination Act, and the Indian Health Care Improvement*

1 *Act, and for expenses necessary to carry out such Acts and*  
2 *titles II and III of the Public Health Service Act with re-*  
3 *spect to environmental health and facilities support activi-*  
4 *ties of the Indian Health Service, \$545,424,000, to remain*  
5 *available until expended: Provided, That notwithstanding*  
6 *any other provision of law, funds appropriated for the plan-*  
7 *ning, design, construction, renovation or expansion of*  
8 *health facilities for the benefit of an Indian tribe or tribes*  
9 *may be used to purchase land on which such facilities will*  
10 *be located: Provided further, That not to exceed \$500,000*  
11 *may be used by the Indian Health Service to purchase*  
12 *TRANSAM equipment from the Department of Defense for*  
13 *distribution to the Indian Health Service and tribal facili-*  
14 *ties: Provided further, That none of the funds appropriated*  
15 *to the Indian Health Service may be used for sanitation*  
16 *facilities construction for new homes funded with grants by*  
17 *the housing programs of the United States Department of*  
18 *Housing and Urban Development: Provided further, That*  
19 *not to exceed \$2,700,000 from this account and the “Indian*  
20 *Health Services” account may be used by the Indian Health*  
21 *Service to obtain ambulances for the Indian Health Service*  
22 *and tribal facilities in conjunction with an existing inter-*  
23 *agency agreement between the Indian Health Service and*  
24 *the General Services Administration: Provided further,*  
25 *That not to exceed \$500,000 may be placed in a Demolition*

1 *Fund, to remain available until expended, and be used by*  
2 *the Indian Health Service for the demolition of Federal*  
3 *buildings.*

4 *ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE*

5 *Appropriations provided in this Act to the Indian*  
6 *Health Service shall be available for services as authorized*  
7 *by 5 U.S.C. 3109 at rates not to exceed the per diem rate*  
8 *equivalent to the maximum rate payable for senior-level po-*  
9 *sitions under 5 U.S.C. 5376; hire of passenger motor vehi-*  
10 *cles and aircraft; purchase of medical equipment; purchase*  
11 *of reprints; purchase, renovation and erection of modular*  
12 *buildings and renovation of existing facilities; payments for*  
13 *telephone service in private residences in the field, when au-*  
14 *thorized under regulations approved by the Secretary; uni-*  
15 *forms or allowances therefor as authorized by 5 U.S.C.*  
16 *5901–5902; and for expenses of attendance at meetings that*  
17 *relate to the functions or activities of the Indian Health*  
18 *Service: Provided, That in accordance with the provisions*  
19 *of the Indian Health Care Improvement Act, non-Indian*  
20 *patients may be extended health care at all tribally admin-*  
21 *istered or Indian Health Service facilities, subject to*  
22 *charges, and the proceeds along with funds recovered under*  
23 *the Federal Medical Care Recovery Act (42 U.S.C. 2651–*  
24 *2653) shall be credited to the account of the facility pro-*  
25 *viding the service and shall be available without fiscal year*

1 *limitation: Provided further, That notwithstanding any*  
2 *other law or regulation, funds transferred from the Depart-*  
3 *ment of Housing and Urban Development to the Indian*  
4 *Health Service shall be administered under Public Law 86-*  
5 *121, the Indian Sanitation Facilities Act and Public Law*  
6 *93-638: Provided further, That funds appropriated to the*  
7 *Indian Health Service in this Act, except those used for ad-*  
8 *ministrative and program direction purposes, shall not be*  
9 *subject to limitations directed at curtailing Federal travel*  
10 *and transportation: Provided further, That none of the*  
11 *funds made available to the Indian Health Service in this*  
12 *Act shall be used for any assessments or charges by the De-*  
13 *partment of Health and Human Services unless identified*  
14 *in the budget justification and provided in this Act, or ap-*  
15 *proved by the House and Senate Committees on Appropria-*  
16 *tions through the reprogramming process: Provided further,*  
17 *That notwithstanding any other provision of law, funds*  
18 *previously or herein made available to a tribe or tribal or-*  
19 *ganization through a contract, grant, or agreement author-*  
20 *ized by title I or title V of the Indian Self-Determination*  
21 *and Education Assistance Act of 1975 (25 U.S.C. 450), may*  
22 *be deobligated and reobligated to a self-determination con-*  
23 *tract under title I, or a self-governance agreement under*  
24 *title V of such Act and thereafter shall remain available*  
25 *to the tribe or tribal organization without fiscal year limi-*

1 *tation: Provided further, That none of the funds made avail-*  
2 *able to the Indian Health Service in this Act shall be used*  
3 *to implement the final rule published in the Federal Reg-*  
4 *ister on September 16, 1987, by the Department of Health*  
5 *and Human Services, relating to the eligibility for the*  
6 *health care services of the Indian Health Service until the*  
7 *Indian Health Service has submitted a budget request re-*  
8 *flecting the increased costs associated with the proposed*  
9 *final rule, and such request has been included in an appro-*  
10 *priations Act and enacted into law: Provided further, That*  
11 *with respect to functions transferred by the Indian Health*  
12 *Service to tribes or tribal organizations, the Indian Health*  
13 *Service is authorized to provide goods and services to those*  
14 *entities on a reimbursable basis, including payments in ad-*  
15 *vance with subsequent adjustment, and the reimbursements*  
16 *received therefrom, along with the funds received from those*  
17 *entities pursuant to the Indian Self-Determination Act,*  
18 *may be credited to the same or subsequent appropriation*  
19 *account from which the funds were originally derived, with*  
20 *such amounts to remain available until expended: Provided*  
21 *further, That reimbursements for training, technical assist-*  
22 *ance, or services provided by the Indian Health Service will*  
23 *contain total costs, including direct, administrative, and*  
24 *overhead associated with the provision of goods, services, or*  
25 *technical assistance: Provided further, That the appropria-*

1 *tion structure for the Indian Health Service may not be*  
 2 *altered without advance notification to the House and Sen-*  
 3 *ate Committees on Appropriations.*

4 *NATIONAL INSTITUTES OF HEALTH*

5 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*

6 *SCIENCES*

7 *For necessary expenses for the National Institute of*  
 8 *Environmental Health Sciences in carrying out activities*  
 9 *set forth in section 311(a) of the Comprehensive Environ-*  
 10 *mental Response, Compensation, and Liability Act of 1980*  
 11 *(42 U.S.C. 9660(a)) and section 126(g) of the Superfund*  
 12 *Amendments and Reauthorization Act of 1986,*  
 13 *\$77,349,000.*

14 *AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY*

15 *TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH*

16 *For necessary expenses for the Agency for Toxic Sub-*  
 17 *stances and Disease Registry (ATSDR) in carrying out ac-*  
 18 *tivities set forth in sections 104(i) and 111(c)(4) of the*  
 19 *Comprehensive Environmental Response, Compensation,*  
 20 *and Liability Act of 1980 (CERCLA) and section 3019 of*  
 21 *the Solid Waste Disposal Act, \$74,691,000, of which up to*  
 22 *\$1,000 per eligible employee of the Agency for Toxic Sub-*  
 23 *stances and Disease Registry shall remain available until*  
 24 *expended for Individual Learning Accounts: Provided, That*  
 25 *notwithstanding any other provision of law, in lieu of per-*

1 *forming a health assessment under section 104(i)(6) of*  
2 *CERCLA, the Administrator of ATSDR may conduct other*  
3 *appropriate health studies, evaluations, or activities, in-*  
4 *cluding, without limitation, biomedical testing, clinical*  
5 *evaluations, medical monitoring, and referral to accredited*  
6 *healthcare providers: Provided further, That in performing*  
7 *any such health assessment or health study, evaluation, or*  
8 *activity, the Administrator of ATSDR shall not be bound*  
9 *by the deadlines in section 104(i)(6)(A) of CERCLA: Pro-*  
10 *vided further, That none of the funds appropriated under*  
11 *this heading shall be available for ATSDR to issue in excess*  
12 *of 40 toxicological profiles pursuant to section 104(i) of*  
13 *CERCLA during fiscal year 2017, and existing profiles*  
14 *may be updated as necessary.*

15 *OTHER RELATED AGENCIES*

16 *EXECUTIVE OFFICE OF THE PRESIDENT*

17 *COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF*

18 *ENVIRONMENTAL QUALITY*

19 *For necessary expenses to continue functions assigned*  
20 *to the Council on Environmental Quality and Office of En-*  
21 *vironmental Quality pursuant to the National Environ-*  
22 *mental Policy Act of 1969, the Environmental Quality Im-*  
23 *provement Act of 1970, and Reorganization Plan No. 1 of*  
24 *1977, and not to exceed \$750 for official reception and rep-*  
25 *resentation expenses, \$3,000,000: Provided, That notwith-*

1 *standing section 202 of the National Environmental Policy*  
2 *Act of 1970, the Council shall consist of one member, ap-*  
3 *pointed by the President, by and with the advice and con-*  
4 *sent of the Senate, serving as chairman and exercising all*  
5 *powers, functions, and duties of the Council.*

6 *CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses in carrying out activities pur-*  
9 *suant to section 112(r)(6) of the Clean Air Act, including*  
10 *hire of passenger vehicles, uniforms or allowances therefor,*  
11 *as authorized by 5 U.S.C. 5901–5902, and for services au-*  
12 *thorized by 5 U.S.C. 3109 but at rates for individuals not*  
13 *to exceed the per diem equivalent to the maximum rate pay-*  
14 *able for senior level positions under 5 U.S.C. 5376,*  
15 *\$11,000,000: Provided, That the Chemical Safety and Haz-*  
16 *ard Investigation Board (Board) shall have not more than*  
17 *three career Senior Executive Service positions: Provided*  
18 *further, That notwithstanding any other provision of law,*  
19 *the individual appointed to the position of Inspector Gen-*  
20 *eral of the Environmental Protection Agency (EPA) shall,*  
21 *by virtue of such appointment, also hold the position of In-*  
22 *spector General of the Board: Provided further, That not-*  
23 *withstanding any other provision of law, the Inspector Gen-*  
24 *eral of the Board shall utilize personnel of the Office of In-*  
25 *spector General of EPA in performing the duties of the In-*



1 *spector General of the Board, and shall not appoint any*  
2 *individuals to positions within the Board.*

3 *OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION*

4 *SALARIES AND EXPENSES*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For necessary expenses of the Office of Navajo and*  
7 *Hopi Indian Relocation as authorized by Public Law 93-*  
8 *531, \$15,431,000, to remain available until expended: Pro-*  
9 *vided, That funds provided in this or any other appropria-*  
10 *tions Act are to be used to relocate eligible individuals and*  
11 *groups including evictees from District 6, Hopi-partitioned*  
12 *lands residents, those in significantly substandard housing,*  
13 *and all others certified as eligible and not included in the*  
14 *preceding categories: Provided further, That none of the*  
15 *funds contained in this or any other Act may be used by*  
16 *the Office of Navajo and Hopi Indian Relocation to evict*  
17 *any single Navajo or Navajo family who, as of November*  
18 *30, 1985, was physically domiciled on the lands partitioned*  
19 *to the Hopi Tribe unless a new or replacement home is pro-*  
20 *vided for such household: Provided further, That no*  
21 *relocatee will be provided with more than one new or re-*  
22 *placement home: Provided further, That the Office shall re-*  
23 *locate any certified eligible relocatees who have selected and*  
24 *received an approved homesite on the Navajo reservation*  
25 *or selected a replacement residence off the Navajo reserva-*

1 *tion or on the land acquired pursuant to section 11 of Pub-*  
2 *lic Law 93–531 (88 Stat. 1716): Provided further, That*  
3 *\$200,000 shall be transferred to the Office of Inspector Gen-*  
4 *eral of the Department of the Interior, to remain available*  
5 *until expended, for audits and investigations of the Office*  
6 *of Navajo and Hopi Indian Relocation, consistent with the*  
7 *Inspector General Act of 1978 (5 U.S.C. App.).*

8 *INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE*  
9 *CULTURE AND ARTS DEVELOPMENT*

10 *PAYMENT TO THE INSTITUTE*

11 *For payment to the Institute of American Indian and*  
12 *Alaska Native Culture and Arts Development, as authorized*  
13 *by title XV of Public Law 99–498 (20 U.S.C. 56 part A),*  
14 *\$15,212,000, to remain available until September 30, 2018:*  
15 *Provided, That of the funds made available under this head-*  
16 *ing, not to exceed \$7,377,000 shall become available on July*  
17 *1, 2017, and shall remain available until September 30,*  
18 *2018.*

19 *SMITHSONIAN INSTITUTION*  
20 *SALARIES AND EXPENSES*

21 *For necessary expenses of the Smithsonian Institution,*  
22 *as authorized by law, including research in the fields of art,*  
23 *science, and history; development, preservation, and docu-*  
24 *mentation of the National Collections; presentation of pub-*  
25 *lic exhibits and performances; collection, preparation, dis-*

1 *semination, and exchange of information and publications;*  
2 *conduct of education, training, and museum assistance pro-*  
3 *grams; maintenance, alteration, operation, lease agreements*  
4 *of no more than 30 years, and protection of buildings, fa-*  
5 *cilities, and approaches; not to exceed \$100,000 for services*  
6 *as authorized by 5 U.S.C. 3109; and purchase, rental, re-*  
7 *pair, and cleaning of uniforms for employees, \$729,444,000,*  
8 *to remain available until September 30, 2018, except as oth-*  
9 *erwise provided herein; of which not to exceed \$48,467,000*  
10 *for the instrumentation program, collections acquisition,*  
11 *exhibition reinstallation, the National Museum of African*  
12 *American History and Culture, and the repatriation of*  
13 *skeletal remains program shall remain available until ex-*  
14 *pended; and including such funds as may be necessary to*  
15 *support American overseas research centers: Provided, That*  
16 *funds appropriated herein are available for advance pay-*  
17 *ments to independent contractors performing research serv-*  
18 *ices or participating in official Smithsonian presentations.*

19 *FACILITIES CAPITAL*

20 *For necessary expenses of repair, revitalization, and*  
21 *alteration of facilities owned or occupied by the Smithso-*  
22 *nian Institution, by contract or otherwise, as authorized by*  
23 *section 2 of the Act of August 22, 1949 (63 Stat. 623), and*  
24 *for construction, including necessary personnel,*  
25 *\$133,903,000, to remain available until expended, of which*

1 *not to exceed \$10,000 shall be for services as authorized by*  
2 *5 U.S.C. 3109.*

3 *NATIONAL GALLERY OF ART*

4 *SALARIES AND EXPENSES*

5 *For the upkeep and operations of the National Gallery*  
6 *of Art, the protection and care of the works of art therein,*  
7 *and administrative expenses incident thereto, as authorized*  
8 *by the Act of March 24, 1937 (50 Stat. 51), as amended*  
9 *by the public resolution of April 13, 1939 (Public Resolu-*  
10 *tion 9, Seventy-sixth Congress), including services as au-*  
11 *thorized by 5 U.S.C. 3109; payment in advance when au-*  
12 *thorized by the treasurer of the Gallery for membership in*  
13 *library, museum, and art associations or societies whose*  
14 *publications or services are available to members only, or*  
15 *to members at a price lower than to the general public; pur-*  
16 *chase, repair, and cleaning of uniforms for guards, and uni-*  
17 *forms, or allowances therefor, for other employees as author-*  
18 *ized by law (5 U.S.C. 5901–5902); purchase or rental of*  
19 *devices and services for protecting buildings and contents*  
20 *thereof, and maintenance, alteration, improvement, and re-*  
21 *pair of buildings, approaches, and grounds; and purchase*  
22 *of services for restoration and repair of works of art for*  
23 *the National Gallery of Art by contracts made, without ad-*  
24 *vertising, with individuals, firms, or organizations at such*  
25 *rates or prices and under such terms and conditions as the*

1 Gallery may deem proper, \$132,961,000, to remain avail-  
2 able until September 30, 2018, of which not to exceed  
3 \$3,620,000 for the special exhibition program shall remain  
4 available until expended.

5 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

6 For necessary expenses of repair, restoration and ren-  
7 ovation of buildings, grounds and facilities owned or occu-  
8 pied by the National Gallery of Art, by contract or other-  
9 wise, for operating lease agreements of no more than 10  
10 years, with no extensions or renewals beyond the 10 years,  
11 that address space needs created by the ongoing renovations  
12 in the Master Facilities Plan, as authorized, \$22,564,000,  
13 to remain available until expended: Provided, That con-  
14 tracts awarded for environmental systems, protection sys-  
15 tems, and exterior repair or renovation of buildings of the  
16 National Gallery of Art may be negotiated with selected  
17 contractors and awarded on the basis of contractor quali-  
18 fications as well as price.

19 JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

20 OPERATIONS AND MAINTENANCE

21 For necessary expenses for the operation, maintenance  
22 and security of the John F. Kennedy Center for the Per-  
23 forming Arts, \$22,260,000.

1                    *CAPITAL REPAIR AND RESTORATION*

2            *For necessary expenses for capital repair and restora-*  
3 *tion of the existing features of the building and site of the*  
4 *John F. Kennedy Center for the Performing Arts,*  
5 *\$14,140,000, to remain available until expended.*

6                    *WOODROW WILSON INTERNATIONAL CENTER FOR*7                                    *SCHOLARS*8                                    *SALARIES AND EXPENSES*

9            *For expenses necessary in carrying out the provisions*  
10 *of the Woodrow Wilson Memorial Act of 1968 (82 Stat.*  
11 *1356) including hire of passenger vehicles and services as*  
12 *authorized by 5 U.S.C. 3109, \$10,500,000, to remain avail-*  
13 *able until September 30, 2018.*

14                    *NATIONAL FOUNDATION ON THE ARTS AND THE*15                                    *HUMANITIES*16                                    *NATIONAL ENDOWMENT FOR THE ARTS*17                                    *GRANTS AND ADMINISTRATION*

18            *For necessary expenses to carry out the National Foun-*  
19 *ation on the Arts and the Humanities Act of 1965,*  
20 *\$149,849,000 shall be available to the National Endowment*  
21 *for the Arts for the support of projects and productions in*  
22 *the arts, including arts education and public outreach ac-*  
23 *tivities, through assistance to organizations and individuals*  
24 *pursuant to section 5 of the Act, for program support, and*

1 *for administering the functions of the Act, to remain avail-*  
2 *able until expended.*

3 *NATIONAL ENDOWMENT FOR THE HUMANITIES*

4 *GRANTS AND ADMINISTRATION*

5 *For necessary expenses to carry out the National Foun-*  
6 *ation on the Arts and the Humanities Act of 1965,*  
7 *\$149,848,000, to remain available until expended, of which*  
8 *\$139,148,000 shall be available for support of activities in*  
9 *the humanities, pursuant to section 7(c) of the Act and for*  
10 *administering the functions of the Act; and \$10,700,000*  
11 *shall be available to carry out the matching grants program*  
12 *pursuant to section 10(a)(2) of the Act, including*  
13 *\$8,500,000 for the purposes of section 7(h): Provided, That*  
14 *appropriations for carrying out section 10(a)(2) shall be*  
15 *available for obligation only in such amounts as may be*  
16 *equal to the total amounts of gifts, bequests, devises of*  
17 *money, and other property accepted by the chairman or by*  
18 *grantees of the National Endowment for the Humanities*  
19 *under the provisions of sections 11(a)(2)(B) and*  
20 *11(a)(3)(B) during the current and preceding fiscal years*  
21 *for which equal amounts have not previously been appro-*  
22 *priated.*

23 *ADMINISTRATIVE PROVISIONS*

24 *None of the funds appropriated to the National Foun-*  
25 *ation on the Arts and the Humanities may be used to*

1 *process any grant or contract documents which do not in-*  
2 *clude the text of 18 U.S.C. 1913: Provided, That none of*  
3 *the funds appropriated to the National Foundation on the*  
4 *Arts and the Humanities may be used for official reception*  
5 *and representation expenses: Provided further, That funds*  
6 *from nonappropriated sources may be used as necessary for*  
7 *official reception and representation expenses: Provided fur-*  
8 *ther, That the Chairperson of the National Endowment for*  
9 *the Arts may approve grants of up to \$10,000, if in the*  
10 *aggregate the amount of such grants does not exceed 5 per-*  
11 *cent of the sums appropriated for grantmaking purposes per*  
12 *year: Provided further, That such small grant actions are*  
13 *taken pursuant to the terms of an expressed and direct dele-*  
14 *gation of authority from the National Council on the Arts*  
15 *to the Chairperson.*

16 *COMMISSION OF FINE ARTS*

17 *SALARIES AND EXPENSES*

18 *For expenses of the Commission of Fine Arts under*  
19 *chapter 91 of title 40, United States Code, \$2,762,000: Pro-*  
20 *vided, That the Commission is authorized to charge fees to*  
21 *cover the full costs of its publications, and such fees shall*  
22 *be credited to this account as an offsetting collection, to re-*  
23 *main available until expended without further appropria-*  
24 *tion: Provided further, That the Commission is authorized*  
25 *to accept gifts, including objects, papers, artwork, drawings*



1 *and artifacts, that pertain to the history and design of the*  
2 *Nation's Capital or the history and activities of the Com-*  
3 *mission of Fine Arts, for the purpose of artistic display,*  
4 *study or education: Provided further, That one-tenth of one*  
5 *percent of the funds provided under this heading may be*  
6 *used for official reception and representation expenses.*

7 *NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS*

8 *For necessary expenses as authorized by Public Law*  
9 *99-190 (20 U.S.C. 956a), \$2,000,000.*

10 *ADVISORY COUNCIL ON HISTORIC PRESERVATION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Advisory Council on His-*  
13 *toric Preservation (Public Law 89-665), \$6,493,000.*

14 *NATIONAL CAPITAL PLANNING COMMISSION*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the National Capital Plan-*  
17 *ning Commission under chapter 87 of title 40, United*  
18 *States Code, including services as authorized by 5 U.S.C.*  
19 *3109, \$8,099,000: Provided, That one-quarter of 1 percent*  
20 *of the funds provided under this heading may be used for*  
21 *official reception and representational expenses associated*  
22 *with hosting international visitors engaged in the planning*  
23 *and physical development of world capitals.*

1 *UNITED STATES HOLOCAUST MEMORIAL MUSEUM*2 *HOLOCAUST MEMORIAL MUSEUM*

3 *For expenses of the Holocaust Memorial Museum, as*  
4 *authorized by Public Law 106–292 (36 U.S.C. 2301–2310),*  
5 *\$57,000,000, of which \$1,215,000 shall remain available*  
6 *until September 30, 2019, for the Museum’s equipment re-*  
7 *placement program; and of which \$2,500,000 for the Muse-*  
8 *um’s repair and rehabilitation program and \$1,264,000 for*  
9 *the Museum’s outreach initiatives program shall remain*  
10 *available until expended.*

11 *DWIGHT D. EISENHOWER MEMORIAL COMMISSION*12 *SALARIES AND EXPENSES*

13 *For necessary expenses, including the costs of construc-*  
14 *tion design, of the Dwight D. Eisenhower Memorial Com-*  
15 *mission, \$1,600,000, to remain available until expended.*

16 *CAPITAL CONSTRUCTION*

17 *For necessary expenses of the Dwight D. Eisenhower*  
18 *Memorial Commission for design and construction of a me-*  
19 *morial in honor of Dwight D. Eisenhower, as authorized*  
20 *by Public Law 106–79, \$45,000,000, to remain available*  
21 *until expended: Provided, That the contract with respect to*  
22 *the procurement shall contain the “availability of funds”*  
23 *clause described in section 52.232.18 of title 48, Code of*  
24 *Federal Regulations: Provided further, That the funds ap-*  
25 *propriated herein shall be deemed to satisfy the criteria for*

1 *issuing a permit contained in 40 U.S.C. 8906(a)(4) and*  
2 *(b).*

3 *WOMEN'S SUFFRAGE CENTENNIAL COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Women's Suffrage Cen-*  
6 *tennial Commission, as authorized by this Act, \$2,000,000,*  
7 *to remain available until expended.*

8 *TITLE IV*

9 *GENERAL PROVISIONS*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *RESTRICTION ON USE OF FUNDS*

12 *SEC. 401. No part of any appropriation contained in*  
13 *this Act shall be available for any activity or the publica-*  
14 *tion or distribution of literature that in any way tends to*  
15 *promote public support or opposition to any legislative pro-*  
16 *posal on which Congressional action is not complete other*  
17 *than to communicate to Members of Congress as described*  
18 *in 18 U.S.C. 1913.*

19 *OBLIGATION OF APPROPRIATIONS*

20 *SEC. 402. No part of any appropriation contained in*  
21 *this Act shall remain available for obligation beyond the*  
22 *current fiscal year unless expressly so provided herein.*

23 *DISCLOSURE OF ADMINISTRATIVE EXPENSES*

24 *SEC. 403. The amount and basis of estimated overhead*  
25 *charges, deductions, reserves or holdbacks, including work-*

1 *ing capital fund and cost pool charges, from programs,*  
2 *projects, activities and subactivities to support government-*  
3 *wide, departmental, agency, or bureau administrative func-*  
4 *tions or headquarters, regional, or central operations shall*  
5 *be presented in annual budget justifications and subject to*  
6 *approval by the Committees on Appropriations of the House*  
7 *of Representatives and the Senate. Changes to such esti-*  
8 *mates shall be presented to the Committees on Appropria-*  
9 *tions for approval.*

10

MINING APPLICATIONS

11

*SEC. 404. (a) LIMITATION OF FUNDS.—None of the*  
12 *funds appropriated or otherwise made available pursuant*  
13 *to this Act shall be obligated or expended to accept or proc-*  
14 *ess applications for a patent for any mining or mill site*  
15 *claim located under the general mining laws.*

16

*(b) EXCEPTIONS.—Subsection (a) shall not apply if*  
17 *the Secretary of the Interior determines that, for the claim*  
18 *concerned (1) a patent application was filed with the Sec-*  
19 *retary on or before September 30, 1994; and (2) all require-*  
20 *ments established under sections 2325 and 2326 of the Re-*  
21 *vised Statutes (30 U.S.C. 29 and 30) for vein or lode*  
22 *claims, sections 2329, 2330, 2331, and 2333 of the Revised*  
23 *Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and*  
24 *section 2337 of the Revised Statutes (30 U.S.C. 42) for mill*

1 *site claims, as the case may be, were fully complied with*  
2 *by the applicant by that date.*

3       (c) *REPORT.*—*On September 30, 2018, the Secretary*  
4 *of the Interior shall file with the House and Senate Com-*  
5 *mittees on Appropriations and the Committee on Natural*  
6 *Resources of the House and the Committee on Energy and*  
7 *Natural Resources of the Senate a report on actions taken*  
8 *by the Department under the plan submitted pursuant to*  
9 *section 314(c) of the Department of the Interior and Related*  
10 *Agencies Appropriations Act, 1997 (Public Law 104–208).*

11       (d) *MINERAL EXAMINATIONS.*—*In order to process*  
12 *patent applications in a timely and responsible manner,*  
13 *upon the request of a patent applicant, the Secretary of the*  
14 *Interior shall allow the applicant to fund a qualified third-*  
15 *party contractor to be selected by the Director of the Bureau*  
16 *of Land Management to conduct a mineral examination of*  
17 *the mining claims or mill sites contained in a patent appli-*  
18 *cation as set forth in subsection (b). The Bureau of Land*  
19 *Management shall have the sole responsibility to choose and*  
20 *pay the third-party contractor in accordance with the*  
21 *standard procedures employed by the Bureau of Land Man-*  
22 *agement in the retention of third-party contractors.*

23       *CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION*

24       *SEC. 405. Sections 405 and 406 of division F of the*  
25 *Consolidated and Further Continuing Appropriations Act,*

1 *2015 (Public Law 113–235) shall continue in effect in fiscal*  
2 *year 2017.*

3 *CONTRACT SUPPORT COSTS, FISCAL YEAR 2017 LIMITATION*

4 *SEC. 406. Amounts provided by this Act for fiscal year*  
5 *2017 under the headings “Department of Health and*  
6 *Human Services, Indian Health Service, Contract Support*  
7 *Costs” and “Department of the Interior, Bureau of Indian*  
8 *Affairs and Bureau of Indian Education, Contract Support*  
9 *Costs” are the only amounts available for contract support*  
10 *costs arising out of self-determination or self-governance*  
11 *contracts, grants, compacts, or annual funding agreements*  
12 *for fiscal year 2017 with the Bureau of Indian Affairs or*  
13 *the Indian Health Service: Provided, That such amounts*  
14 *provided by this Act are not available for payment of claims*  
15 *for contract support costs for prior years, or for repayments*  
16 *of payments for settlements or judgments awarding contract*  
17 *support costs for prior years.*

18 *FOREST MANAGEMENT PLANS*

19 *SEC. 407. The Secretary of Agriculture shall not be*  
20 *considered to be in violation of subparagraph 6(f)(5)(A) of*  
21 *the Forest and Rangeland Renewable Resources Planning*  
22 *Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more*  
23 *than 15 years have passed without revision of the plan for*  
24 *a unit of the National Forest System. Nothing in this sec-*  
25 *tion exempts the Secretary from any other requirement of*

1 *the Forest and Rangeland Renewable Resources Planning*  
2 *Act (16 U.S.C. 1600 et seq.) or any other law: Provided,*  
3 *That if the Secretary is not acting expeditiously and in*  
4 *good faith, within the funding available, to revise a plan*  
5 *for a unit of the National Forest System, this section shall*  
6 *be void with respect to such plan and a court of proper*  
7 *jurisdiction may order completion of the plan on an acceler-*  
8 *ated basis.*

9 *PROHIBITION WITHIN NATIONAL MONUMENTS*

10 *SEC. 408. No funds provided in this Act may be ex-*  
11 *pende to conduct preleasing, leasing and related activities*  
12 *under either the Mineral Leasing Act (30 U.S.C. 181 et seq.)*  
13 *or the Outer Continental Shelf Lands Act (43 U.S.C. 1331*  
14 *et seq.) within the boundaries of a National Monument es-*  
15 *tablished pursuant to the Act of June 8, 1906 (16 U.S.C.*  
16 *431 et seq.) as such boundary existed on January 20, 2001,*  
17 *except where such activities are allowed under the Presi-*  
18 *dential proclamation establishing such monument.*

19 *LIMITATION ON TAKINGS*

20 *SEC. 409. Unless otherwise provided herein, no funds*  
21 *appropriated in this Act for the acquisition of lands or in-*  
22 *terests in lands may be expended for the filing of declara-*  
23 *tions of taking or complaints in condemnation without the*  
24 *approval of the House and Senate Committees on Appro-*  
25 *priations: Provided, That this provision shall not apply to*

1 *funds appropriated to implement the Everglades National*  
2 *Park Protection and Expansion Act of 1989, or to funds*  
3 *appropriated for Federal assistance to the State of Florida*  
4 *to acquire lands for Everglades restoration purposes.*

5 *TIMBER SALE REQUIREMENTS*

6 *SEC. 410. No timber sale in Alaska's Region 10 shall*  
7 *be advertised if the indicated rate is deficit (defined as the*  
8 *value of the timber is not sufficient to cover all logging and*  
9 *stumpage costs and provide a normal profit and risk allow-*  
10 *ance under the Forest Service's appraisal process) when ap-*  
11 *praised using a residual value appraisal. The western red*  
12 *cedar timber from those sales which is surplus to the needs*  
13 *of the domestic processors in Alaska, shall be made available*  
14 *to domestic processors in the contiguous 48 United States*  
15 *at prevailing domestic prices. All additional western red*  
16 *cedar volume not sold to Alaska or contiguous 48 United*  
17 *States domestic processors may be exported to foreign mar-*  
18 *kets at the election of the timber sale holder. All Alaska yel-*  
19 *low cedar may be sold at prevailing export prices at the*  
20 *election of the timber sale holder.*

21 *PROHIBITION ON NO-BID CONTRACTS*

22 *SEC. 411. None of the funds appropriated or otherwise*  
23 *made available by this Act to executive branch agencies may*  
24 *be used to enter into any Federal contract unless such con-*  
25 *tract is entered into in accordance with the requirements*



1 of Chapter 33 of title 41, United States Code, or Chapter  
2 137 of title 10, United States Code, and the Federal Acqui-  
3 sition Regulation, unless—

4 (1) Federal law specifically authorizes a contract  
5 to be entered into without regard for these require-  
6 ments, including formula grants for States, or feder-  
7 ally recognized Indian tribes; or

8 (2) such contract is authorized by the Indian  
9 Self-Determination and Education Assistance Act  
10 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any  
11 other Federal laws that specifically authorize a con-  
12 tract within an Indian tribe as defined in section  
13 4(e) of that Act (25 U.S.C. 450b(e)); or

14 (3) such contract was awarded prior to the date  
15 of enactment of this Act.

16 *POSTING OF REPORTS*

17 *SEC. 412. (a) Any agency receiving funds made avail-*  
18 *able in this Act, shall, subject to subsections (b) and (c),*  
19 *post on the public website of that agency any report re-*  
20 *quired to be submitted by the Congress in this or any other*  
21 *Act, upon the determination by the head of the agency that*  
22 *it shall serve the national interest.*

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

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

1           (2) *the report contains proprietary information.*

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

6 *NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES*

7           *SEC. 413. Of the funds provided to the National En-*  
8 *dowment for the Arts—*

9           (1) *The Chairperson shall only award a grant to*  
10 *an individual if such grant is awarded to such indi-*  
11 *vidual for a literature fellowship, National Heritage*  
12 *Fellowship, or American Jazz Masters Fellowship.*

13           (2) *The Chairperson shall establish procedures to*  
14 *ensure that no funding provided through a grant, ex-*  
15 *cept a grant made to a State or local arts agency, or*  
16 *regional group, may be used to make a grant to any*  
17 *other organization or individual to conduct activity*  
18 *independent of the direct grant recipient. Nothing in*  
19 *this subsection shall prohibit payments made in ex-*  
20 *change for goods and services.*

21           (3) *No grant shall be used for seasonal support*  
22 *to a group, unless the application is specific to the*  
23 *contents of the season, including identified programs*  
24 *or projects.*



1 *Humanities Act of 1965 with funds appropriated by this*  
2 *Act, the Chairperson of the National Endowment for the*  
3 *Arts shall ensure that priority is given to providing services*  
4 *or awarding financial assistance for projects, productions,*  
5 *workshops, or programs that will encourage public knowl-*  
6 *edge, education, understanding, and appreciation of the*  
7 *arts.*

8       *(d) With funds appropriated by this Act to carry out*  
9 *section 5 of the National Foundation on the Arts and Hu-*  
10 *manities Act of 1965—*

11           *(1) the Chairperson shall establish a grant cat-*  
12 *egory for projects, productions, workshops, or pro-*  
13 *grams that are of national impact or availability or*  
14 *are able to tour several States;*

15           *(2) the Chairperson shall not make grants ex-*  
16 *ceeding 15 percent, in the aggregate, of such funds to*  
17 *any single State, excluding grants made under the*  
18 *authority of paragraph (1);*

19           *(3) the Chairperson shall report to the Congress*  
20 *annually and by State, on grants awarded by the*  
21 *Chairperson in each grant category under section 5 of*  
22 *such Act; and*

23           *(4) the Chairperson shall encourage the use of*  
24 *grants to improve and support community-based*  
25 *music performance and education.*

1            *STATUS OF BALANCES OF APPROPRIATIONS*

2            *SEC. 415. The Department of the Interior, the Envi-*  
3 *ronmental Protection Agency, the Forest Service, and the*  
4 *Indian Health Service shall provide the Committees on Ap-*  
5 *propriations of the House of Representatives and Senate*  
6 *quarterly reports on the status of balances of appropriations*  
7 *including all uncommitted, committed, and unobligated*  
8 *funds in each program and activity.*

9            *REPORT ON USE OF CLIMATE CHANGE FUNDS*

10          *SEC. 416. Not later than 120 days after the date on*  
11 *which the President's fiscal year 2018 budget request is sub-*  
12 *mitted to the Congress, the President shall submit a com-*  
13 *prehensive report to the Committees on Appropriations of*  
14 *the House of Representatives and the Senate describing in*  
15 *detail all Federal agency funding, domestic and inter-*  
16 *national, for climate change programs, projects, and activi-*  
17 *ties in fiscal years 2016 and 2017, including an accounting*  
18 *of funding by agency with each agency identifying climate*  
19 *change programs, projects, and activities and associated*  
20 *costs by line item as presented in the President's Budget*  
21 *Appendix, and including citations and linkages where prac-*  
22 *ticable to each strategic plan that is driving funding within*  
23 *each climate change program, project, and activity listed*  
24 *in the report.*



1 *under the Toxic Substances Control Act (15 U.S.C. 2601*  
2 *et seq.) or any other law.*

3 *EXTENSION OF GRAZING PERMITS*

4 *SEC. 421. The terms and conditions of section 325 of*  
5 *Public Law 108–108 (117 Stat. 1307), regarding grazing*  
6 *permits issued by the Forest Service on any lands not sub-*  
7 *ject to administration under section 402 of the Federal*  
8 *Lands Policy and Management Act (43 U.S.C. 1752), shall*  
9 *remain in effect for fiscal year 2017.*

10 *STEWARDSHIP CONTRACTING AMENDMENTS*

11 *SEC. 422. Section 604(d) of the Healthy Forest Res-*  
12 *toration Act of 2003 (16 U.S.C. 6591c(d)), as amended by*  
13 *the Agricultural Act of 2014 (Public Law 113–79), is fur-*  
14 *ther amended—*

15 *(1) in paragraph (5), by adding at the end the*  
16 *following: “Notwithstanding the Materials Act of 1947*  
17 *(30 U.S.C. 602(a)), the Director may enter into an*  
18 *agreement or contract under subsection (b).”;* and

19 *(2) in paragraph (7), by striking “and the Di-*  
20 *rector”.*

21 *FUNDING PROHIBITION*

22 *SEC. 423. (a) None of the funds made available in this*  
23 *Act may be used to maintain or establish a computer net-*  
24 *work unless such network is designed to block access to por-*  
25 *nography websites.*





1       (b) Subsection (a) shall not apply in any case or cat-  
2 egory of cases in which the Administrator of the Environ-  
3 mental Protection Agency (in this section referred to as the  
4 “Administrator”) finds that—

5           (1) applying subsection (a) would be inconsistent  
6 with the public interest;

7           (2) iron and steel products are not produced in  
8 the United States in sufficient and reasonably avail-  
9 able quantities and of a satisfactory quality; or

10          (3) inclusion of iron and steel products produced  
11 in the United States will increase the cost of the over-  
12 all project by more than 25 percent.

13       (c) If the Administrator receives a request for a waiver  
14 under this section, the Administrator shall make available  
15 to the public on an informal basis a copy of the request  
16 and information available to the Administrator concerning  
17 the request, and shall allow for informal public input on  
18 the request for at least 15 days prior to making a finding  
19 based on the request. The Administrator shall make the re-  
20 quest and accompanying information available by elec-  
21 tronic means, including on the official public Internet Web  
22 site of the Environmental Protection Agency.

23       (d) This section shall be applied in a manner con-  
24 sistent with United States obligations under international  
25 agreements.

1       (e) *The Administrator may retain up to 0.25 percent*  
2 *of the funds appropriated in this Act for the Clean and*  
3 *Drinking Water State Revolving Funds for carrying out the*  
4 *provisions described in subsection (a)(1) for management*  
5 *and oversight of the requirements of this section.*

6                                   *NATIONAL GALLERY OF ART*

7       *SEC. 426. Section 6301(2) of title 40, United States*  
8 *Code, is amended—*

9                   (1) *in the matter preceding subparagraph (A),*  
10 *by striking “The National Gallery of Art” and insert-*  
11 *ing “(A) The National Gallery of Art”;*

12                   (2) *by redesignating subparagraphs (A), (B),*  
13 *and (C) as clauses (i), (ii), and (iii), respectively;*  
14 *and*

15                   (3) *by adding at the end the following new sub-*  
16 *paragraph: “(B) All other buildings, service roads,*  
17 *walks, and other areas within the exterior boundaries*  
18 *of any real estate or land or interest in land (includ-*  
19 *ing temporary use) that the National Gallery of Art*  
20 *acquires and that the Director of the National Gallery*  
21 *of Art determines to be necessary for the adequate*  
22 *protection of individuals or property in the National*  
23 *Gallery of Art and suitable for administration as a*  
24 *part of the National Gallery of Art.”.*

1 *MIDWAY ISLAND*

2 *SEC. 427. None of the funds made available by this*  
3 *Act may be used to destroy any buildings or structures on*  
4 *Midway Island that have been recommended by the United*  
5 *States Navy for inclusion in the National Register of His-*  
6 *toric Places (54 U.S.C. 302101).*

7 *POLICIES RELATING TO BIOMASS ENERGY*

8 *SEC. 428. To support the key role that forests in the*  
9 *United States can play in addressing the energy needs of*  
10 *the United States, the Secretary of Energy, the Secretary*  
11 *of Agriculture, and the Administrator of the Environmental*  
12 *Protection Agency shall, consistent with their missions,*  
13 *jointly—*

14 *(1) ensure that Federal policy relating to forest*  
15 *bioenergy—*

16 *(A) is consistent across all Federal depart-*  
17 *ments and agencies; and*

18 *(B) recognizes the full benefits of the use of*  
19 *forest biomass for energy, conservation, and re-*  
20 *sponsible forest management; and*

21 *(2) establish clear and simple policies for the use*  
22 *of forest biomass as an energy solution, including*  
23 *policies that—*

24 *(A) reflect the carbon-neutrality of forest*  
25 *bioenergy and recognize biomass as a renewable*

1           *energy source, provided the use of forest biomass*  
 2           *for energy production does not cause conversion*  
 3           *of forests to non-forest use.*

4           *(B) encourage private investment through-*  
 5           *out the forest biomass supply chain, including*  
 6           *in—*

7                     *(i) working forests;*

8                     *(ii) harvesting operations;*

9                     *(iii) forest improvement operations;*

10                    *(iv) forest bioenergy production;*

11                    *(v) wood products manufacturing; or*

12                    *(vi) paper manufacturing;*

13                    *(C) encourage forest management to im-*  
 14                    *prove forest health; and*

15                    *(D) recognize State initiatives to produce*  
 16                    *and use forest biomass.*

17            *JOHN F. KENNEDY CENTER REAUTHORIZATION*

18            *SEC. 429. Section 13 of the John F. Kennedy Center*  
 19            *Act (20 U.S.C. 76r) is amended by striking subsections (a)*  
 20            *and (b) and inserting the following:*

21                    *“(a) MAINTENANCE, REPAIR, AND SECURITY.—There*  
 22                    *is authorized to be appropriated to the Board to carry out*  
 23                    *section 4(a)(1)(H), \$22,260,000 for fiscal year 2017.*

24                    *“(b) CAPITAL PROJECTS.—There is authorized to be*  
 25                    *appropriated to the Board to carry out subparagraphs (F)*

1 *and (G) of section 4(a)(1), \$14,140,000 for fiscal year*  
2 *2017.”.*

3 *BOUNDARY ADJUSTMENT, BOB MARSHALL WILDERNESS,*

4 *HELENA-LEWIS AND CLARK NATIONAL FOREST*

5 *SEC. 430. The boundary of the Patrick’s Basin Addi-*  
6 *tion to the Bob Marshall Wilderness designated by section*  
7 *3065(c)(1)(A) of the “Carl Levin and Howard P. ‘Buck’*  
8 *McKeon National Defense Authorization Act for Fiscal Year*  
9 *2015” (Public Law 113–291; 128 Stat. 3835) is modified*  
10 *to exclude approximately 603 acres of land as generally de-*  
11 *picted as items 1 and 2 on the map entitled “Patrick’s*  
12 *Basin Addition to the Bob Marshall Wilderness—Kenck*  
13 *Cabin and South Fork Sun River Packbridge Adjustments”*  
14 *and dated April 21, 2016, which shall be on file and avail-*  
15 *able for public inspection in the appropriate offices of the*  
16 *Forest Service. The lands excluded from the wilderness shall*  
17 *be added to and administered as part of the Rocky Moun-*  
18 *tain Front Conservation Management Area established in*  
19 *section 3065(b).*

20 *INCORPORATION BY REFERENCE*

21 *SEC. 431. (a) The provisions of the following bills of*  
22 *the 115th Congress are hereby enacted into law:*

23 *(1) H.R. 2104 (the Morley Nelson Snake River*  
24 *Birds of Prey National Conservation Area Boundary*

1        *Modification Act of 2017), as introduced on April 20,*  
2        *2017.*

3            (2) *S. 131 (the Alaska Mental Health Trust*  
4        *Land Exchange Act of 2017), as ordered to be re-*  
5        *ported on March 30, 2017, by the Committee on En-*  
6        *ergy and Natural Resources of the Senate.*

7            (3) *S. 847 (the Women’s Suffrage Centennial*  
8        *Commission Act), as introduced on April 5, 2017.*

9        (b) *In publishing this Act in slip form and in the*  
10       *United States Statutes at Large pursuant to section 112*  
11       *of title 1, United States Code, the Archivist of the United*  
12       *States shall include after the date of approval at the end*  
13       *an appendix setting forth the text of the bills referred to*  
14       *in subsection (a).*

15        *This division may be cited as the “Department of the*  
16       *Interior, Environment, and Related Agencies Appropria-*  
17       *tions Act, 2017”.*

1 ***DIVISION H—DEPARTMENTS OF LABOR,***  
2 ***HEALTH AND HUMAN SERVICES, AND***  
3 ***EDUCATION, AND RELATED AGENCIES***  
4 ***APPROPRIATIONS ACT, 2017***

5 ***TITLE I***

6 ***DEPARTMENT OF LABOR***

7 ***EMPLOYMENT AND TRAINING ADMINISTRATION***

8 ***TRAINING AND EMPLOYMENT SERVICES***

9 *For necessary expenses of the Workforce Innovation*  
10 *and Opportunity Act (referred to in this Act as “WIOA”),*  
11 *the Second Chance Act of 2007, and the National Appren-*  
12 *ticeship Act, \$3,338,699,000, plus reimbursements, shall be*  
13 *available. Of the amounts provided:*

14 *(1) for grants to States for adult employment*  
15 *and training activities, youth activities, and dis-*  
16 *located worker employment and training activities,*  
17 *\$2,709,832,000 as follows:*

18 *(A) \$815,556,000 for adult employment and*  
19 *training activities, of which \$103,556,000 shall*  
20 *be available for the period July 1, 2017 through*  
21 *June 30, 2018, and of which \$712,000,000 shall*  
22 *be available for the period October 1, 2017*  
23 *through June 30, 2018;*

1           (B) \$873,416,000 for youth activities, which  
2 shall be available for the period April 1, 2017  
3 through June 30, 2018; and

4           (C) \$1,020,860,000 for dislocated worker  
5 employment and training activities, of which  
6 \$160,860,000 shall be available for the period  
7 July 1, 2017 through June 30, 2018, and of  
8 which \$860,000,000 shall be available for the pe-  
9 riod October 1, 2017 through June 30, 2018:

10       *Provided, That pursuant to section 128(a)(1) of the*  
11       *WIOA, the amount available to the Governor for*  
12       *statewide workforce investment activities shall not ex-*  
13       *ceed 15 percent of the amount allotted to the State*  
14       *from each of the appropriations under the preceding*  
15       *subparagraphs: Provided further, That the funds*  
16       *available for allotment to outlying areas to carry out*  
17       *subtitle B of title I of the WIOA shall not be subject*  
18       *to the requirements of section 127(b)(1)(B)(ii) of such*  
19       *Act; and*

20           (2) for national programs, \$628,867,000 as fol-  
21 lows:

22           (A) \$220,859,000 for the dislocated workers  
23 assistance national reserve, of which \$20,859,000  
24 shall be available for the period July 1, 2017  
25 through September 30, 2018, and of which



1           \$200,000,000 shall be available for the period  
2           October 1, 2017 through September 30, 2018:  
3           *Provided, That funds provided to carry out sec-*  
4           *tion 132(a)(2)(A) of the WIOA may be used to*  
5           *provide assistance to a State for statewide or*  
6           *local use in order to address cases where there*  
7           *have been worker dislocations across multiple*  
8           *sectors or across multiple local areas and such*  
9           *workers remain dislocated; coordinate the State*  
10          *workforce development plan with emerging eco-*  
11          *nomical development needs; and train such eligible*  
12          *dislocated workers: Provided further, That funds*  
13          *provided to carry out sections 168(b) and 169(c)*  
14          *of the WIOA may be used for technical assistance*  
15          *and demonstration projects, respectively, that*  
16          *provide assistance to new entrants in the work-*  
17          *force and incumbent workers: Provided further,*  
18          *That notwithstanding section 168(b) of the*  
19          *WIOA, of the funds provided under this subpara-*  
20          *graph, the Secretary of Labor (referred to in this*  
21          *title as “Secretary”) may reserve not more than*  
22          *10 percent of such funds to provide technical as-*  
23          *sistance and carry out additional activities re-*  
24          *lated to the transition to the WIOA: Provided*  
25          *further, That, of the funds provided under this*

1           *subparagraph, \$20,000,000 shall be made avail-*  
2           *able for applications submitted in accordance*  
3           *with section 170 of the WIOA for training and*  
4           *employment assistance for workers dislocated*  
5           *from coal mines and coal-fired power plants;*

6           *(B) \$50,000,000 for Native American pro-*  
7           *grams under section 166 of the WIOA, which*  
8           *shall be available for the period July 1, 2017*  
9           *through June 30, 2018;*

10           *(C) \$81,896,000 for migrant and seasonal*  
11           *farmworker programs under section 167 of the*  
12           *WIOA, including \$75,885,000 for formula grants*  
13           *(of which not less than 70 percent shall be for*  
14           *employment and training services), \$5,517,000*  
15           *for migrant and seasonal housing (of which not*  
16           *less than 70 percent shall be for permanent hous-*  
17           *ing), and \$494,000 for other discretionary pur-*  
18           *poses, which shall be available for the period*  
19           *July 1, 2017 through June 30, 2018: Provided,*  
20           *That notwithstanding any other provision of law*  
21           *or related regulation, the Department of Labor*  
22           *shall take no action limiting the number or pro-*  
23           *portion of eligible participants receiving related*  
24           *assistance services or discouraging grantees from*  
25           *providing such services;*

1           (D) \$84,534,000 for YouthBuild activities  
2 as described in section 171 of the WIOA, which  
3 shall be available for the period April 1, 2017  
4 through June 30, 2018;

5           (E) \$2,500,000 for technical assistance ac-  
6 tivities under section 168 of the WIOA, which  
7 shall be available for the period July 1, 2017  
8 through June 30, 2018;

9           (F) \$88,078,000 for ex-offender activities,  
10 under the authority of section 169 of the WIOA  
11 and section 212 of the Second Chance Act of  
12 2007, which shall be available for the period  
13 April 1, 2017 through June 30, 2018: Provided,  
14 That of this amount, \$25,000,000 shall be for  
15 competitive grants to national and regional  
16 intermediaries for activities that prepare young  
17 ex-offenders and school dropouts for employment,  
18 with a priority for projects serving high-crime,  
19 high-poverty areas;

20           (G) \$6,000,000 for the Workforce Data  
21 Quality Initiative, under the authority of section  
22 169 of the WIOA, which shall be available for the  
23 period July 1, 2017 through June 30, 2018; and

24           (H) \$95,000,000 to expand opportunities  
25 relating to apprenticeship programs registered



1        *ciencies: Provided further, That any funds transferred*  
2        *pursuant to the preceding proviso shall not be avail-*  
3        *able for obligation after June 30, 2018: Provided fur-*  
4        *ther, That the Committees on Appropriations of the*  
5        *House of Representatives and the Senate are notified*  
6        *at least 15 days in advance of any transfer; and*

7                *(3) \$32,330,000 for necessary expenses of Job*  
8        *Corps, which shall be available for obligation for the*  
9        *period October 1, 2016 through September 30, 2017:*  
10        *Provided, That no funds from any other appropriation*  
11        *shall be used to provide meal services at or for Job Corps*  
12        *centers.*

13        *COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS*

14                *To carry out title V of the Older Americans Act of 1965*  
15        *(referred to in this Act as “OAA”), \$400,000,000, which*  
16        *shall be available for the period April 1, 2017 through June*  
17        *30, 2018, and may be recaptured and reobligated in accord-*  
18        *ance with section 517(c) of the OAA.*

19        *FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES*

20                *For payments during fiscal year 2017 of trade adjust-*  
21        *ment benefit payments and allowances under part I of sub-*  
22        *chapter B of chapter 2 of title II of the Trade Act of 1974,*  
23        *and section 246 of that Act; and for training, employment*  
24        *and case management services, allowances for job search*  
25        *and relocation, and related State administrative expenses*

1 *under part II of subchapter B of chapter 2 of title II of*  
2 *the Trade Act of 1974, and including benefit payments, al-*  
3 *lowances, training, employment and case management serv-*  
4 *ices, and related State administration provided pursuant*  
5 *to section 231(a) of the Trade Adjustment Assistance Exten-*  
6 *sion Act of 2011 and section 405(a) of the Trade Preferences*  
7 *Extension Act of 2015, \$849,000,000 together with such*  
8 *amounts as may be necessary to be charged to the subse-*  
9 *quent appropriation for payments for any period subse-*  
10 *quent to September 15, 2017: Provided, That notwith-*  
11 *standing section 502 of this Act, any part of the appropria-*  
12 *tion provided under this heading may remain available for*  
13 *obligation beyond the current fiscal year pursuant to the*  
14 *authorities of section 245(c) of the Trade Act of 1974 (19*  
15 *U.S.C. 2317(c)).*

16 *STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT*

17 *SERVICE OPERATIONS*

18 *For authorized administrative expenses, \$89,066,000,*  
19 *together with not to exceed \$3,434,625,000 which may be*  
20 *expended from the Employment Security Administration*  
21 *Account in the Unemployment Trust Fund (“the Trust*  
22 *Fund”), of which:*

23 *(1) \$2,687,600,000 from the Trust Fund is for*  
24 *grants to States for the administration of State un-*  
25 *employment insurance laws as authorized under title*

1 *III of the Social Security Act (including not less than*  
2 *\$115,000,000 to conduct in-person reemployment and*  
3 *eligibility assessments and unemployment insurance*  
4 *improper payment reviews, and to provide reemploy-*  
5 *ment services and referrals to training as appro-*  
6 *priate, for claimants of unemployment insurance for*  
7 *ex-service members under 5 U.S.C. 8521 et. seq. and*  
8 *for claimants of regular unemployment compensation,*  
9 *including those who are profiled as most likely to ex-*  
10 *haust their benefits in each State, and \$5,500,000 for*  
11 *continued support of the Unemployment Insurance*  
12 *Integrity Center of Excellence), the administration of*  
13 *unemployment insurance for Federal employees and*  
14 *for ex-service members as authorized under 5 U.S.C.*  
15 *8501–8523, and the administration of trade readjust-*  
16 *ment allowances, reemployment trade adjustment as-*  
17 *sistance, and alternative trade adjustment assistance*  
18 *under the Trade Act of 1974 and under section 231(a)*  
19 *of the Trade Adjustment Assistance Extension Act of*  
20 *2011 and section 405(a) of the Trade Preferences Ex-*  
21 *tension Act of 2015, and shall be available for obliga-*  
22 *tion by the States through December 31, 2017, except*  
23 *that funds used for automation shall be available for*  
24 *Federal obligation through December 31, 2017, and*  
25 *for State obligation through September 30, 2019, or,*

1 *if the automation is being carried out through con-*  
2 *sortia of States, for State obligation through Sep-*  
3 *tember 30, 2022, and for expenditure through Sep-*  
4 *tember 30, 2023, and funds for competitive grants*  
5 *awarded to States for improved operations and to*  
6 *conduct in-person reemployment and eligibility as-*  
7 *sessments and unemployment insurance improper*  
8 *payment reviews and provide reemployment services*  
9 *and referrals to training, as appropriate, shall be*  
10 *available for Federal obligation through December 31,*  
11 *2017, and for obligation by the States through Sep-*  
12 *tember 30, 2019, and funds for the Unemployment In-*  
13 *surance Integrity Center of Excellence shall be avail-*  
14 *able for obligation by the State through September 30,*  
15 *2018, and funds used for unemployment insurance*  
16 *workloads experienced by the States through Sep-*  
17 *tember 30, 2017 shall be available for Federal obliga-*  
18 *tion through December 31, 2017;*

19 (2) *\$14,897,000 from the Trust Fund is for na-*  
20 *tional activities necessary to support the administra-*  
21 *tion of the Federal-State unemployment insurance*  
22 *system;*

23 (3) *\$650,000,000 from the Trust Fund, together*  
24 *with \$21,413,000 from the General Fund of the Treas-*  
25 *ury, is for grants to States in accordance with section*



1       6 of the Wagner-Peyser Act, and shall be available for  
2       Federal obligation for the period July 1, 2017 through  
3       June 30, 2018;

4               (4) \$19,818,000 from the Trust Fund is for na-  
5       tional activities of the Employment Service, including  
6       administration of the work opportunity tax credit  
7       under section 51 of the Internal Revenue Code of  
8       1986, and the provision of technical assistance and  
9       staff training under the Wagner-Peyser Act;

10              (5) \$62,310,000 from the Trust Fund is for the  
11       administration of foreign labor certifications and re-  
12       lated activities under the Immigration and Nation-  
13       ality Act and related laws, of which \$48,028,000 shall  
14       be available for the Federal administration of such  
15       activities, and \$14,282,000 shall be available for  
16       grants to States for the administration of such activi-  
17       ties; and

18              (6) \$67,653,000 from the General Fund is to  
19       provide workforce information, national electronic  
20       tools, and one-stop system building under the Wagner-  
21       Peyser Act and shall be available for Federal obliga-  
22       tion for the period July 1, 2017 through June 30,  
23       2018:

24       *Provided, That to the extent that the Average Weekly In-*  
25       *sured Unemployment (“AWIU”) for fiscal year 2017 is pro-*

1 jected by the Department of Labor to exceed 2,453,000, an  
2 additional \$28,600,000 from the Trust Fund shall be avail-  
3 able for obligation for every 100,000 increase in the AWIU  
4 level (including a pro rata amount for any increment less  
5 than 100,000) to carry out title III of the Social Security  
6 Act: Provided further, That funds appropriated in this Act  
7 that are allotted to a State to carry out activities under  
8 title III of the Social Security Act may be used by such  
9 State to assist other States in carrying out activities under  
10 such title III if the other States include areas that have  
11 suffered a major disaster declared by the President under  
12 the Robert T. Stafford Disaster Relief and Emergency As-  
13 sistance Act: Provided further, That the Secretary may use  
14 funds appropriated for grants to States under title III of  
15 the Social Security Act to make payments on behalf of  
16 States for the use of the National Directory of New Hires  
17 under section 453(j)(8) of such Act: Provided further, That  
18 the Secretary may use funds appropriated for grants to  
19 States under title III of the Social Security Act to make  
20 payments on behalf of States to the entity operating the  
21 State Information Data Exchange System: Provided fur-  
22 ther, That funds appropriated in this Act which are used  
23 to establish a national one-stop career center system, or  
24 which are used to support the national activities of the Fed-  
25 eral-State unemployment insurance, employment service, or

1 *immigration programs, may be obligated in contracts,*  
2 *grants, or agreements with States and non-State entities:*  
3 *Provided further, That States awarded competitive grants*  
4 *for improved operations under title III of the Social Secu-*  
5 *rity Act, or awarded grants to support the national activi-*  
6 *ties of the Federal-State unemployment insurance system,*  
7 *may award subgrants to other States and non-State entities*  
8 *under such grants, subject to the conditions applicable to*  
9 *the grants: Provided further, That funds appropriated*  
10 *under this Act for activities authorized under title III of*  
11 *the Social Security Act and the Wagner-Peyser Act may*  
12 *be used by States to fund integrated Unemployment Insur-*  
13 *ance and Employment Service automation efforts, notwith-*  
14 *standing cost allocation principles prescribed under the*  
15 *final rule entitled “Uniform Administrative Requirements,*  
16 *Cost Principles, and Audit Requirements for Federal*  
17 *Awards” at part 200 of title 2, Code of Federal Regulations:*  
18 *Provided further, That the Secretary, at the request of a*  
19 *State participating in a consortium with other States, may*  
20 *reallot funds allotted to such State under title III of the*  
21 *Social Security Act to other States participating in the con-*  
22 *sortium in order to carry out activities that benefit the ad-*  
23 *ministration of the unemployment compensation law of the*  
24 *State making the request: Provided further, That the Sec-*  
25 *retary may collect fees for the costs associated with addi-*

1 *tional data collection, analyses, and reporting services re-*  
2 *lating to the National Agricultural Workers Survey re-*  
3 *quested by State and local governments, public and private*  
4 *institutions of higher education, and nonprofit organiza-*  
5 *tions and may utilize such sums, in accordance with the*  
6 *provisions of 29 U.S.C. 9a, for the National Agricultural*  
7 *Workers Survey infrastructure, methodology, and data to*  
8 *meet the information collection and reporting needs of such*  
9 *entities, which shall be credited to this appropriation and*  
10 *shall remain available until September 30, 2018, for such*  
11 *purposes.*

12 *ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND*  
13 *OTHER FUNDS*

14 *For repayable advances to the Unemployment Trust*  
15 *Fund as authorized by sections 905(d) and 1203 of the So-*  
16 *cial Security Act, and to the Black Lung Disability Trust*  
17 *Fund as authorized by section 9501(c)(1) of the Internal*  
18 *Revenue Code of 1986; and for nonrepayable advances to*  
19 *the revolving fund established by section 901(e) of the Social*  
20 *Security Act, to the Unemployment Trust Fund as author-*  
21 *ized by 5 U.S.C. 8509, and to the “Federal Unemployment*  
22 *Benefits and Allowances” account, such sums as may be*  
23 *necessary, which shall be available for obligation through*  
24 *September 30, 2018.*



1 \$421,006,000: *Provided further, That an amount not to ex-*  
2 *ceed an additional \$98,500,000 shall be available through*  
3 *September 30, 2021, for costs associated with the acquisi-*  
4 *tion, occupancy, and related costs of headquarters space:*  
5 *Provided further, That to the extent that the number of new*  
6 *plan participants in plans terminated by the Corporation*  
7 *exceeds 100,000 in fiscal year 2017, an amount not to ex-*  
8 *ceed an additional \$9,200,000 shall be available through*  
9 *September 30, 2018, for obligation for administrative ex-*  
10 *penses for every 20,000 additional terminated participants:*  
11 *Provided further, That obligations in excess of the amounts*  
12 *provided in this paragraph may be incurred for unforeseen*  
13 *and extraordinary pretermination expenses or extraor-*  
14 *dinary multiemployer program related expenses after ap-*  
15 *proval by the Office of Management and Budget and notifi-*  
16 *cation of the Committees on Appropriations of the House*  
17 *of Representatives and the Senate.*

18 *WAGE AND HOUR DIVISION*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses for the Wage and Hour Divi-*  
21 *sion, including reimbursement to State, Federal, and local*  
22 *agencies and their employees for inspection services ren-*  
23 *dered, \$227,500,000.*

1            *OFFICE OF LABOR-MANAGEMENT STANDARDS*2                            *SALARIES AND EXPENSES*

3            *For necessary expenses for the Office of Labor-Manage-*  
4 *ment Standards, \$38,187,000.*

5            *OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS*6                            *SALARIES AND EXPENSES*

7            *For necessary expenses for the Office of Federal Con-*  
8 *tract Compliance Programs, \$104,476,000.*

9            *OFFICE OF WORKERS' COMPENSATION PROGRAMS*10                           *SALARIES AND EXPENSES*

11           *For necessary expenses for the Office of Workers' Com-*  
12 *ensation Programs, \$115,424,000, together with*  
13 *\$2,177,000 which may be expended from the Special Fund*  
14 *in accordance with sections 39(c), 44(d), and 44(j) of the*  
15 *Longshore and Harbor Workers' Compensation Act.*

16                            *SPECIAL BENEFITS*17                            *(INCLUDING TRANSFER OF FUNDS)*

18           *For the payment of compensation, benefits, and ex-*  
19 *penses (except administrative expenses) accruing during the*  
20 *current or any prior fiscal year authorized by 5 U.S.C. 81;*  
21 *continuation of benefits as provided for under the heading*  
22 *"Civilian War Benefits" in the Federal Security Agency*  
23 *Appropriation Act, 1947; the Employees' Compensation*  
24 *Commission Appropriation Act, 1944; section 5(f) of the*  
25 *War Claims Act (50 U.S.C. App. 2004); obligations in-*

1 *curred under the War Hazards Compensation Act (42*  
2 *U.S.C. 1701 et seq.); and 50 percent of the additional com-*  
3 *ensation and benefits required by section 10(h) of the*  
4 *Longshore and Harbor Workers' Compensation Act,*  
5 *\$220,000,000, together with such amounts as may be nec-*  
6 *essary to be charged to the subsequent year appropriation*  
7 *for the payment of compensation and other benefits for any*  
8 *period subsequent to August 15 of the current year, for de-*  
9 *posit into and to assume the attributes of the Employees'*  
10 *Compensation Fund established under 5 U.S.C. 8147(a):*  
11 *Provided, That amounts appropriated may be used under*  
12 *5 U.S.C. 8104 by the Secretary to reimburse an employer,*  
13 *who is not the employer at the time of injury, for portions*  
14 *of the salary of a re-employed, disabled beneficiary: Pro-*  
15 *vided further, That balances of reimbursements unobligated*  
16 *on September 30, 2016, shall remain available until ex-*  
17 *pended for the payment of compensation, benefits, and ex-*  
18 *penses: Provided further, That in addition there shall be*  
19 *transferred to this appropriation from the Postal Service*  
20 *and from any other corporation or instrumentality required*  
21 *under 5 U.S.C. 8147(c) to pay an amount for its fair share*  
22 *of the cost of administration, such sums as the Secretary*  
23 *determines to be the cost of administration for employees*  
24 *of such fair share entities through September 30, 2017: Pro-*  
25 *vided further, That of those funds transferred to this ac-*



1 *count from the fair share entities to pay the cost of adminis-*  
2 *tration of the Federal Employees' Compensation Act,*  
3 *\$66,675,000 shall be made available to the Secretary as fol-*  
4 *lows:*

5           (1) *For enhancement and maintenance of auto-*  
6 *mated data processing systems operations and tele-*  
7 *communications systems, \$22,740,000;*

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

11           (3) *For periodic roll disability management and*  
12 *medical review, \$16,866,000;*

13           (4) *For program integrity, \$4,101,000; and*

14           (5) *The remaining funds shall be paid into the*  
15 *Treasury as miscellaneous receipts:*

16 *Provided further, That the Secretary may require that any*  
17 *person filing a notice of injury or a claim for benefits under*  
18 *5 U.S.C. 81, or the Longshore and Harbor Workers' Com-*  
19 *pensation Act, provide as part of such notice and claim,*  
20 *such identifying information (including Social Security ac-*  
21 *count number) as such regulations may prescribe.*

22           *SPECIAL BENEFITS FOR DISABLED COAL MINERS*

23           *For carrying out title IV of the Federal Mine Safety*  
24 *and Health Act of 1977, as amended by Public Law 107-*  
25 *275, \$61,319,000, to remain available until expended.*

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

5        *For making benefit payments under title IV for the*  
6 *first quarter of fiscal year 2018, \$16,000,000, to remain*  
7 *available until expended.*

8            *ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES*  
9            *OCCUPATIONAL ILLNESS COMPENSATION FUND*

10        *For necessary expenses to administer the Energy Em-*  
11 *ployees Occupational Illness Compensation Program Act,*  
12 *\$59,846,000, to remain available until expended: Provided,*  
13 *That the Secretary may require that any person filing a*  
14 *claim for benefits under the Act provide as part of such*  
15 *claim such identifying information (including Social Secu-*  
16 *rity account number) as may be prescribed.*

17            *BLACK LUNG DISABILITY TRUST FUND*  
18            *(INCLUDING TRANSFER OF FUNDS)*

19        *Such sums as may be necessary from the Black Lung*  
20 *Disability Trust Fund (the “Fund”), to remain available*  
21 *until expended, for payment of all benefits authorized by*  
22 *section 9501(d)(1), (2), (6), and (7) of the Internal Revenue*  
23 *Code of 1986; and repayment of, and payment of interest*  
24 *on advances, as authorized by section 9501(d)(4) of that*  
25 *Act. In addition, the following amounts may be expended*

1 *from the Fund for fiscal year 2017 for expenses of operation*  
2 *and administration of the Black Lung Benefits program,*  
3 *as authorized by section 9501(d)(5): not to exceed*  
4 *\$38,246,000 for transfer to the Office of Workers' Compensa-*  
5 *tion Programs, "Salaries and Expenses"; not to exceed*  
6 *\$31,994,000 for transfer to Departmental Management,*  
7 *"Salaries and Expenses"; not to exceed \$330,000 for trans-*  
8 *fer to Departmental Management, "Office of Inspector Gen-*  
9 *eral"; and not to exceed \$356,000 for payments into mis-*  
10 *cellaneous receipts for the expenses of the Department of the*  
11 *Treasury.*

12 *OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses for the Occupational Safety*  
15 *and Health Administration, \$552,787,000, including not to*  
16 *exceed \$100,850,000 which shall be the maximum amount*  
17 *available for grants to States under section 23(g) of the Oc-*  
18 *cupational Safety and Health Act (the "Act"), which grants*  
19 *shall be no less than 50 percent of the costs of State occupa-*  
20 *tional safety and health programs required to be incurred*  
21 *under plans approved by the Secretary under section 18*  
22 *of the Act; and, in addition, notwithstanding 31 U.S.C.*  
23 *3302, the Occupational Safety and Health Administration*  
24 *may retain up to \$499,000 per fiscal year of training insti-*  
25 *tute course tuition and fees, otherwise authorized by law*

1 to be collected, and may utilize such sums for occupational  
2 safety and health training and education: Provided, That  
3 notwithstanding 31 U.S.C. 3302, the Secretary is author-  
4 ized, during the fiscal year ending September 30, 2017, to  
5 collect and retain fees for services provided to Nationally  
6 Recognized Testing Laboratories, and may utilize such  
7 sums, in accordance with the provisions of 29 U.S.C. 9a,  
8 to administer national and international laboratory rec-  
9 ognition programs that ensure the safety of equipment and  
10 products used by workers in the workplace: Provided fur-  
11 ther, That none of the funds appropriated under this para-  
12 graph shall be obligated or expended to prescribe, issue, ad-  
13 minister, or enforce any standard, rule, regulation, or order  
14 under the Act which is applicable to any person who is en-  
15 gaged in a farming operation which does not maintain a  
16 temporary labor camp and employs 10 or fewer employees:  
17 Provided further, That no funds appropriated under this  
18 paragraph shall be obligated or expended to administer or  
19 enforce any standard, rule, regulation, or order under the  
20 Act with respect to any employer of 10 or fewer employees  
21 who is included within a category having a Days Away,  
22 Restricted, or Transferred (“DART”) occupational injury  
23 and illness rate, at the most precise industrial classification  
24 code for which such data are published, less than the na-  
25 tional average rate as such rates are most recently published

1 *by the Secretary, acting through the Bureau of Labor Sta-*  
2 *tistics, in accordance with section 24 of the Act, except—*

3           (1) *to provide, as authorized by the Act, con-*  
4 *sultation, technical assistance, educational and train-*  
5 *ing services, and to conduct surveys and studies;*

6           (2) *to conduct an inspection or investigation in*  
7 *response to an employee complaint, to issue a citation*  
8 *for violations found during such inspection, and to*  
9 *assess a penalty for violations which are not corrected*  
10 *within a reasonable abatement period and for any*  
11 *willful violations found;*

12           (3) *to take any action authorized by the Act with*  
13 *respect to imminent dangers;*

14           (4) *to take any action authorized by the Act with*  
15 *respect to health hazards;*

16           (5) *to take any action authorized by the Act with*  
17 *respect to a report of an employment accident which*  
18 *is fatal to one or more employees or which results in*  
19 *hospitalization of two or more employees, and to take*  
20 *any action pursuant to such investigation authorized*  
21 *by the Act; and*

22           (6) *to take any action authorized by the Act with*  
23 *respect to complaints of discrimination against em-*  
24 *ployees for exercising rights under the Act:*

1 *Provided further, That the foregoing proviso shall not apply*  
2 *to any person who is engaged in a farming operation which*  
3 *does not maintain a temporary labor camp and employs*  
4 *10 or fewer employees: Provided further, That \$10,537,000*  
5 *shall be available for Susan Harwood training grants: Pro-*  
6 *vided further, That not less than \$3,500,000 shall be for*  
7 *Voluntary Protection Programs.*

8 *MINE SAFETY AND HEALTH ADMINISTRATION*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses for the Mine Safety and Health*  
11 *Administration, \$373,816,000, including purchase and be-*  
12 *stowal of certificates and trophies in connection with mine*  
13 *rescue and first-aid work, and the hire of passenger motor*  
14 *vehicles, including up to \$2,000,000 for mine rescue and*  
15 *recovery activities and not less than \$10,537,000 for State*  
16 *assistance grants: Provided, That amounts available for*  
17 *State assistance grants may be used for the purchase and*  
18 *maintenance of new equipment required by the final rule*  
19 *entitled “Lowering Miners’ Exposure to Respirable Coal*  
20 *Mine Dust, Including Continuous Personal Dust Monitors”*  
21 *published by the Department of Labor in the Federal Reg-*  
22 *ister on May 1, 2014 (79 Fed. Reg. 24813 et seq.), for opera-*  
23 *tors that demonstrate financial need as determined by the*  
24 *Secretary: Provided further, That notwithstanding 31*  
25 *U.S.C. 3302, not to exceed \$750,000 may be collected by*

1 *the National Mine Health and Safety Academy for room,*  
2 *board, tuition, and the sale of training materials, otherwise*  
3 *authorized by law to be collected, to be available for mine*  
4 *safety and health education and training activities: Pro-*  
5 *vided further, That notwithstanding 31 U.S.C. 3302, the*  
6 *Mine Safety and Health Administration is authorized to*  
7 *collect and retain up to \$2,499,000 from fees collected for*  
8 *the approval and certification of equipment, materials, and*  
9 *explosives for use in mines, and may utilize such sums for*  
10 *such activities: Provided further, That the Secretary is au-*  
11 *thorized to accept lands, buildings, equipment, and other*  
12 *contributions from public and private sources and to pros-*  
13 *ecute projects in cooperation with other agencies, Federal,*  
14 *State, or private: Provided further, That the Mine Safety*  
15 *and Health Administration is authorized to promote health*  
16 *and safety education and training in the mining commu-*  
17 *nity through cooperative programs with States, industry,*  
18 *and safety associations: Provided further, That the Sec-*  
19 *retary is authorized to recognize the Joseph A. Holmes Safe-*  
20 *ty Association as a principal safety association and, not-*  
21 *withstanding any other provision of law, may provide*  
22 *funds and, with or without reimbursement, personnel, in-*  
23 *cluding service of Mine Safety and Health Administration*  
24 *officials as officers in local chapters or in the national orga-*  
25 *nization: Provided further, That any funds available to the*

1 *Department of Labor may be used, with the approval of*  
2 *the Secretary, to provide for the costs of mine rescue and*  
3 *survival operations in the event of a major disaster.*

4 *BUREAU OF LABOR STATISTICS*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses for the Bureau of Labor Statis-*  
7 *tics, including advances or reimbursements to State, Fed-*  
8 *eral, and local agencies and their employees for services ren-*  
9 *dered, \$544,000,000, together with not to exceed \$65,000,000*  
10 *which may be expended from the Employment Security Ad-*  
11 *ministration account in the Unemployment Trust Fund.*

12 *OFFICE OF DISABILITY EMPLOYMENT POLICY*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses for the Office of Disability Em-*  
15 *ployment Policy to provide leadership, develop policy and*  
16 *initiatives, and award grants furthering the objective of*  
17 *eliminating barriers to the training and employment of*  
18 *people with disabilities, \$38,203,000.*

19 *DEPARTMENTAL MANAGEMENT*

20 *SALARIES AND EXPENSES*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For necessary expenses for Departmental Management,*  
23 *including the hire of three passenger motor vehicles,*  
24 *\$334,536,000, together with not to exceed \$308,000, which*  
25 *may be expended from the Employment Security Adminis-*



1 *tration account in the Unemployment Trust Fund: Pro-*  
2 *vided, That \$59,825,000 for the Bureau of International*  
3 *Labor Affairs shall be available for obligation through De-*  
4 *cember 31, 2017: Provided further, That funds available to*  
5 *the Bureau of International Labor Affairs may be used to*  
6 *administer or operate international labor activities, bilat-*  
7 *eral and multilateral technical assistance, and micro-*  
8 *finance programs, by or through contracts, grants, sub-*  
9 *grants and other arrangements: Provided further, That not*  
10 *more than \$53,825,000 shall be for programs to combat ex-*  
11 *plorative child labor internationally and not less than*  
12 *\$6,000,000 shall be used to implement model programs that*  
13 *address worker rights issues through technical assistance in*  
14 *countries with which the United States has free trade agree-*  
15 *ments or trade preference programs: Provided further, That*  
16 *\$8,040,000 shall be used for program evaluation and shall*  
17 *be available for obligation through September 30, 2018:*  
18 *Provided further, That funds available for program evalua-*  
19 *tion may be used to administer grants for the purpose of*  
20 *evaluation: Provided further, That grants made for the pur-*  
21 *pose of evaluation shall be awarded through fair and open*  
22 *competition: Provided further, That funds available for pro-*  
23 *gram evaluation may be transferred to any other appro-*  
24 *priate account in the Department for such purpose: Pro-*  
25 *vided further, That the Committees on Appropriations of*

1 *the House of Representatives and the Senate are notified*  
2 *at least 15 days in advance of any transfer: Provided fur-*  
3 *ther, That the funds available to the Women's Bureau may*  
4 *be used for grants to serve and promote the interests of*  
5 *women in the workforce: Provided further, That of the*  
6 *amounts made available to the Women's Bureau, \$994,000*  
7 *shall be used for grants authorized by the Women in Ap-*  
8 *prenticeship and Nontraditional Occupations Act.*

9 *VETERANS EMPLOYMENT AND TRAINING*

10 *Not to exceed \$234,041,000 may be derived from the*  
11 *Employment Security Administration account in the Un-*  
12 *employment Trust Fund to carry out the provisions of*  
13 *chapters 41, 42, and 43 of title 38, United States Code, of*  
14 *which:*

15 *(1) \$175,000,000 is for Jobs for Veterans State*  
16 *grants under 38 U.S.C. 4102A(b)(5) to support dis-*  
17 *abled veterans' outreach program specialists under*  
18 *section 4103A of such title and local veterans' employ-*  
19 *ment representatives under section 4104(b) of such*  
20 *title, and for the expenses described in section*  
21 *4102A(b)(5)(C), which shall be available for obliga-*  
22 *tion by the States through December 31, 2017, and*  
23 *not to exceed 3 percent for the necessary Federal ex-*  
24 *penditures for data systems and contract support to*  
25 *allow for the tracking of participant and performance*

1 *information: Provided, That, in addition, such funds*  
2 *may be used to support such specialists and rep-*  
3 *resentatives in the provision of services to*  
4 *transitioning members of the Armed Forces who have*  
5 *participated in the Transition Assistance Program*  
6 *and have been identified as in need of intensive serv-*  
7 *ices, to members of the Armed Forces who are wound-*  
8 *ed, ill, or injured and receiving treatment in military*  
9 *treatment facilities or warrior transition units, and*  
10 *to the spouses or other family caregivers of such*  
11 *wounded, ill, or injured members;*

12 *(2) \$14,600,000 is for carrying out the Transi-*  
13 *tion Assistance Program under 38 U.S.C. 4113 and*  
14 *10 U.S.C. 1144: Provided, That, up to \$300,000 of*  
15 *such funds may be used to enter into a cooperative*  
16 *agreement with a State relating to a mobile applica-*  
17 *tion to provide transition assistance to separating*  
18 *service members, veterans and eligible spouses;*

19 *(3) \$41,027,000 is for Federal administration of*  
20 *chapters 41, 42, and 43 of title 38, United States*  
21 *Code; and*

22 *(4) \$3,414,000 is for the National Veterans' Em-*  
23 *ployment and Training Services Institute under 38*  
24 *U.S.C. 4109:*

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

5 *In addition, from the General Fund of the Treasury,*  
6 *\$45,000,000 is for carrying out programs to assist homeless*  
7 *veterans and veterans at risk of homelessness who are*  
8 *transitioning from certain institutions under sections 2021,*  
9 *2021A, and 2023 of title 38, United States Code: Provided,*  
10 *That notwithstanding subsections (c)(3) and (d) of section*  
11 *2023, the Secretary may award grants through September*  
12 *30, 2017, to provide services under such section: Provided*  
13 *further, That services provided under section 2023 may in-*  
14 *clude, in addition to services to the individuals described*  
15 *in subsection (e) of such section, services to veterans recently*  
16 *released from incarceration who are at risk of homelessness.*

17 *IT MODERNIZATION*

18 *For necessary expenses for Department of Labor cen-*  
19 *tralized infrastructure technology investment activities re-*  
20 *lated to support systems and modernization, \$18,778,000,*  
21 *which shall be available through September 30, 2018.*

22 *OFFICE OF INSPECTOR GENERAL*

23 *For salaries and expenses of the Office of Inspector*  
24 *General in carrying out the provisions of the Inspector Gen-*  
25 *eral Act of 1978, \$82,061,000, together with not to exceed*

1 \$5,660,000 which may be expended from the Employment  
2 Security Administration account in the Unemployment  
3 Trust Fund.

4 *GENERAL PROVISIONS*

5 *SEC. 101. None of the funds appropriated by this Act*  
6 *for the Job Corps shall be used to pay the salary and bo-*  
7 *nuses of an individual, either as direct costs or any prora-*  
8 *tion as an indirect cost, at a rate in excess of Executive*  
9 *Level II.*

10 *(TRANSFER OF FUNDS)*

11 *SEC. 102. Not to exceed 1 percent of any discretionary*  
12 *funds (pursuant to the Balanced Budget and Emergency*  
13 *Deficit Control Act of 1985) which are appropriated for the*  
14 *current fiscal year for the Department of Labor in this Act*  
15 *may be transferred between a program, project, or activity,*  
16 *but no such program, project, or activity shall be increased*  
17 *by more than 3 percent by any such transfer: Provided,*  
18 *That the transfer authority granted by this section shall not*  
19 *be used to create any new program or to fund any project*  
20 *or activity for which no funds are provided in this Act:*  
21 *Provided further, That the Committees on Appropriations*  
22 *of the House of Representatives and the Senate are notified*  
23 *at least 15 days in advance of any transfer.*

24 *SEC. 103. In accordance with Executive Order 13126,*  
25 *none of the funds appropriated or otherwise made available*

1 *pursuant to this Act shall be obligated or expended for the*  
2 *procurement of goods mined, produced, manufactured, or*  
3 *harvested or services rendered, in whole or in part, by forced*  
4 *or indentured child labor in industries and host countries*  
5 *already identified by the United States Department of*  
6 *Labor prior to enactment of this Act.*

7 *(INCLUDING RESCISSION)*

8 *SEC. 104. Except as otherwise provided in this section,*  
9 *none of the funds made available to the Department of*  
10 *Labor for grants under section 414(c) of the American Com-*  
11 *petitiveness and Workforce Improvement Act of 1998 (29*  
12 *U.S.C. 2916a) may be used for any purpose other than com-*  
13 *petitive grants for training individuals who are older than*  
14 *16 years of age and are not currently enrolled in school*  
15 *within a local educational agency in the occupations and*  
16 *industries for which employers are using H-1B visas to*  
17 *hire foreign workers, and the related activities necessary to*  
18 *support such training: Provided, That of such funds avail-*  
19 *able before September 30, 2017 up to \$20,000,000 shall be*  
20 *available for obligation through September 30, 2018 by the*  
21 *Employment and Training Administration of the Depart-*  
22 *ment of Labor to process foreign labor certifications, includ-*  
23 *ing wage determinations and associated tasks and grants*  
24 *to States, submitted by employers to employ nonimmigrants*  
25 *described in section 101(a)(15)(H)(ii) of the Immigration*



1 rectly or through a set-aside, for technical assistance serv-  
2 ices to grantees to “Program Administration” when it is  
3 determined that those services will be more efficiently per-  
4 formed by Federal employees: Provided, That this section  
5 shall not apply to section 171 of the WIOA.

6 (b) Notwithstanding section 102, the Secretary may  
7 transfer not more than 0.5 percent of each discretionary ap-  
8 propriation made available to the Employment and Train-  
9 ing Administration by this Act to “Program Administra-  
10 tion” in order to carry out program integrity activities re-  
11 lating to any of the programs or activities that are funded  
12 under any such discretionary appropriations: Provided,  
13 That funds transferred from under paragraphs (1) and (2)  
14 of the “Office of Job Corps” account shall be available under  
15 paragraph (3) of such account in order to carry out pro-  
16 gram integrity activities relating to the Job Corps program:  
17 Provided further, That funds transferred under this sub-  
18 section shall be available for obligation through September  
19 30, 2018.

20 (TRANSFER OF FUNDS)

21 SEC. 107. (a) The Secretary may reserve not more  
22 than 0.75 percent from each appropriation made available  
23 in this Act identified in subsection (b) in order to carry  
24 out evaluations of any of the programs or activities that  
25 are funded under such accounts. Any funds reserved under



1 *this section shall be transferred to “Departmental Manage-*  
2 *ment” for use by the Office of the Chief Evaluation Officer*  
3 *within the Department of Labor, and shall be available for*  
4 *obligation through September 30, 2018: Provided, That such*  
5 *funds shall only be available if the Chief Evaluation Officer*  
6 *of the Department of Labor submits a plan to the Commit-*  
7 *tees on Appropriations of the House of Representatives and*  
8 *the Senate describing the evaluations to be carried out 15*  
9 *days in advance of any transfer.*

10 *(b) The accounts referred to in subsection (a) are:*  
11 *“Training and Employment Services”, “Job Corps”, “Com-*  
12 *munity Service Employment for Older Americans”, “State*  
13 *Unemployment Insurance and Employment Service Oper-*  
14 *ations”, “Employee Benefits Security Administration”,*  
15 *“Office of Workers’ Compensation Programs”, “Wage and*  
16 *Hour Division”, “Office of Federal Contract Compliance*  
17 *Programs”, “Office of Labor Management Standards”, “Oc-*  
18 *cupational Safety and Health Administration”, “Mine*  
19 *Safety and Health Administration”, “Office of Disability*  
20 *Employment Policy”, funding made available to the “Bu-*  
21 *reau of International Labor Affairs” and “Women’s Bu-*  
22 *reau” within the “Departmental Management, Salaries and*  
23 *Expenses” account, and “Veterans Employment and Train-*  
24 *ing”.*

1        *SEC. 108. Notwithstanding any other provision of law,*  
2 *beginning October 1, 2016, the Secretary of Labor, in con-*  
3 *sultation with the Secretary of Agriculture may select an*  
4 *entity to operate a Civilian Conservation Center on a com-*  
5 *petitive basis in accordance with section 147 of the WIOA,*  
6 *if the Secretary of Labor determines such Center has had*  
7 *consistently low performance under the performance ac-*  
8 *countability system in effect for the Job Corps program*  
9 *prior to July 1, 2016, or with respect to expected levels of*  
10 *performance established under section 159(c) of such Act be-*  
11 *ginning July 1, 2016.*

12        *SEC. 109. (a) Section 7 of the Fair Labor Standards*  
13 *Act of 1938 (29 U.S.C. 207) shall be applied as if the fol-*  
14 *lowing text is part of such section:*

15        *“(s)(1) The provisions of this section shall not apply*  
16 *for a period of 2 years after the occurrence of a major dis-*  
17 *aster to any employee—*

18            *“(A) employed to adjust or evaluate claims re-*  
19 *sulting from or relating to such major disaster, by an*  
20 *employer not engaged, directly or through an affiliate,*  
21 *in underwriting, selling, or marketing property, cas-*  
22 *ualty, or liability insurance policies or contracts;*

23            *“(B) who receives from such employer on average*  
24 *weekly compensation of not less than \$591.00 per*  
25 *week or any minimum weekly amount established by*

1 *the Secretary, whichever is greater, for the number of*  
2 *weeks such employee is engaged in any of the activi-*  
3 *ties described in subparagraph (C); and*

4 *“(C) whose duties include any of the following:*

5 *“(i) interviewing insured individuals, indi-*  
6 *viduals who suffered injuries or other damages or*  
7 *losses arising from or relating to a disaster, wit-*  
8 *nesses, or physicians;*

9 *“(ii) inspecting property damage or review-*  
10 *ing factual information to prepare damage esti-*  
11 *mates;*

12 *“(iii) evaluating and making recommenda-*  
13 *tions regarding coverage or compensability of*  
14 *claims or determining liability or value aspects*  
15 *of claims;*

16 *“(iv) negotiating settlements; or*

17 *“(v) making recommendations regarding*  
18 *litigation.*

19 *“(2) The exemption in this subsection shall not affect*  
20 *the exemption provided by section 13(a)(1).*

21 *“(3) For purposes of this subsection—*

22 *“(A) the term ‘major disaster’ means any dis-*  
23 *aster or catastrophe declared or designated by any*  
24 *State or Federal agency or department;*



1 114–113, \$75,000,000 is rescinded, to be derived from the  
2 amount made available in paragraph (2)(A) under such  
3 heading for the period October 1, 2016, through September  
4 30, 2017.

5       *SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE*  
6 *CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE*  
7 *SEAFOOD INDUSTRY.—*

8           (1) *IN GENERAL.—Subject to paragraph (2), if a*  
9 *petition for H–2B nonimmigrants filed by an em-*  
10 *ployer in the seafood industry is granted, the em-*  
11 *ployer may bring the nonimmigrants described in the*  
12 *petition into the United States at any time during*  
13 *the 120-day period beginning on the start date for*  
14 *which the employer is seeking the services of the non-*  
15 *immigrants without filing another petition.*

16           (2) *REQUIREMENTS FOR CROSSINGS AFTER 90TH*  
17 *DAY.—An employer in the seafood industry may not*  
18 *bring H–2B nonimmigrants into the United States*  
19 *after the date that is 90 days after the start date for*  
20 *which the employer is seeking the services of the non-*  
21 *immigrants unless the employer—*

22                   (A) *completes a new assessment of the local*  
23 *labor market by—*

24                           (i) *listing job orders in local news-*  
25 *papers on 2 separate Sundays; and*

1                   (ii) posting the job opportunity on the  
2                   appropriate Department of Labor Elec-  
3                   tronic Job Registry and at the employer's  
4                   place of employment; and

5                   (B) offers the job to an equally or better  
6                   qualified United States worker who—

7                   (i) applies for the job; and

8                   (ii) will be available at the time and  
9                   place of need.

10                  (3) *EXEMPTION FROM RULES WITH RESPECT TO*  
11                  *STAGGERING.*—The Secretary of Labor shall not con-  
12                  sider an employer in the seafood industry who brings  
13                  H-2B nonimmigrants into the United States during  
14                  the 120-day period specified in paragraph (1) to be  
15                  staggering the date of need in violation of section  
16                  655.20(d) of title 20, Code of Federal Regulations, or  
17                  any other applicable provision of law.

18                  (b) *H-2B NONIMMIGRANTS DEFINED.*—In this section,  
19                  the term “H-2B nonimmigrants” means aliens admitted  
20                  to the United States pursuant to section  
21                  101(a)(15)(H)(ii)(B) of the Immigration and Nationality  
22                  Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

23                  *SEC. 112.* The determination of prevailing wage for  
24                  the purposes of the H-2B program shall be the greater of—  
25                  (1) the actual wage level paid by the employer to other em-

1 *ployees with similar experience and qualifications for such*  
2 *position in the same location; or (2) the prevailing wage*  
3 *level for the occupational classification of the position in*  
4 *the geographic area in which the H-2B nonimmigrant will*  
5 *be employed, based on the best information available at the*  
6 *time of filing the petition. In the determination of pre-*  
7 *vailing wage for the purposes of the H-2B program, the*  
8 *Secretary shall accept private wage surveys even in in-*  
9 *stances where Occupational Employment Statistics survey*  
10 *data are available unless the Secretary determines that the*  
11 *methodology and data in the provided survey are not statis-*  
12 *tically supported.*

13 *SEC. 113. None of the funds in this Act shall be used*  
14 *to enforce the definition of corresponding employment found*  
15 *in 20 CFR 655.5 or the three-fourths guarantee rule defini-*  
16 *tion found in 20 CFR 655.20, or any references thereto.*  
17 *Further, for the purpose of regulating admission of tem-*  
18 *porary workers under the H-2B program, the definition of*  
19 *temporary need shall be that provided in 8 CFR*  
20 *214.2(h)(6)(ii)(B).*

21 *This title may be cited as the “Department of Labor*  
22 *Appropriations Act, 2017”.*





## HEALTH WORKFORCE

1  
2       *For carrying out titles III, VII, and VIII of the PHS*  
3 *Act with respect to the health workforce, sections 1128E and*  
4 *1921 of the Social Security Act, and the Health Care Qual-*  
5 *ity Improvement Act of 1986, \$838,695,000: Provided, That*  
6 *sections 747(c)(2), 751(j)(2), 762(k), and the proportional*  
7 *funding amounts in paragraphs (1) through (4) of section*  
8 *756(f) of the PHS Act shall not apply to funds made avail-*  
9 *able under this heading: Provided further, That for any pro-*  
10 *gram operating under section 751 of the PHS Act on or*  
11 *before January 1, 2009, the Secretary of Health and*  
12 *Human Services (referred to in this title as the “Sec-*  
13 *retary”)* may hereafter waive any of the requirements con-  
14 *tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such*  
15 *Act for the full project period of a grant under such section:*  
16 *Provided further, That no funds shall be available for sec-*  
17 *tion 340G–1 of the PHS Act: Provided further, That fees*  
18 *collected for the disclosure of information under section*  
19 *427(b) of the Health Care Quality Improvement Act of 1986*  
20 *and sections 1128E(d)(2) and 1921 of the Social Security*  
21 *Act shall be sufficient to recover the full costs of operating*  
22 *the programs authorized by such sections and shall remain*  
23 *available until expended for the National Practitioner Data*  
24 *Bank: Provided further, That funds transferred to this ac-*  
25 *count to carry out section 846 and subpart 3 of part D*

1 *of title III of the PHS Act may be used to make prior year*  
2 *adjustments to awards made under such sections.*

3 *MATERNAL AND CHILD HEALTH*

4 *For carrying out titles III, XI, XII, and XIX of the*  
5 *PHS Act with respect to maternal and child health, title*  
6 *V of the Social Security Act, and section 712 of the Amer-*  
7 *ican Jobs Creation Act of 2004, \$848,617,000: Provided,*  
8 *That notwithstanding sections 502(a)(1) and 502(b)(1) of*  
9 *the Social Security Act, not more than \$80,593,000 shall*  
10 *be available for carrying out special projects of regional and*  
11 *national significance pursuant to section 501(a)(2) of such*  
12 *Act and \$10,276,000 shall be available for projects described*  
13 *in subparagraphs (A) through (F) of section 501(a)(3) of*  
14 *such Act.*

15 *RYAN WHITE HIV/AIDS PROGRAM*

16 *For carrying out title XXVI of the PHS Act with re-*  
17 *spect to the Ryan White HIV/AIDS program,*  
18 *\$2,318,781,000, of which \$1,970,881,000 shall remain*  
19 *available to the Secretary through September 30, 2019, for*  
20 *parts A and B of title XXVI of the PHS Act, and of which*  
21 *not less than \$900,313,000 shall be for State AIDS Drug*  
22 *Assistance Programs under the authority of section 2616*  
23 *or 311(c) of such Act.*

1 *HEALTH CARE SYSTEMS*

2 *For carrying out titles III and XII of the PHS Act*  
3 *with respect to health care systems, and the Stem Cell*  
4 *Therapeutic and Research Act of 2005, \$104,193,000, of*  
5 *which \$122,000 shall be available until expended for facili-*  
6 *ties renovations at the Gillis W. Long Hansen's Disease*  
7 *Center.*

8 *RURAL HEALTH*

9 *For carrying out titles III and IV of the PHS Act with*  
10 *respect to rural health, section 427(a) of the Federal Coal*  
11 *Mine Health and Safety Act of 1969, and sections 711 and*  
12 *1820 of the Social Security Act, \$156,060,000, of which*  
13 *\$43,609,000 from general revenues, notwithstanding section*  
14 *1820(j) of the Social Security Act, shall be available for*  
15 *carrying out the Medicare rural hospital flexibility grants*  
16 *program: Provided, That of the funds made available under*  
17 *this heading for Medicare rural hospital flexibility grants,*  
18 *\$14,942,000 shall be available for the Small Rural Hospital*  
19 *Improvement Grant Program for quality improvement and*  
20 *adoption of health information technology and up to*  
21 *\$1,000,000 shall be to carry out section 1820(g)(6) of the*  
22 *Social Security Act, with funds provided for grants under*  
23 *section 1820(g)(6) available for the purchase and imple-*  
24 *mentation of telehealth services, including pilots and dem-*  
25 *onstrations on the use of electronic health records to coordi-*

1 *nate rural veterans care between rural providers and the*  
2 *Department of Veterans Affairs electronic health record sys-*  
3 *tem: Provided further, That notwithstanding section*  
4 *338J(k) of the PHS Act, \$10,000,000 shall be available for*  
5 *State Offices of Rural Health.*

6 *FAMILY PLANNING*

7 *For carrying out the program under title X of the PHS*  
8 *Act to provide for voluntary family planning projects,*  
9 *\$286,479,000: Provided, That amounts provided to said*  
10 *projects under such title shall not be expended for abortions,*  
11 *that all pregnancy counseling shall be nondirective, and*  
12 *that such amounts shall not be expended for any activity*  
13 *(including the publication or distribution of literature) that*  
14 *in any way tends to promote public support or opposition*  
15 *to any legislative proposal or candidate for public office.*

16 *PROGRAM MANAGEMENT*

17 *For program support in the Health Resources and*  
18 *Services Administration, \$154,000,000: Provided, That*  
19 *funds made available under this heading may be used to*  
20 *supplement program support funding provided under the*  
21 *headings “Primary Health Care”, “Health Workforce”,*  
22 *“Maternal and Child Health”, “Ryan White HIV/AIDS*  
23 *Program”, “Health Care Systems”, and “Rural Health”.*

1     *VACCINE INJURY COMPENSATION PROGRAM TRUST FUND*

2           *For payments from the Vaccine Injury Compensation*  
3 *Program Trust Fund (the “Trust Fund”), such sums as*  
4 *may be necessary for claims associated with vaccine-related*  
5 *injury or death with respect to vaccines administered after*  
6 *September 30, 1988, pursuant to subtitle 2 of title XXI of*  
7 *the PHS Act, to remain available until expended: Provided,*  
8 *That for necessary administrative expenses, not to exceed*  
9 *\$7,750,000 shall be available from the Trust Fund to the*  
10 *Secretary.*

11     *CENTERS FOR DISEASE CONTROL AND PREVENTION*12           *IMMUNIZATION AND RESPIRATORY DISEASES*

13           *For carrying out titles II, III, XVII, and XXI, and*  
14 *section 2821 of the PHS Act, titles II and IV of the Immi-*  
15 *gration and Nationality Act, and section 501 of the Refugee*  
16 *Education Assistance Act, with respect to immunization*  
17 *and respiratory diseases, \$455,000,000.*

18     *HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED*19           *DISEASES, AND TUBERCULOSIS PREVENTION*

20           *For carrying out titles II, III, XVII, and XXIII of the*  
21 *PHS Act with respect to HIV/AIDS, viral hepatitis, sexu-*  
22 *ally transmitted diseases, and tuberculosis prevention,*  
23 *\$1,117,278,000.*

1        *EMERGING AND ZOOONOTIC INFECTIOUS DISEASES*

2        *For carrying out titles II, III, and XVII, and section*  
3 *2821 of the PHS Act, titles II and IV of the Immigration*  
4 *and Nationality Act, and section 501 of the Refugee Edu-*  
5 *cation Assistance Act, with respect to emerging and zoonotic*  
6 *infectious diseases, \$532,922,000.*

7        *CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION*

8        *For carrying out titles II, III, XI, XV, XVII, and XIX*  
9 *of the PHS Act with respect to chronic disease prevention*  
10 *and health promotion, \$777,646,000: Provided, That funds*  
11 *appropriated under this account may be available for mak-*  
12 *ing grants under section 1509 of the PHS Act for not less*  
13 *than 21 States, tribes, or tribal organizations: Provided fur-*  
14 *ther, That of the funds available under this heading,*  
15 *\$10,000,000 shall be available to continue and expand com-*  
16 *munity specific extension and outreach programs to combat*  
17 *obesity in counties with the highest levels of obesity: Pro-*  
18 *vided further, That the proportional funding requirements*  
19 *under section 1503(a) of the PHS Act shall not apply to*  
20 *funds made available under this heading.*

21        *BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,*22                                *DISABILITIES AND HEALTH*

23        *For carrying out titles II, III, XI, and XVII of the*  
24 *PHS Act with respect to birth defects, developmental dis-*  
25 *abilities, disabilities and health, \$137,560,000.*

1                    *PUBLIC HEALTH SCIENTIFIC SERVICES*

2            *For carrying out titles II, III, and XVII of the PHS*  
3 *Act with respect to health statistics, surveillance, health*  
4 *informatics, and workforce development, \$489,397,000.*

5                    *ENVIRONMENTAL HEALTH*

6            *For carrying out titles II, III, and XVII of the PHS*  
7 *Act with respect to environmental health, \$163,750,000.*

8                    *INJURY PREVENTION AND CONTROL*

9            *For carrying out titles II, III, and XVII of the PHS*  
10 *Act with respect to injury prevention and control,*  
11 *\$286,059,000: Provided, That of the funds provided under*  
12 *this heading, \$112,000,000 shall be available for an evi-*  
13 *dence-based opioid drug overdose prevention program.*

14                    *NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND*15                    *HEALTH*

16            *For carrying out titles II, III, and XVII of the PHS*  
17 *Act, sections 101, 102, 103, 201, 202, 203, 301, and 501*  
18 *of the Federal Mine Safety and Health Act, section 13 of*  
19 *the Mine Improvement and New Emergency Response Act,*  
20 *and sections 20, 21, and 22 of the Occupational Safety and*  
21 *Health Act, with respect to occupational safety and health,*  
22 *\$335,200,000.*

1           ENERGY EMPLOYEES OCCUPATIONAL ILLNESS  
2                           COMPENSATION PROGRAM

3           *For necessary expenses to administer the Energy Em-*  
4 *ployees Occupational Illness Compensation Program Act,*  
5 *\$55,358,000, to remain available until expended: Provided,*  
6 *That this amount shall be available consistent with the pro-*  
7 *vision regarding administrative expenses in section 151(b)*  
8 *of division B, title I of Public Law 106–554.*

9                           GLOBAL HEALTH

10          *For carrying out titles II, III, and XVII of the PHS*  
11 *Act with respect to global health, \$435,121,000, of which*  
12 *\$128,421,000 for international HIV/AIDS shall remain*  
13 *available through September 30, 2018: Provided, That funds*  
14 *may be used for purchase and insurance of official motor*  
15 *vehicles in foreign countries.*

16                   PUBLIC HEALTH PREPAREDNESS AND RESPONSE

17          *For carrying out titles II, III, and XVII of the PHS*  
18 *Act with respect to public health preparedness and response,*  
19 *and for expenses necessary to support activities related to*  
20 *countering potential biological, nuclear, radiological, and*  
21 *chemical threats to civilian populations, \$1,405,000,000, of*  
22 *which \$575,000,000 shall remain available until expended*  
23 *for the Strategic National Stockpile: Provided, That in the*  
24 *event the Director of the Centers for Disease Control and*  
25 *Prevention (referred to in this title as “CDC”) activates the*



1 *Emergency Operations Center, the Director of the CDC may*  
2 *detail CDC staff without reimbursement for up to 90 days*  
3 *to support the work of the CDC Emergency Operations Cen-*  
4 *ter, so long as the Director provides a notice to the Commit-*  
5 *tees on Appropriations of the House of Representatives and*  
6 *the Senate within 15 days of the use of this authority and*  
7 *a full report within 30 days after use of this authority*  
8 *which includes the number of staff and funding level broken*  
9 *down by the originating center and number of days de-*  
10 *tailed: Provided further, That funds appropriated under*  
11 *this heading may be used to support a contract for the oper-*  
12 *ation and maintenance of an aircraft in direct support of*  
13 *activities throughout CDC to ensure the agency is prepared*  
14 *to address public health preparedness emergencies.*

15 *BUILDINGS AND FACILITIES*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For acquisition of real property, equipment, construc-*  
18 *tion, demolition, and renovation of facilities, \$10,000,000,*  
19 *which shall remain available until September 30, 2021:*  
20 *Provided, That funds previously set-aside by CDC for re-*  
21 *pair and upgrade of the Lake Lynn Experimental Mine*  
22 *and Laboratory shall be used to acquire a replacement mine*  
23 *safety research facility: Provided further, That in addition,*  
24 *the prior year unobligated balance of any amounts assigned*  
25 *to former employees in accounts of CDC made available for*

1 *Individual Learning Accounts shall be credited to and*  
2 *merged with the amounts made available under this head-*  
3 *ing to support the replacement of the mine safety research*  
4 *facility.*

5 *CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT*

6 *For carrying out titles II, III, XVII and XIX, and*  
7 *section 2821 of the PHS Act and for cross-cutting activities*  
8 *and program support for activities funded in other appro-*  
9 *priations included in this Act for the Centers for Disease*  
10 *Control and Prevention, \$113,570,000: Provided, That*  
11 *paragraphs (1) through (3) of subsection (b) of section 2821*  
12 *of the PHS Act shall not apply to funds appropriated under*  
13 *this heading and in all other accounts of the CDC: Provided*  
14 *further, That employees of CDC or the Public Health Serv-*  
15 *ice, both civilian and commissioned officers, detailed to*  
16 *States, municipalities, or other organizations under author-*  
17 *ity of section 214 of the PHS Act, or in overseas assign-*  
18 *ments, shall be treated as non-Federal employees for report-*  
19 *ing purposes only and shall not be included within any*  
20 *personnel ceiling applicable to the Agency, Service, or HHS*  
21 *during the period of detail or assignment: Provided further,*  
22 *That CDC may use up to \$10,000 from amounts appro-*  
23 *priated to CDC in this Act for official reception and rep-*  
24 *resentation expenses when specifically approved by the Di-*  
25 *rector of CDC: Provided further, That in addition, such*

1 *sums as may be derived from authorized user fees, which*  
2 *shall be credited to the appropriation charged with the cost*  
3 *thereof: Provided further, That with respect to the previous*  
4 *proviso, authorized user fees from the Vessel Sanitation Pro-*  
5 *gram and the Respirator Certification Program shall be*  
6 *available through September 30, 2018.*

7 *NATIONAL INSTITUTES OF HEALTH*

8 *NATIONAL CANCER INSTITUTE*

9 *For carrying out section 301 and title IV of the PHS*  
10 *Act with respect to cancer, \$5,389,329,000, of which up to*  
11 *\$50,000,000 may be used for facilities repairs and improve-*  
12 *ments at the National Cancer Institute—Frederick Feder-*  
13 *ally Funded Research and Development Center in Fred-*  
14 *erick, Maryland: Provided, That of the \$5,689,329,000 pro-*  
15 *vided for in direct obligations under this heading,*  
16 *\$5,389,329,000 is appropriated from the general fund and*  
17 *\$300,000,000 was previously appropriated for fiscal year*  
18 *2017 by section 194 of the Continuing Appropriations Act,*  
19 *2017 (division C of Public Law 114–223), as amended by*  
20 *the Further Continuing and Security Assistance Appro-*  
21 *priations Act, 2017 (Public Law 114–254) to support can-*  
22 *cer research pursuant to section 1001 of the 21st Century*  
23 *Cures Act.*



1     *NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES*

2           *For carrying out section 301 and title IV of the PHS*  
3 *Act with respect to general medical sciences,*  
4 *\$2,650,838,000, of which \$824,443,000 shall be from funds*  
5 *available under section 241 of the PHS Act: Provided, That*  
6 *not less than \$333,361,000 is provided for the Institutional*  
7 *Development Awards program.*

8     *EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD*  
9           *HEALTH AND HUMAN DEVELOPMENT*

10          *For carrying out section 301 and title IV of the PHS*  
11 *Act with respect to child health and human development,*  
12 *\$1,380,295,000.*

13           *NATIONAL EYE INSTITUTE*

14          *For carrying out section 301 and title IV of the PHS*  
15 *Act with respect to eye diseases and visual disorders,*  
16 *\$732,618,000.*

17     *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*  
18           *SCIENCES*

19          *For carrying out section 301 and title IV of the PHS*  
20 *Act with respect to environmental health sciences,*  
21 *\$714,261,000.*

22           *NATIONAL INSTITUTE ON AGING*

23          *For carrying out section 301 and title IV of the PHS*  
24 *Act with respect to aging, \$2,048,610,000.*

1            *NATIONAL INSTITUTE OF ARTHRITIS AND*  
2            *MUSCULOSKELETAL AND SKIN DISEASES*

3            *For carrying out section 301 and title IV of the PHS*  
4 *Act with respect to arthritis and musculoskeletal and skin*  
5 *diseases, \$557,851,000.*

6            *NATIONAL INSTITUTE ON DEAFNESS AND OTHER*  
7            *COMMUNICATION DISORDERS*

8            *For carrying out section 301 and title IV of the PHS*  
9 *Act with respect to deafness and other communication dis-*  
10 *orders, \$436,875,000.*

11           *NATIONAL INSTITUTE OF NURSING RESEARCH*

12           *For carrying out section 301 and title IV of the PHS*  
13 *Act with respect to nursing research, \$150,273,000.*

14           *NATIONAL INSTITUTE ON ALCOHOL ABUSE AND*  
15           *ALCOHOLISM*

16           *For carrying out section 301 and title IV of the PHS*  
17 *Act with respect to alcohol abuse and alcoholism,*  
18 *\$483,363,000.*

19           *NATIONAL INSTITUTE ON DRUG ABUSE*

20           *For carrying out section 301 and title IV of the PHS*  
21 *Act with respect to drug abuse, \$1,090,853,000.*

22           *NATIONAL INSTITUTE OF MENTAL HEALTH*

23           *For carrying out section 301 and title IV of the PHS*  
24 *Act with respect to mental health, \$1,601,931,000.*







1 *for replacement only: Provided further, That all funds cred-*  
2 *ited to the NIH Management Fund shall remain available*  
3 *for one fiscal year after the fiscal year in which they are*  
4 *deposited: Provided further, That \$165,000,000 shall be for*  
5 *the National Children's Study Follow-on: Provided further,*  
6 *That \$682,856,000 shall be available for the Common Fund*  
7 *established under section 402A(c)(1) of the PHS Act: Pro-*  
8 *vided further, That of the funds provided, \$10,000 shall be*  
9 *for official reception and representation expenses when spe-*  
10 *cifically approved by the Director of the NIH: Provided fur-*  
11 *ther, That the Office of AIDS Research within the Office*  
12 *of the Director of the NIH may spend up to \$8,000,000*  
13 *to make grants for construction or renovation of facilities*  
14 *as provided for in section 2354(a)(5)(B) of the PHS Act:*  
15 *Provided further, That up to \$190,000,000 (in addition to*  
16 *the \$40,000,000 to support the Precision Medicine Initia-*  
17 *tive in the NIH Innovation Fund previously appropriated*  
18 *for fiscal year 2017 pursuant to section 1001 of the 21st*  
19 *Century Cures Act by section 194 of the Continuing Appro-*  
20 *priations Act, 2017 (division C of Public Law 114-254)),*  
21 *of the funds provided herein are available to support the*  
22 *trans-NIH Precision Medicine Initiative.*

23 *In addition to other funds appropriated for the Com-*  
24 *mon Fund established under section 402A(c) of the PHS*  
25 *Act, \$12,600,000 is appropriated to the Common Fund*

1 *from the 10-year Pediatric Research Initiative Fund de-*  
2 *scribed in section 9008 of title 26, United States Code, for*  
3 *the purpose of carrying out section 402(b)(7)(B)(ii) of the*  
4 *PHS Act (relating to pediatric research), as authorized in*  
5 *the Gabriella Miller Kids First Research Act.*

6 *BUILDINGS AND FACILITIES*

7 *For the study of, construction of, demolition of, renova-*  
8 *tion of, and acquisition of equipment for, facilities of or*  
9 *used by NIH, including the acquisition of real property,*  
10 *\$128,863,000, to remain available through September 30,*  
11 *2021.*

12 *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*

13 *ADMINISTRATION*

14 *MENTAL HEALTH*

15 *For carrying out titles III, V, and XIX of the PHS*  
16 *Act with respect to mental health, and the Protection and*  
17 *Advocacy for Individuals with Mental Illness Act,*  
18 *\$1,147,998,000: Provided, That notwithstanding section*  
19 *520A(f)(2) of the PHS Act, no funds appropriated for car-*  
20 *rying out section 520A shall be available for carrying out*  
21 *section 1971 of the PHS Act: Provided further, That in ad-*  
22 *dition to amounts provided herein, \$21,039,000 shall be*  
23 *available under section 241 of the PHS Act to carry out*  
24 *subpart I of part B of title XIX of the PHS Act to fund*  
25 *section 1920(b) technical assistance, national data, data*

1 collection and evaluation activities, and further that the  
2 total available under this Act for section 1920(b) activities  
3 shall not exceed 5 percent of the amounts appropriated for  
4 subpart I of part B of title XIX: Provided further, That  
5 section 520E(b)(2) of the PHS Act shall not apply to funds  
6 appropriated in this Act for fiscal year 2017: Provided fur-  
7 ther, That notwithstanding section 565(b)(1) of the PHS  
8 Act, technical assistance may be provided to a public entity  
9 to establish or operate a system of comprehensive commu-  
10 nity mental health services to children with a serious emo-  
11 tional disturbance, without regard to whether the public en-  
12 tity receives a grant under section 561(a) of such Act: Pro-  
13 vided further, That States shall expend at least 10 percent  
14 of the amount each receives for carrying out section 1911  
15 of the PHS Act to support evidence-based programs that  
16 address the needs of individuals with early serious mental  
17 illness, including psychotic disorders, regardless of the age  
18 of the individual at onset: Provided further, That none of  
19 the funds provided for section 1911 of the PHS Act shall  
20 be subject to section 241 of such Act: Provided further, That  
21 of the funds made available under this heading, \$15,000,000  
22 shall be to carry out section 224 of the Protecting Access  
23 to Medicare Act of 2014 (Public Law 113-93; 42 U.S.C.  
24 290aa 22 note).



1 *of the PHS Act and the Protection and Advocacy for Indi-*  
2 *viduals with Mental Illness Act in the Substance Abuse and*  
3 *Mental Health Services Administration, \$116,830,000: Pro-*  
4 *vided, That in addition to amounts provided herein,*  
5 *\$31,428,000 shall be available under section 241 of the PHS*  
6 *Act to supplement funds available to carry out national*  
7 *surveys on drug abuse and mental health, to collect and*  
8 *analyze program data, and to conduct public awareness*  
9 *and technical assistance activities: Provided further, That,*  
10 *in addition, fees may be collected for the costs of publica-*  
11 *tions, data, data tabulations, and data analysis completed*  
12 *under title V of the PHS Act and provided to a public or*  
13 *private entity upon request, which shall be credited to this*  
14 *appropriation and shall remain available until expended*  
15 *for such purposes: Provided further, That amounts made*  
16 *available in this Act for carrying out section 501(m) of the*  
17 *PHS Act shall remain available through September 30,*  
18 *2018: Provided further, That funds made available under*  
19 *this heading may be used to supplement program support*  
20 *funding provided under the headings “Mental Health”,*  
21 *“Substance Abuse Treatment”, and “Substance Abuse Pre-*  
22 *vention”.*

1     *AGENCY FOR HEALTHCARE RESEARCH AND QUALITY*2                     *HEALTHCARE RESEARCH AND QUALITY*

3             *For carrying out titles III and IX of the PHS Act,*  
4 *part A of title XI of the Social Security Act, and section*  
5 *1013 of the Medicare Prescription Drug, Improvement, and*  
6 *Modernization Act of 2003, \$324,000,000: Provided, That*  
7 *section 947(c) of the PHS Act shall not apply in fiscal year*  
8 *2017: Provided further, That in addition, amounts received*  
9 *from Freedom of Information Act fees, reimbursable and*  
10 *interagency agreements, and the sale of data shall be cred-*  
11 *ited to this appropriation and shall remain available until*  
12 *September 30, 2018.*

13     *CENTERS FOR MEDICARE AND MEDICAID SERVICES*14                     *GRANTS TO STATES FOR MEDICAID*

15             *For carrying out, except as otherwise provided, titles*  
16 *XI and XIX of the Social Security Act, \$262,003,967,000,*  
17 *to remain available until expended.*

18             *For making, after May 31, 2017, payments to States*  
19 *under title XIX or in the case of section 1928 on behalf*  
20 *of States under title XIX of the Social Security Act for the*  
21 *last quarter of fiscal year 2017 for unanticipated costs in-*  
22 *curred for the current fiscal year, such sums as may be nec-*  
23 *essary.*

24             *For making payments to States or in the case of sec-*  
25 *tion 1928 on behalf of States under title XIX of the Social*

1 *Security Act for the first quarter of fiscal year 2018,*  
2 *\$125,219,452,000, to remain available until expended.*

3 *Payment under such title XIX may be made for any*  
4 *quarter with respect to a State plan or plan amendment*  
5 *in effect during such quarter, if submitted in or prior to*  
6 *such quarter and approved in that or any subsequent quar-*  
7 *ter.*

8 *PAYMENTS TO HEALTH CARE TRUST FUNDS*

9 *For payment to the Federal Hospital Insurance Trust*  
10 *Fund and the Federal Supplementary Medical Insurance*  
11 *Trust Fund, as provided under sections 217(g), 1844, and*  
12 *1860D–16 of the Social Security Act, sections 103(c) and*  
13 *111(d) of the Social Security Amendments of 1965, section*  
14 *278(d)(3) of Public Law 97–248, and for administrative*  
15 *expenses incurred pursuant to section 201(g) of the Social*  
16 *Security Act, \$299,187,700,000.*

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

21 *PROGRAM MANAGEMENT*

22 *For carrying out, except as otherwise provided, titles*  
23 *XI, XVIII, XIX, and XXI of the Social Security Act, titles*  
24 *XIII and XXVII of the PHS Act, the Clinical Laboratory*  
25 *Improvement Amendments of 1988, and other responsibil-*

1 *ities of the Centers for Medicare and Medicaid Services, not*  
2 *to exceed \$3,669,744,000, to be transferred from the Federal*  
3 *Hospital Insurance Trust Fund and the Federal Supple-*  
4 *mentary Medical Insurance Trust Fund, as authorized by*  
5 *section 201(g) of the Social Security Act; together with all*  
6 *funds collected in accordance with section 353 of the PHS*  
7 *Act and section 1857(e)(2) of the Social Security Act, funds*  
8 *retained by the Secretary pursuant to section 302 of the*  
9 *Tax Relief and Health Care Act of 2006; and such sums*  
10 *as may be collected from authorized user fees and the sale*  
11 *of data, which shall be credited to this account and remain*  
12 *available until September 30, 2022: Provided, That all*  
13 *funds derived in accordance with 31 U.S.C. 9701 from or-*  
14 *ganizations established under title XIII of the PHS Act*  
15 *shall be credited to and available for carrying out the pur-*  
16 *poses of this appropriation: Provided further, That the Sec-*  
17 *retary is directed to collect fees in fiscal year 2017 from*  
18 *Medicare Advantage organizations pursuant to section*  
19 *1857(e)(2) of the Social Security Act and from eligible orga-*  
20 *nizations with risk-sharing contracts under section 1876 of*  
21 *that Act pursuant to section 1876(k)(4)(D) of that Act.*

22 *HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT*

23 *In addition to amounts otherwise available for pro-*  
24 *gram integrity and program management, \$725,000,000, to*  
25 *remain available through September 30, 2018, to be trans-*



1 *ferred from the Federal Hospital Insurance Trust Fund and*  
2 *the Federal Supplementary Medical Insurance Trust Fund,*  
3 *as authorized by section 201(g) of the Social Security Act,*  
4 *of which \$486,936,000 shall be for the Medicare Integrity*  
5 *Program at the Centers for Medicare and Medicaid Serv-*  
6 *ices, including administrative costs, to conduct oversight ac-*  
7 *tivities for Medicare Advantage under Part C and the Medi-*  
8 *care Prescription Drug Program under Part D of the Social*  
9 *Security Act and for activities described in section 1893(b)*  
10 *of such Act, of which \$82,132,000 shall be for the Depart-*  
11 *ment of Health and Human Services Office of Inspector*  
12 *General to carry out fraud and abuse activities authorized*  
13 *by section 1817(k)(3) of such Act, of which \$82,132,000*  
14 *shall be for the Medicaid and Children’s Health Insurance*  
15 *Program (“CHIP”) program integrity activities, and of*  
16 *which \$73,800,000 shall be for the Department of Justice*  
17 *to carry out fraud and abuse activities authorized by sec-*  
18 *tion 1817(k)(3) of such Act: Provided, That the report re-*  
19 *quired by section 1817(k)(5) of the Social Security Act for*  
20 *fiscal year 2017 shall include measures of the operational*  
21 *efficiency and impact on fraud, waste, and abuse in the*  
22 *Medicare, Medicaid, and CHIP programs for the funds pro-*  
23 *vided by this appropriation: Provided further, That of the*  
24 *amount provided under this heading, \$311,000,000 is pro-*  
25 *vided to meet the terms of section 251(b)(2)(C)(ii) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*  
2 *1985, as amended, and \$414,000,000 is additional new*  
3 *budget authority specified for purposes of section*  
4 *251(b)(2)(C) of such Act: Provided further, That the Sec-*  
5 *retary shall support the full cost of the Senior Medicare Pa-*  
6 *trol program to combat health care fraud and abuse from*  
7 *the funds provided to this account.*

8           *ADMINISTRATION FOR CHILDREN AND FAMILIES*  
9           *PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT*  
10           *AND FAMILY SUPPORT PROGRAMS*

11           *For carrying out, except as otherwise provided, titles*  
12 *I, IV–D, X, XI, XIV, and XVI of the Social Security Act*  
13 *and the Act of July 5, 1960, \$3,010,631,000, to remain*  
14 *available until expended; and for such purposes for the first*  
15 *quarter of fiscal year 2018, \$1,400,000,000, to remain*  
16 *available until expended.*

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

23           *LOW INCOME HOME ENERGY ASSISTANCE*

24           *For making payments under subsections (b) and (d)*  
25 *of section 2602 of the Low Income Home Energy Assistance*

1 *Act of 1981, \$3,390,304,000: Provided, That all but*  
2 *\$491,000,000 of this amount shall be allocated as though*  
3 *the total appropriation for such payments for fiscal year*  
4 *2017 was less than \$1,975,000,000: Provided further, That*  
5 *notwithstanding section 2609A(a), of the amounts appro-*  
6 *priated under section 2602(b), not more than \$2,988,000*  
7 *of such amounts may be reserved by the Secretary for tech-*  
8 *nical assistance, training, and monitoring of program ac-*  
9 *tivities for compliance with internal controls, policies and*  
10 *procedures and may, in addition to the authorities provided*  
11 *in section 2609A(a)(1), use such funds through contracts*  
12 *with private entities that do not qualify as nonprofit orga-*  
13 *nizations.*

14 *REFUGEE AND ENTRANT ASSISTANCE*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For necessary expenses for refugee and entrant assist-*  
17 *ance activities authorized by section 414 of the Immigration*  
18 *and Nationality Act and section 501 of the Refugee Edu-*  
19 *cation Assistance Act of 1980, and for carrying out section*  
20 *462 of the Homeland Security Act of 2002, section 235 of*  
21 *the William Wilberforce Trafficking Victims Protection Re-*  
22 *authorization Act of 2008, the Trafficking Victims Protec-*  
23 *tion Act of 2000 (“TVPA”), and the Torture Victims Relief*  
24 *Act of 1998, \$1,674,691,000, of which \$1,645,201,000 shall*  
25 *remain available through September 30, 2019 for carrying*

1 *out such sections 414, 501, 462, and 235: Provided, That*  
2 *amounts available under this heading to carry out the*  
3 *TVPA shall also be available for research and evaluation*  
4 *with respect to activities under such Act: Provided further,*  
5 *That the limitation in section 205 of this Act regarding*  
6 *transfers increasing any appropriation shall apply to*  
7 *transfers to appropriations under this heading by sub-*  
8 *stituting “10 percent” for “3 percent”.*

9           *PAYMENTS TO STATES FOR THE CHILD CARE AND*  
10                           *DEVELOPMENT BLOCK GRANT*

11       *For carrying out the Child Care and Development*  
12 *Block Grant Act of 2014 (“CCDBG Act”), \$2,856,000,000*  
13 *shall be used to supplement, not supplant State general rev-*  
14 *enue funds for child care assistance for low-income families:*  
15 *Provided, That technical assistance under section*  
16 *658I(a)(3) of such Act may be provided directly, or through*  
17 *the use of contracts, grants, cooperative agreements, or*  
18 *interagency agreements: Provided further, That all funds*  
19 *made available to carry out section 418 of the Social Secu-*  
20 *rity Act (42 U.S.C. 618), including funds appropriated for*  
21 *that purpose in such section 418 or any other provision*  
22 *of law, shall be subject to the reservation of funds authority*  
23 *in paragraphs (4) and (5) of section 658O(a) of the CCDBG*  
24 *Act.*



1 *Act of 1980; and for the administration of prior year obli-*  
2 *gations made by the Administration for Children and Fam-*  
3 *ilies under the Developmental Disabilities Assistance and*  
4 *Bill of Rights Act and the Help America Vote Act of 2002,*  
5 *\$11,294,368,000, of which \$37,943,000, to remain available*  
6 *through September 30, 2018, shall be for grants to States*  
7 *for adoption and legal guardianship incentive payments,*  
8 *as defined by section 473A of the Social Security Act and*  
9 *may be made for adoptions and legal guardianships com-*  
10 *pleted before September 30, 2017: Provided, That*  
11 *\$9,253,095,000 shall be for making payments under the*  
12 *Head Start Act: Provided further, That of the amount in*  
13 *the previous proviso, \$8,588,095,000 shall be available for*  
14 *payments under section 640 of the Head Start Act, of which*  
15 *\$80,000,000 shall be available for a cost of living adjust-*  
16 *ment notwithstanding section 640(a)(3)(A) of such Act:*  
17 *Provided further, That of the amount provided for making*  
18 *payments under the Head Start Act, \$25,000,000 shall be*  
19 *available for allocation by the Secretary to supplement ac-*  
20 *tivities described in paragraphs (7)(B) and (9) of section*  
21 *641(c) of such Act under the Designation Renewal System,*  
22 *established under the authority of sections 641(c)(7),*  
23 *645A(b)(12) and 645A(d) of such Act: Provided further,*  
24 *That notwithstanding such section 640, of the amount pro-*  
25 *vided for making payments under the Head Start Act, and*

1 *in addition to funds otherwise available under such section*  
2 *640, \$640,000,000 shall be available through March 31,*  
3 *2018 for Early Head Start programs as described in section*  
4 *645A of such Act, for conversion of Head Start services to*  
5 *Early Head Start services as described in section*  
6 *645(a)(5)(A) of such Act, for discretionary grants for high*  
7 *quality infant and toddler care through Early Head Start-*  
8 *Child Care Partnerships, to entities defined as eligible*  
9 *under section 645A(d) of such Act, for training and tech-*  
10 *nical assistance for such activities, and for up to*  
11 *\$14,000,000 in Federal costs of administration and evalua-*  
12 *tion, and, notwithstanding section 645A(c)(2) of such Act,*  
13 *these funds are available to serve children under age 4: Pro-*  
14 *vided further, That funds described in the preceding two*  
15 *provisos shall not be included in the calculation of “base*  
16 *grant” in subsequent fiscal years, as such term is used in*  
17 *section 640(a)(7)(A) of such Act: Provided further, That*  
18 *\$250,000,000 shall be available until December 31, 2017 for*  
19 *carrying out sections 9212 and 9213 of the Every Student*  
20 *Succeeds Act: Provided further, That, in accordance with*  
21 *section 9212(j) of such Act, funds made available in the pre-*  
22 *ceding proviso may be allocated to the Department of Edu-*  
23 *cation to issue continuation grants on behalf of the Sec-*  
24 *retary: Provided further, That up to 3 percent of the funds*  
25 *in the second preceding proviso shall be available for tech-*

1 nical assistance and evaluation related to grants awarded  
2 under such section 9212: Provided further, That  
3 \$742,383,000 shall be for making payments under the  
4 CSBG Act: Provided further, That \$27,733,000 shall be for  
5 sections 680 and 678E(b)(2) of the CSBG Act, of which not  
6 less than \$19,883,000 shall be for section 680(a)(2) and not  
7 less than \$7,500,000 shall be for section 680(a)(3)(B) of  
8 such Act: Provided further, That, notwithstanding section  
9 675C(a)(3) of such Act, to the extent Community Services  
10 Block Grant funds are distributed as grant funds by a State  
11 to an eligible entity as provided under such Act, and have  
12 not been expended by such entity, they shall remain with  
13 such entity for carryover into the next fiscal year for ex-  
14 penditure by such entity consistent with program purposes:  
15 Provided further, That the Secretary shall establish proce-  
16 dures regarding the disposition of intangible assets and pro-  
17 gram income that permit such assets acquired with, and  
18 program income derived from, grant funds authorized  
19 under section 680 of the CSBG Act to become the sole prop-  
20 erty of such grantees after a period of not more than 12  
21 years after the end of the grant period for any activity con-  
22 sistent with section 680(a)(2)(A) of the CSBG Act: Provided  
23 further, That intangible assets in the form of loans, equity  
24 investments and other debt instruments, and program in-  
25 come may be used by grantees for any eligible purpose con-



1 *sistent with section 680(a)(2)(A) of the CSBG Act: Provided*  
2 *further, That these procedures shall apply to such grant*  
3 *funds made available after November 29, 1999: Provided*  
4 *further, That funds appropriated for section 680(a)(2) of*  
5 *the CSBG Act shall be available for financing construction*  
6 *and rehabilitation and loans or investments in private*  
7 *business enterprises owned by community development cor-*  
8 *porations: Provided further, That the Secretary shall issue*  
9 *performance standards for entities receiving funds from*  
10 *State and territorial grantees under the CSBG Act, and*  
11 *such States and territories shall assure the implementation*  
12 *of such standards prior to September 30, 2017, and include*  
13 *information on such implementation in the report required*  
14 *by section 678E(a)(2) of such Act: Provided further, That*  
15 *\$1,864,000 shall be for a human services case management*  
16 *system for federally declared disasters, to include a com-*  
17 *prehensive national case management contract and Federal*  
18 *costs of administering the system: Provided further, That*  
19 *up to \$2,000,000 shall be for improving the Public Assist-*  
20 *ance Reporting Information System, including grants to*  
21 *States to support data collection for a study of the system's*  
22 *effectiveness.*

23 *PROMOTING SAFE AND STABLE FAMILIES*

24 *For carrying out, except as otherwise provided, section*  
25 *436 of the Social Security Act, \$325,000,000 and, for car-*

1 *rying out, except as otherwise provided, section 437 of such*  
2 *Act, \$59,765,000: Provided, That notwithstanding sections*  
3 *438(c)(3)(A) and 436(b)(2) of such Act, \$10,000,000 shall*  
4 *be available for such section 436(b)(2), of which no funds*  
5 *shall be available for carrying out sections 438(c)(3)(A)(ii)*  
6 *and (iii) of such Act.*

7 *PAYMENTS FOR FOSTER CARE AND PERMANENCY*

8 *For carrying out, except as otherwise provided, title*  
9 *IV–E of the Social Security Act, \$5,764,000,000.*

10 *For carrying out, except as otherwise provided, title*  
11 *IV–E of the Social Security Act, for the first quarter of fis-*  
12 *cal year 2018, \$2,500,000,000.*

13 *For carrying out, after May 31 of the current fiscal*  
14 *year, except as otherwise provided, section 474 of title IV–*  
15 *E of the Social Security Act, for the last 3 months of the*  
16 *current fiscal year for unanticipated costs, incurred for the*  
17 *current fiscal year, such sums as may be necessary.*

18 *ADMINISTRATION FOR COMMUNITY LIVING*

19 *AGING AND DISABILITY SERVICES PROGRAMS*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For carrying out, to the extent not otherwise provided,*  
22 *the Older Americans Act of 1965 (“OAA”), titles III and*  
23 *XXIX of the PHS Act, sections 1252 and 1253 of the PHS*  
24 *Act, section 119 of the Medicare Improvements for Patients*  
25 *and Providers Act of 2008, title XX–B of the Social Secu-*

1 rity Act, the Developmental Disabilities Assistance and Bill  
2 of Rights Act, parts 2 and 5 of subtitle D of title II of the  
3 Help America Vote Act of 2002, the Assistive Technology  
4 Act of 1998, titles II and VII (and section 14 with respect  
5 to such titles) of the Rehabilitation Act of 1973, and for  
6 Department-wide coordination of policy and program ac-  
7 tivities that assist individuals with disabilities,  
8 \$1,919,000,000, together with \$47,115,000 to be transferred  
9 from the Federal Hospital Insurance Trust Fund and the  
10 Federal Supplementary Medical Insurance Trust Fund to  
11 carry out section 4360 of the Omnibus Budget Reconcili-  
12 ation Act of 1990: Provided, That amounts appropriated  
13 under this heading may be used for grants to States under  
14 section 361 of the OAA only for disease prevention and  
15 health promotion programs and activities which have been  
16 demonstrated through rigorous evaluation to be evidence-  
17 based and effective: Provided further, That of amounts made  
18 available under this heading to carry out sections 311, 331,  
19 and 336 of the OAA, up to one percent of such amounts  
20 shall be available for developing and implementing evi-  
21 dence-based practices for enhancing senior nutrition: Pro-  
22 vided further, That notwithstanding any other provision of  
23 this Act, funds made available under this heading to carry  
24 out section 311 of the OAA may be transferred to the Sec-  
25 retary of Agriculture in accordance with such section: Pro-

1 *vided further, That \$2,000,000 shall be for competitive*  
2 *grants to support alternative financing programs that pro-*  
3 *vide for the purchase of assistive technology devices, such*  
4 *as a low-interest loan fund; an interest buy-down program;*  
5 *a revolving loan fund; a loan guarantee; or an insurance*  
6 *program: Provided further, That applicants shall provide*  
7 *an assurance that, and information describing the manner*  
8 *in which, the alternative financing program will expand*  
9 *and emphasize consumer choice and control: Provided fur-*  
10 *ther, That State agencies and community-based disability*  
11 *organizations that are directed by and operated for individ-*  
12 *uals with disabilities shall be eligible to compete: Provided*  
13 *further, That none of the funds made available under this*  
14 *heading may be used by an eligible system (as defined in*  
15 *section 102 of the Protection and Advocacy for Individuals*  
16 *with Mental Illness Act (42 U.S.C. 10802)) to continue to*  
17 *pursue any legal action in a Federal or State court on be-*  
18 *half of an individual or group of individuals with a devel-*  
19 *opmental disability (as defined in section 102(8)(A) of the*  
20 *Developmental Disabilities and Assistance and Bill of*  
21 *Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is attrib-*  
22 *utable to a mental impairment (or a combination of mental*  
23 *and physical impairments), that has as the requested rem-*  
24 *edy the closure of State operated intermediate care facilities*  
25 *for people with intellectual or developmental disabilities,*

1 *unless reasonable public notice of the action has been pro-*  
2 *vided to such individuals (or, in the case of mental inca-*  
3 *pacitation, the legal guardians who have been specifically*  
4 *awarded authority by the courts to make healthcare and*  
5 *residential decisions on behalf of such individuals) who are*  
6 *affected by such action, within 90 days of instituting such*  
7 *legal action, which informs such individuals (or such legal*  
8 *guardians) of their legal rights and how to exercise such*  
9 *rights consistent with current Federal Rules of Civil Proce-*  
10 *dure: Provided further, That the limitations in the imme-*  
11 *diately preceding proviso shall not apply in the case of an*  
12 *individual who is neither competent to consent nor has a*  
13 *legal guardian, nor shall the proviso apply in the case of*  
14 *individuals who are a ward of the State or subject to public*  
15 *guardianship.*

16 *OFFICE OF THE SECRETARY*

17 *GENERAL DEPARTMENTAL MANAGEMENT*

18 *For necessary expenses, not otherwise provided, for*  
19 *general departmental management, including hire of six*  
20 *passenger motor vehicles, and for carrying out titles III,*  
21 *XVII, XXI, and section 229 of the PHS Act, the United*  
22 *States-Mexico Border Health Commission Act, and research*  
23 *studies under section 1110 of the Social Security Act,*  
24 *\$460,629,000, together with \$64,828,000 from the amounts*  
25 *available under section 241 of the PHS Act to carry out*

1 *national health or human services research and evaluation*  
2 *activities: Provided, That of this amount, \$53,900,000 shall*  
3 *be for minority AIDS prevention and treatment activities:*  
4 *Provided further, That of the funds made available under*  
5 *this heading, \$101,000,000 shall be for making competitive*  
6 *contracts and grants to public and private entities to fund*  
7 *medically accurate and age appropriate programs that re-*  
8 *duce teen pregnancy and for the Federal costs associated*  
9 *with administering and evaluating such contracts and*  
10 *grants, of which not more than 10 percent of the available*  
11 *funds shall be for training and technical assistance, evalua-*  
12 *tion, outreach, and additional program support activities,*  
13 *and of the remaining amount 75 percent shall be for repli-*  
14 *cating programs that have been proven effective through rig-*  
15 *orous evaluation to reduce teenage pregnancy, behavioral*  
16 *risk factors underlying teenage pregnancy, or other associ-*  
17 *ated risk factors, and 25 percent shall be available for re-*  
18 *search and demonstration grants to develop, replicate, re-*  
19 *fine, and test additional models and innovative strategies*  
20 *for preventing teenage pregnancy: Provided further, That*  
21 *of the amounts provided under this heading from amounts*  
22 *available under section 241 of the PHS Act, \$6,800,000*  
23 *shall be available to carry out evaluations (including longi-*  
24 *tudinal evaluations) of teenage pregnancy prevention ap-*  
25 *proaches: Provided further, That of the funds made avail-*

1 able under this heading, \$15,000,000 shall be for making  
2 competitive grants which exclusively implement education  
3 in sexual risk avoidance (defined as voluntarily refraining  
4 from non-marital sexual activity): Provided further, That  
5 funding for such competitive grants for sexual risk avoid-  
6 ance shall use medically accurate information referenced to  
7 peer-reviewed publications by educational, scientific, gov-  
8 ernmental, or health organizations; implement an evidence-  
9 based approach integrating research findings with practical  
10 implementation that aligns with the needs and desired out-  
11 comes for the intended audience; and teach the benefits asso-  
12 ciated with self-regulation, success sequencing for poverty  
13 prevention, healthy relationships, goal setting, and resisting  
14 sexual coercion, dating violence, and other youth risk behav-  
15 iors such as underage drinking or illicit drug use without  
16 normalizing teen sexual activity: Provided further, That no  
17 more than 10 percent of the funding for such competitive  
18 grants for sexual risk avoidance shall be available for tech-  
19 nical assistance and administrative costs of such programs:  
20 Provided further, That funds provided in this Act for em-  
21 bryo adoption activities may be used to provide to individ-  
22 uals adopting embryos, through grants and other mecha-  
23 nisms, medical and administrative services deemed nec-  
24 essary for such adoptions: Provided further, That such serv-  
25 ices shall be provided consistent with 42 CFR 59.5(a)(4).

1            *OFFICE OF MEDICARE HEARINGS AND APPEALS*

2            *For expenses necessary for the Office of Medicare Hear-*  
3 *ings and Appeals, \$107,381,000, to be transferred in appro-*  
4 *priate part from the Federal Hospital Insurance Trust*  
5 *Fund and the Federal Supplementary Medical Insurance*  
6 *Trust Fund.*

7            *OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH*8                            *INFORMATION TECHNOLOGY*

9            *For expenses necessary for the Office of the National*  
10 *Coordinator for Health Information Technology, including*  
11 *grants, contracts, and cooperative agreements for the devel-*  
12 *opment and advancement of interoperable health informa-*  
13 *tion technology, \$60,367,000.*

14                            *OFFICE OF INSPECTOR GENERAL*

15            *For expenses necessary for the Office of Inspector Gen-*  
16 *eral, including the hire of passenger motor vehicles for in-*  
17 *vestigations, in carrying out the provisions of the Inspector*  
18 *General Act of 1978, \$80,000,000: Provided, That of such*  
19 *amount, necessary sums shall be available for providing*  
20 *protective services to the Secretary and investigating non-*  
21 *payment of child support cases for which non-payment is*  
22 *a Federal offense under 18 U.S.C. 228.*

23                            *OFFICE FOR CIVIL RIGHTS*

24            *For expenses necessary for the Office for Civil Rights,*  
25 *\$38,798,000.*





1 *tion 319F–2 of the PHS Act: Provided further, That*  
2 *\$5,000,000 of the amounts made available to support emer-*  
3 *gency operations shall remain available through September*  
4 *30, 2019.*

5 *For expenses necessary for procuring security counter-*  
6 *measures (as defined in section 319F–2(c)(1)(B) of the PHS*  
7 *Act), \$510,000,000, to remain available until expended.*

8 *For an additional amount for expenses necessary to*  
9 *prepare for or respond to an influenza pandemic,*  
10 *\$57,000,000; of which \$40,000,000 shall be available until*  
11 *expended, for activities including the development and pur-*  
12 *chase of vaccine, antivirals, necessary medical supplies,*  
13 *diagnostics, and other surveillance tools: Provided, That*  
14 *notwithstanding section 496(b) of the PHS Act, funds may*  
15 *be used for the construction or renovation of privately*  
16 *owned facilities for the production of pandemic influenza*  
17 *vaccines and other biologics, if the Secretary finds such con-*  
18 *struction or renovation necessary to secure sufficient sup-*  
19 *plies of such vaccines or biologics.*

20 *GENERAL PROVISIONS*

21 *SEC. 201. Funds appropriated in this title shall be*  
22 *available for not to exceed \$50,000 for official reception and*  
23 *representation expenses when specifically approved by the*  
24 *Secretary.*



1 *increased by more than 3 percent by any such transfer: Pro-*  
2 *vided, That the transfer authority granted by this section*  
3 *shall not be used to create any new program or to fund*  
4 *any project or activity for which no funds are provided in*  
5 *this Act: Provided further, That the Committees on Appro-*  
6 *priations of the House of Representatives and the Senate*  
7 *are notified at least 15 days in advance of any transfer.*

8       *SEC. 206. In lieu of the timeframe specified in section*  
9 *338E(c)(2) of the PHS Act, terminations described in such*  
10 *section may occur up to 60 days after the execution of a*  
11 *contract awarded in fiscal year 2017 under section 338B*  
12 *of such Act.*

13       *SEC. 207. None of the funds appropriated in this Act*  
14 *may be made available to any entity under title X of the*  
15 *PHS Act unless the applicant for the award certifies to the*  
16 *Secretary that it encourages family participation in the de-*  
17 *cision of minors to seek family planning services and that*  
18 *it provides counseling to minors on how to resist attempts*  
19 *to coerce minors into engaging in sexual activities.*

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

1       *SEC. 209. None of the funds appropriated by this Act*  
2 *(including funds appropriated to any trust fund) may be*  
3 *used to carry out the Medicare Advantage program if the*  
4 *Secretary denies participation in such program to an other-*  
5 *wise eligible entity (including a Provider Sponsored Orga-*  
6 *nization) because the entity informs the Secretary that it*  
7 *will not provide, pay for, provide coverage of, or provide*  
8 *referrals for abortions: Provided, That the Secretary shall*  
9 *make appropriate prospective adjustments to the capitation*  
10 *payment to such an entity (based on an actuarially sound*  
11 *estimate of the expected costs of providing the service to such*  
12 *entity's enrollees): Provided further, That nothing in this*  
13 *section shall be construed to change the Medicare program's*  
14 *coverage for such services and a Medicare Advantage orga-*  
15 *nization described in this section shall be responsible for*  
16 *informing enrollees where to obtain information about all*  
17 *Medicare covered services.*

18       *SEC. 210. None of the funds made available in this*  
19 *title may be used, in whole or in part, to advocate or pro-*  
20 *mote gun control.*

21       *SEC. 211. The Secretary shall make available through*  
22 *assignment not more than 60 employees of the Public*  
23 *Health Service to assist in child survival activities and to*  
24 *work in AIDS programs through and with funds provided*  
25 *by the Agency for International Development, the United*

1 *Nations International Children's Emergency Fund or the*  
2 *World Health Organization.*

3 *SEC. 212. In order for HHS to carry out international*  
4 *health activities, including HIV/AIDS and other infectious*  
5 *disease, chronic and environmental disease, and other*  
6 *health activities abroad during fiscal year 2017:*

7 *(1) The Secretary may exercise authority equiva-*  
8 *lent to that available to the Secretary of State in sec-*  
9 *tion 2(c) of the State Department Basic Authorities*  
10 *Act of 1956. The Secretary shall consult with the Sec-*  
11 *retary of State and relevant Chief of Mission to en-*  
12 *sure that the authority provided in this section is ex-*  
13 *ercised in a manner consistent with section 207 of the*  
14 *Foreign Service Act of 1980 and other applicable stat-*  
15 *utes administered by the Department of State.*

16 *(2) The Secretary is authorized to provide such*  
17 *funds by advance or reimbursement to the Secretary*  
18 *of State as may be necessary to pay the costs of ac-*  
19 *quisition, lease, alteration, renovation, and manage-*  
20 *ment of facilities outside of the United States for the*  
21 *use of HHS. The Department of State shall cooperate*  
22 *fully with the Secretary to ensure that HHS has se-*  
23 *ecure, safe, functional facilities that comply with ap-*  
24 *plicable regulation governing location, setback, and*  
25 *other facilities requirements and serve the purposes*

1        *established by this Act. The Secretary is authorized,*  
2        *in consultation with the Secretary of State, through*  
3        *grant or cooperative agreement, to make available to*  
4        *public or nonprofit private institutions or agencies in*  
5        *participating foreign countries, funds to acquire,*  
6        *lease, alter, or renovate facilities in those countries as*  
7        *necessary to conduct programs of assistance for inter-*  
8        *national health activities, including activities relating*  
9        *to HIV/AIDS and other infectious diseases, chronic*  
10       *and environmental diseases, and other health activi-*  
11       *ties abroad.*

12                *(3) The Secretary is authorized to provide to*  
13        *personnel appointed or assigned by the Secretary to*  
14        *serve abroad, allowances and benefits similar to those*  
15        *provided under chapter 9 of title I of the Foreign*  
16        *Service Act of 1980, and 22 U.S.C. 4081 through*  
17        *4086 and subject to such regulations prescribed by the*  
18        *Secretary. The Secretary is further authorized to pro-*  
19        *vide locality-based comparability payments (stated as*  
20        *a percentage) up to the amount of the locality-based*  
21        *comparability payment (stated as a percentage) that*  
22        *would be payable to such personnel under section*  
23        *5304 of title 5, United States Code if such personnel's*  
24        *official duty station were in the District of Columbia.*  
25        *Leaves of absence for personnel under this subsection*







1 *istration to make NRSA awards for research in primary*  
2 *medical care to individuals affiliated with entities who have*  
3 *received grants or contracts under sections 736, 739, or 747*  
4 *of the PHS Act, and 1 percent of the amount made avail-*  
5 *able for NRSA shall be made available to the Director of*  
6 *the Agency for Healthcare Research and Quality to make*  
7 *NRSA awards for health service research.*

8       *SEC. 218. (a) The Biomedical Advanced Research and*  
9 *Development Authority (“BARDA”) may enter into a con-*  
10 *tract, for more than one but no more than 10 program*  
11 *years, for purchase of research services or of security coun-*  
12 *termeasures, as that term is defined in section 319F-*  
13 *2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)),*  
14 *if—*

15               *(1) funds are available and obligated—*

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

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

21               *(2) the Secretary determines that a multi-year*  
22 *contract will serve the best interests of the Federal*  
23 *Government by encouraging full and open competi-*  
24 *tion or promoting economy in administration, per-*  
25 *formance, and operation of BARDA’s programs.*

1       **(b)** *A contract entered into under this section—*

2               **(1)** *shall include a termination clause as de-*  
3 *scribed by subsection (c) of section 3903 of title 41,*  
4 *United States Code; and*

5               **(2)** *shall be subject to the congressional notice re-*  
6 *quirement stated in subsection (d) of such section.*

7       **SEC. 219. (a)** *The Secretary shall establish a publicly*  
8 *accessible Web site to provide information regarding the*  
9 *uses of funds made available under section 4002 of the Pa-*  
10 *tient Protection and Affordable Care Act of 2010 (“ACA”).*

11       **(b)** *With respect to funds provided under section 4002*  
12 *of the ACA, the Secretary shall include on the Web site es-*  
13 *tablished under subsection (a) at a minimum the following*  
14 *information:*

15               **(1)** *In the case of each transfer of funds under*  
16 *section 4002(c), a statement indicating the program*  
17 *or activity receiving funds, the operating division or*  
18 *office that will administer the funds, and the planned*  
19 *uses of the funds, to be posted not later than the day*  
20 *after the transfer is made.*

21               **(2)** *Identification (along with a link to the full*  
22 *text) of each funding opportunity announcement, re-*  
23 *quest for proposals, or other announcement or solici-*  
24 *tation of proposals for grants, cooperative agreements,*  
25 *or contracts intended to be awarded using such funds,*

1       to be posted not later than the day after the an-  
2       nouncement or solicitation is issued.

3           (3) Identification of each grant, cooperative  
4       agreement, or contract with a value of \$25,000 or  
5       more awarded using such funds, including the pur-  
6       pose of the award and the identity of the recipient,  
7       to be posted not later than 5 days after the award is  
8       made.

9           (4) A report detailing the uses of all funds trans-  
10      ferred under section 4002(c) during the fiscal year, to  
11      be posted not later than 90 days after the end of the  
12      fiscal year.

13       (c) With respect to awards made in fiscal years 2013  
14      through 2017, the Secretary shall also include on the Web  
15      site established under subsection (a), semi-annual reports  
16      from each entity awarded a grant, cooperative agreement,  
17      or contract from such funds with a value of \$25,000 or  
18      more, summarizing the activities undertaken and identi-  
19      fying any sub-grants or sub-contracts awarded (including  
20      the purpose of the award and the identity of the recipient),  
21      to be posted not later than 30 days after the end of each  
22      6-month period.

23       (d) In carrying out this section, the Secretary shall—

1           (1) *present the information required in sub-*  
2           *section (b)(1) on a single webpage or on a single*  
3           *database;*

4           (2) *ensure that all information required in this*  
5           *section is directly accessible from the single webpage*  
6           *or database; and*

7           (3) *ensure that all information required in this*  
8           *section is able to be organized by program or State.*

9           *SEC. 220. (a) The Secretary shall publish in the fiscal*  
10          *year 2018 budget justification and on Departmental Web*  
11          *sites information concerning the employment of full-time*  
12          *equivalent Federal employees or contractors for the purposes*  
13          *of implementing, administering, enforcing, or otherwise*  
14          *carrying out the provisions of the ACA, and the amend-*  
15          *ments made by that Act, in the proposed fiscal year and*  
16          *each fiscal year since the enactment of the ACA.*

17          *(b) With respect to employees or contractors supported*  
18          *by all funds appropriated for purposes of carrying out the*  
19          *ACA (and the amendments made by that Act), the Secretary*  
20          *shall include, at a minimum, the following information:*

21                 *(1) For each such fiscal year, the section of such*  
22                 *Act under which such funds were appropriated, a*  
23                 *statement indicating the program, project, or activity*  
24                 *receiving such funds, the Federal operating division*  
25                 *or office that administers such program, and the*

1        *amount of funding received in discretionary or man-*  
2        *datory appropriations.*

3            *(2) For each such fiscal year, the number of full-*  
4        *time equivalent employees or contracted employees as-*  
5        *signed to each authorized and funded provision de-*  
6        *tailed in accordance with paragraph (1).*

7        *(c) In carrying out this section, the Secretary may ex-*  
8        *clude from the report employees or contractors who—*

9            *(1) are supported through appropriations en-*  
10       *acted in laws other than the ACA and work on pro-*  
11       *grams that existed prior to the passage of the ACA;*

12            *(2) spend less than 50 percent of their time on*  
13       *activities funded by or newly authorized in the ACA;*  
14       *or*

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

18        *SEC. 221. The Secretary shall publish, as part of the*  
19       *fiscal year 2018 budget of the President submitted under*  
20       *section 1105(a) of title 31, United States Code, information*  
21       *that details the uses of all funds used by the Centers for*  
22       *Medicare and Medicaid Services specifically for Health In-*  
23       *surance Exchanges for each fiscal year since the enactment*  
24       *of the ACA and the proposed uses for such funds for fiscal*  
25       *year 2018. Such information shall include, for each such*

1 *fiscal year, the amount of funds used for each activity speci-*  
2 *fied under the heading “Health Insurance Exchange Trans-*  
3 *parency” in the explanatory statement described in section*  
4 *4 (in the matter preceding division A of this consolidated*  
5 *Act).*

6 *SEC. 222. (a) The Secretary shall provide to the Com-*  
7 *mittees on Appropriations of the House of Representatives*  
8 *and the Senate:*

9 *(1) Detailed monthly enrollment figures from the*  
10 *Exchanges established under the Patient Protection*  
11 *and Affordable Care Act of 2010 pertaining to enroll-*  
12 *ments during the open enrollment period; and*

13 *(2) Notification of any new or competitive grant*  
14 *awards, including supplements, authorized under sec-*  
15 *tion 330 of the Public Health Service Act.*

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

20 *SEC. 223. None of the funds made available by this*  
21 *Act from the Federal Hospital Insurance Trust Fund or*  
22 *the Federal Supplemental Medical Insurance Trust Fund,*  
23 *or transferred from other accounts funded by this Act to*  
24 *the “Centers for Medicare and Medicaid Services—Program*  
25 *Management” account, may be used for payments under*

1 *section 1342(b)(1) of Public Law 111–148 (relating to risk*  
2 *corridors).*

3       *SEC. 224. In addition to the amounts otherwise avail-*  
4 *able for “Centers for Medicare and Medicaid Services, Pro-*  
5 *gram Management”, the Secretary of Health and Human*  
6 *Services may transfer up to \$305,000,000 to such account*  
7 *from the Federal Hospital Insurance Trust Fund and the*  
8 *Federal Supplementary Medical Insurance Trust Fund to*  
9 *support program management activity related to the Medi-*  
10 *care Program: Provided, That except for the foregoing pur-*  
11 *pose, such funds may not be used to support any provision*  
12 *of Public Law 111–148 or Public Law 111–152 (or any*  
13 *amendment made by either such Public Law) or to supplant*  
14 *any other amounts within such account.*

15       *SEC. 225. The Secretary shall include in the fiscal year*  
16 *2018 budget justification an analysis of how section 2713*  
17 *of the PHS Act will impact eligibility for discretionary*  
18 *HHS programs.*

19       *SEC. 226. Effective during the period beginning on No-*  
20 *vember 1, 2015 and ending January 1, 2019, any provision*  
21 *of law that refers (including through cross-reference to an-*  
22 *other provision of law) to the current recommendations of*  
23 *the United States Preventive Services Task Force with re-*  
24 *spect to breast cancer screening, mammography, and pre-*



1 *vention shall be administered by the Secretary involved as*  
2 *if—*

3 *(1) such reference to such current recommenda-*  
4 *tions were a reference to the recommendations of such*  
5 *Task Force with respect to breast cancer screening,*  
6 *mammography, and prevention last issued before*  
7 *2009; and*

8 *(2) such recommendations last issued before 2009*  
9 *applied to any screening mammography modality*  
10 *under section 1861(jj) of the Social Security Act (42*  
11 *U.S.C. 1395x(jj)).*

12 *This title may be cited as the “Department of Health*  
13 *and Human Services Appropriations Act, 2017”.*

14 *TITLE III*

15 *DEPARTMENT OF EDUCATION*

16 *EDUCATION FOR THE DISADVANTAGED*

17 *For carrying out title I and subpart 2 of part B of*  
18 *title II of the Elementary and Secondary Education Act*  
19 *of 1965 (referred to in this Act as “ESEA”) and section*  
20 *418A of the Higher Education Act of 1965 (referred to in*  
21 *this Act as “HEA”), \$16,143,790,000, of which*  
22 *\$5,225,990,000 shall become available on July 1, 2017, and*  
23 *shall remain available through September 30, 2018, and of*  
24 *which \$10,841,177,000 shall become available on October 1,*  
25 *2017, and shall remain available through September 30,*

1 2018, for academic year 2017–2018: Provided, That  
2 \$6,459,401,000 shall be for basic grants under section 1124  
3 of the ESEA: Provided further, That up to \$5,000,000 of  
4 these funds shall be available to the Secretary of Education  
5 (referred to in this title as “Secretary”) on October 1, 2016,  
6 to obtain annually updated local educational agency-level  
7 census poverty data from the Bureau of the Census: Pro-  
8 vided further, That \$1,362,301,000 shall be for concentra-  
9 tion grants under section 1124A of the ESEA: Provided fur-  
10 ther, That \$3,819,050,000 shall be for targeted grants under  
11 section 1125 of the ESEA: Provided further, That  
12 \$3,819,050,000 shall be for education finance incentive  
13 grants under section 1125A of the ESEA: Provided further,  
14 That \$217,000,000 shall be for carrying out subpart 2 of  
15 part B of title II: Provided further, That \$44,623,000 shall  
16 be for carrying out section 418A of the HEA.

17 *IMPACT AID*

18 *For carrying out programs of financial assistance to*  
19 *federally affected schools authorized by title VII of the*  
20 *ESEA, \$1,328,603,000, of which \$1,189,233,000 shall be for*  
21 *basic support payments under section 7003(b), \$48,316,000*  
22 *shall be for payments for children with disabilities under*  
23 *section 7003(d), \$17,406,000, to remain available for obli-*  
24 *gation through September 30, 2018, shall be for construction*  
25 *under section 7007(b), \$68,813,000 shall be for Federal*

1 *property payments under section 7002, and \$4,835,000, to*  
2 *remain available until expended, shall be for facilities*  
3 *maintenance under section 7008: Provided, That for pur-*  
4 *poses of computing the amount of a payment for an eligible*  
5 *local educational agency under section 7003(a) for school*  
6 *year 2016–2017, children enrolled in a school of such agen-*  
7 *cy that would otherwise be eligible for payment under sec-*  
8 *tion 7003(a)(1)(B) of such Act, but due to the deployment*  
9 *of both parents or legal guardians, or a parent or legal*  
10 *guardian having sole custody of such children, or due to*  
11 *the death of a military parent or legal guardian while on*  
12 *active duty (so long as such children reside on Federal prop-*  
13 *erty as described in section 7003(a)(1)(B)), are no longer*  
14 *eligible under such section, shall be considered as eligible*  
15 *students under such section, provided such students remain*  
16 *in average daily attendance at a school in the same local*  
17 *educational agency they attended prior to their change in*  
18 *eligibility status.*

19 *SCHOOL IMPROVEMENT PROGRAMS*

20 *For carrying out school improvement activities author-*  
21 *ized by part B of title I, part A of title II, subpart 1 of*  
22 *part A of title IV, part B of title IV, part B of title V,*  
23 *and parts B and C of title VI of the ESEA; the McKinney-*  
24 *Vento Homeless Assistance Act; section 203 of the Edu-*  
25 *cational Technical Assistance Act of 2002; the Compact of*

1 *Free Association Amendments Act of 2003; and the Civil*  
2 *Rights Act of 1964, \$4,408,567,000, of which*  
3 *\$2,588,002,000 shall become available on July 1, 2017, and*  
4 *remain available through September 30, 2018, and of which*  
5 *\$1,681,441,000 shall become available on October 1, 2017,*  
6 *and shall remain available through September 30, 2018, for*  
7 *academic year 2017–2018: Provided, That \$369,100,000*  
8 *shall be for part B of title I: Provided further, That*  
9 *\$1,191,673,000 shall be for part B of title IV: Provided fur-*  
10 *ther, That \$33,397,000 shall be for part B of title VI and*  
11 *may be used for construction, renovation, and moderniza-*  
12 *tion of any elementary school, secondary school, or structure*  
13 *related to an elementary school or secondary school, run by*  
14 *the Department of Education of the State of Hawaii, that*  
15 *serves a predominantly Native Hawaiian student body:*  
16 *Provided further, That \$32,453,000 shall be for part C of*  
17 *title VI and shall be awarded on a competitive basis, and*  
18 *also may be used for construction: Provided further, That*  
19 *\$50,000,000 shall be available to carry out section 203 of*  
20 *the Educational Technical Assistance Act of 2002 and the*  
21 *Secretary shall make such arrangements as determined to*  
22 *be necessary to ensure that the Bureau of Indian Education*  
23 *has access to services provided under this section: Provided*  
24 *further, That \$16,699,000 shall be available to carry out*  
25 *the Supplemental Education Grants program for the Fed-*

1 *erated States of Micronesia and the Republic of the Mar-*  
2 *shall Islands: Provided further, That the Secretary may re-*  
3 *serve up to 5 percent of the amount referred to in the pre-*  
4 *vious proviso to provide technical assistance in the imple-*  
5 *mentation of these grants: Provided further, That*  
6 *\$175,840,000 shall be for part B of title V: Provided further,*  
7 *That \$400,000,000 shall be available for grants under sub-*  
8 *part 1 of part A of title IV: Provided further, That notwith-*  
9 *standing subsections (a) and (b) of section 4105 of such Act,*  
10 *each State may use funds reserved under section 4104(a)(1)*  
11 *of such Act to award subgrants, on a competitive basis, to*  
12 *local educational agencies receiving a grant under part A*  
13 *of title I, or consortia of such local educational agencies,*  
14 *of such Act, to enable the agencies or consortia to support*  
15 *activities authorized under one or more of sections 4107,*  
16 *4108, and 4109(a) of such Act: Provided further, That each*  
17 *such subgrant shall be subject to the same terms and condi-*  
18 *tions as an allocation provided under section 4105 of such*  
19 *Act, except as otherwise provided in this Act: Provided fur-*  
20 *ther, That each State that awards such subgrants shall*  
21 *award such subgrants with priority given to local edu-*  
22 *cational agencies, or consortia of local educational agencies,*  
23 *with the greatest need based on the number or percentage*  
24 *of children counted under section 1124(c), in a manner that*  
25 *ensures geographic diversity among subgrant recipients rep-*

1 *resenting rural, suburban, and urban areas, and in a man-*  
2 *ner that distributes the total amount of funds available to*  
3 *the State under section 4104(a)(1) consistent with the re-*  
4 *quirements described in subparagraphs (C) through (E) of*  
5 *section 4106(e)(2) of such Act: Provided further, That each*  
6 *such subgrant awarded shall be for a term of one year and*  
7 *in an amount of not less than \$10,000, and a subgrant re-*  
8 *ipient shall not be subject to any of the distribution re-*  
9 *quirements described in subparagraphs (C) through (E) of*  
10 *subsections (e)(2) and (f), of section 4106 of such Act: Pro-*  
11 *vided further, That notwithstanding section 4109(b) of such*  
12 *Act, a subgrant recipient using such subgrant funds to*  
13 *carry out only activities authorized under section 4109(a)*  
14 *of such Act may use not more than 25 percent of the*  
15 *subgrant funds for purchasing technology infrastructure as*  
16 *described in such section 4109(b): Provided further, That*  
17 *amounts made available under this heading to a State*  
18 *agency awarding such subgrants shall remain available*  
19 *until September 30, 2018.*

20 *INDIAN EDUCATION*

21 *For expenses necessary to carry out, to the extent not*  
22 *otherwise provided, title VI, part A of the ESEA,*  
23 *\$164,939,000, of which \$57,993,000 shall be for subpart 2*  
24 *of part A of title VI and \$6,565,000 shall be for subpart*  
25 *3 of part A of title VI.*



1 *vided, That \$68,000,000 shall be available for section 4631,*  
2 *of which up to \$5,000,000, to remain available until ex-*  
3 *pended, shall be for the Project School Emergency Response*  
4 *to Violence (“Project SERV”) program to provide edu-*  
5 *cation-related services to local educational agencies and in-*  
6 *stitutions of higher education in which the learning envi-*  
7 *ronment has been disrupted due to a violent or traumatic*  
8 *crisis: Provided further, That \$10,000,000 shall be available*  
9 *for section 4625: Provided further, That \$73,254,000 shall*  
10 *be available through December 31, 2017, for section 4624:*  
11 *Provided further, That section 4623(b) of the ESEA shall*  
12 *apply to funds appropriated for Promise Neighborhoods*  
13 *under this heading in prior appropriations acts.*

14 *ENGLISH LANGUAGE ACQUISITION*

15 *For carrying out part A of title III of the ESEA,*  
16 *\$737,400,000, which shall become available on July 1, 2017,*  
17 *and shall remain available through September 30, 2018, ex-*  
18 *cept that 6.5 percent of such amount shall be available on*  
19 *October 1, 2016, and shall remain available through Sep-*  
20 *tember 30, 2018, to carry out activities under section*  
21 *3111(c)(1)(C).*

22 *SPECIAL EDUCATION*

23 *For carrying out the Individuals with Disabilities*  
24 *Education Act (IDEA) and the Special Olympics Sport*  
25 *and Empowerment Act of 2004, \$13,064,358,000, of which*



1 \$3,546,259,000 shall become available on July 1, 2017, and  
2 shall remain available through September 30, 2018, and of  
3 which \$9,283,383,000 shall become available on October 1,  
4 2017, and shall remain available through September 30,  
5 2018, for academic year 2017–2018: Provided, That the  
6 amount for section 611(b)(2) of the IDEA shall be equal  
7 to the lesser of the amount available for that activity during  
8 fiscal year 2016, increased by the amount of inflation as  
9 specified in section 619(d)(2)(B) of the IDEA, or the per-  
10 cent change in the funds appropriated under section 611(i)  
11 of the IDEA, but not less than the amount for that activity  
12 during fiscal year 2016: Provided further, That the Sec-  
13 retary shall, without regard to section 611(d) of the IDEA,  
14 distribute to all other States (as that term is defined in  
15 section 611(g)(2)), subject to the third proviso, any amount  
16 by which a State’s allocation under section 611, from funds  
17 appropriated under this heading, is reduced under section  
18 612(a)(18)(B), according to the following: 85 percent on the  
19 basis of the States’ relative populations of children aged 3  
20 through 21 who are of the same age as children with disabil-  
21 ities for whom the State ensures the availability of a free  
22 appropriate public education under this part, and 15 per-  
23 cent to States on the basis of the States’ relative populations  
24 of those children who are living in poverty: Provided fur-  
25 ther, That the Secretary may not distribute any funds

1 *under the previous proviso to any State whose reduction*  
2 *in allocation from funds appropriated under this heading*  
3 *made funds available for such a distribution: Provided fur-*  
4 *ther, That the States shall allocate such funds distributed*  
5 *under the second proviso to local educational agencies in*  
6 *accordance with section 611(f): Provided further, That the*  
7 *amount by which a State's allocation under section 611(d)*  
8 *of the IDEA is reduced under section 612(a)(18)(B) and*  
9 *the amounts distributed to States under the previous pro-*  
10 *visos in fiscal year 2012 or any subsequent year shall not*  
11 *be considered in calculating the awards under section*  
12 *611(d) for fiscal year 2013 or for any subsequent fiscal*  
13 *years: Provided further, That, notwithstanding the provi-*  
14 *sion in section 612(a)(18)(B) regarding the fiscal year in*  
15 *which a State's allocation under section 611(d) is reduced*  
16 *for failure to comply with the requirement of section*  
17 *612(a)(18)(A), the Secretary may apply the reduction spec-*  
18 *ified in section 612(a)(18)(B) over a period of consecutive*  
19 *fiscal years, not to exceed five, until the entire reduction*  
20 *is applied: Provided further, That the Secretary may, in*  
21 *any fiscal year in which a State's allocation under section*  
22 *611 is reduced in accordance with section 612(a)(18)(B),*  
23 *reduce the amount a State may reserve under section*  
24 *611(e)(1) by an amount that bears the same relation to the*  
25 *maximum amount described in that paragraph as the re-*

1 *duction under section 612(a)(18)(B) bears to the total allo-*  
2 *cation the State would have received in that fiscal year*  
3 *under section 611(d) in the absence of the reduction: Pro-*  
4 *vided further, That the Secretary shall either reduce the al-*  
5 *location of funds under section 611 for any fiscal year fol-*  
6 *lowing the fiscal year for which the State fails to comply*  
7 *with the requirement of section 612(a)(18)(A) as authorized*  
8 *by section 612(a)(18)(B), or seek to recover funds under sec-*  
9 *tion 452 of the General Education Provisions Act (20*  
10 *U.S.C. 1234a): Provided further, That the funds reserved*  
11 *under 611(e) of the IDEA may be used to provide technical*  
12 *assistance to States to improve the capacity of the States*  
13 *to meet the data collection requirements of sections 616 and*  
14 *618 and to administer and carry out other services and ac-*  
15 *tivities to improve data collection, coordination, quality,*  
16 *and use under parts B and C of the IDEA: Provided fur-*  
17 *ther, That the Secretary may use funds made available for*  
18 *the State Personnel Development Grants program under*  
19 *part D, subpart 1 of IDEA to evaluate program perform-*  
20 *ance under such subpart.*

21 *REHABILITATION SERVICES*

22 *For carrying out, to the extent not otherwise provided,*  
23 *the Rehabilitation Act of 1973 and the Helen Keller Na-*  
24 *tional Center Act, \$3,535,589,000, of which \$3,398,554,000*  
25 *shall be for grants for vocational rehabilitation services*

1 *under title I of the Rehabilitation Act: Provided, That the*  
2 *Secretary may use amounts provided in this Act that re-*  
3 *main available subsequent to the reallocation of funds to*  
4 *States pursuant to section 110(b) of the Rehabilitation Act*  
5 *for innovative activities aimed at improving the outcomes*  
6 *of individuals with disabilities as defined in section*  
7 *7(20)(B) of the Rehabilitation Act, including activities*  
8 *aimed at improving the education and post-school outcomes*  
9 *of children receiving Supplemental Security Income*  
10 *(“SSI”) and their families that may result in long-term*  
11 *improvement in the SSI child recipient’s economic status*  
12 *and self-sufficiency: Provided further, That States may*  
13 *award subgrants for a portion of the funds to other public*  
14 *and private, nonprofit entities: Provided further, That any*  
15 *funds made available subsequent to reallocation for innova-*  
16 *tive activities aimed at improving the outcomes of individ-*  
17 *uals with disabilities shall remain available until Sep-*  
18 *tember 30, 2018.*

19 *SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES*

20 *AMERICAN PRINTING HOUSE FOR THE BLIND*

21 *For carrying out the Act to promote the Education of*  
22 *the Blind of March 3, 1879, \$25,431,000.*

23 *NATIONAL TECHNICAL INSTITUTE FOR THE DEAF*

24 *For the National Technical Institute for the Deaf*  
25 *under titles I and II of the Education of the Deaf Act of*

1 1986, \$70,016,000: *Provided, That from the total amount*  
2 *available, the Institute may at its discretion use funds for*  
3 *the endowment program as authorized under section 207*  
4 *of such Act.*

5 *GALLAUDET UNIVERSITY*

6 *For the Kendall Demonstration Elementary School,*  
7 *the Model Secondary School for the Deaf, and the partial*  
8 *support of Gallaudet University under titles I and II of*  
9 *the Education of the Deaf Act of 1986, \$121,275,000: Pro-*  
10 *vided, That from the total amount available, the University*  
11 *may at its discretion use funds for the endowment program*  
12 *as authorized under section 207 of such Act.*

13 *CAREER, TECHNICAL, AND ADULT EDUCATION*

14 *For carrying out, to the extent not otherwise provided,*  
15 *the Carl D. Perkins Career and Technical Education Act*  
16 *of 2006 and the Adult Education and Family Literacy Act*  
17 *(“AEFLA”), \$1,720,686,000, of which \$929,686,000 shall*  
18 *become available on July 1, 2017, and shall remain avail-*  
19 *able through September 30, 2018, and of which*  
20 *\$791,000,000 shall become available on October 1, 2017,*  
21 *and shall remain available through September 30, 2018:*  
22 *Provided, That of the amounts made available for AEFLA,*  
23 *\$13,712,000 shall be for national leadership activities under*  
24 *section 242.*



1 *Educational and Cultural Exchange Act of 1961, and sec-*  
2 *tion 117 of the Carl D. Perkins Career and Technical Edu-*  
3 *cation Act of 2006, \$2,055,439,000: Provided, That notwith-*  
4 *standing any other provision of law, funds made available*  
5 *in this Act to carry out title VI of the HEA and section*  
6 *102(b)(6) of the Mutual Educational and Cultural Ex-*  
7 *change Act of 1961 may be used to support visits and study*  
8 *in foreign countries by individuals who are participating*  
9 *in advanced foreign language training and international*  
10 *studies in areas that are vital to United States national*  
11 *security and who plan to apply their language skills and*  
12 *knowledge of these countries in the fields of government, the*  
13 *professions, or international development: Provided further,*  
14 *That of the funds referred to in the preceding proviso up*  
15 *to 1 percent may be used for program evaluation, national*  
16 *outreach, and information dissemination activities: Pro-*  
17 *vided further, That up to 1.5 percent of the funds made*  
18 *available under chapter 2 of subpart 2 of part A of title*  
19 *IV of the HEA may be used for evaluation : Provided fur-*  
20 *ther, That, in making awards under section 402C of the*  
21 *HEA with funds appropriated by this Act, the Secretary*  
22 *shall announce new grant awards for which the notice in-*  
23 *viting applications was published in the Federal Register*  
24 *on October 17, 2016 (81 F.R. 71,492) by June 1, 2017, and*  
25 *for all other new grant awards under such section by Au-*

1 *gust 1, 2017: Provided further, That, in making continu-*  
2 *ation grant awards under subpart 2 of chapter 1 of part*  
3 *A of title IV of the HEA with funds appropriated by this*  
4 *Act, the Secretary shall issue continuation notifications no*  
5 *later than August 1, 2017.*

6 *HOWARD UNIVERSITY*

7 *For partial support of Howard University,*  
8 *\$221,821,000, of which not less than \$3,405,000 shall be for*  
9 *a matching endowment grant pursuant to the Howard Uni-*  
10 *versity Endowment Act and shall remain available until*  
11 *expended.*

12 *COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS*

13 *PROGRAM*

14 *For Federal administrative expenses to carry out ac-*  
15 *tivities related to existing facility loans pursuant to section*  
16 *121 of the HEA, \$435,000.*

17 *HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL*

18 *FINANCING PROGRAM ACCOUNT*

19 *For the cost of guaranteed loans, \$20,150,000, as au-*  
20 *thorized pursuant to part D of title III of the HEA, which*  
21 *shall remain available through September 30, 2018: Pro-*  
22 *vided, That such costs, including the cost of modifying such*  
23 *loans, shall be as defined in section 502 of the Congressional*  
24 *Budget Act of 1974: Provided further, That these funds are*  
25 *available to subsidize total loan principal, any part of*



1 *which is to be guaranteed, not to exceed \$282,212,885: Pro-*  
2 *vided further, That these funds may be used to support*  
3 *loans to public and private Historically Black Colleges and*  
4 *Universities without regard to the limitations within sec-*  
5 *tion 344(a) of the HEA.*

6 *In addition, for administrative expenses to carry out*  
7 *the Historically Black College and University Capital Fi-*  
8 *nancing Program entered into pursuant to part D of title*  
9 *III of the HEA, \$334,000.*

10 *INSTITUTE OF EDUCATION SCIENCES*

11 *For carrying out activities authorized by the Edu-*  
12 *cation Sciences Reform Act of 2002, the National Assess-*  
13 *ment of Educational Progress Authorization Act, section*  
14 *208 of the Educational Technical Assistance Act of 2002,*  
15 *and section 664 of the Individuals with Disabilities Edu-*  
16 *cation Act, \$605,267,000, which shall remain available*  
17 *through September 30, 2018: Provided, That funds available*  
18 *to carry out section 208 of the Educational Technical As-*  
19 *sistance Act may be used to link Statewide elementary and*  
20 *secondary data systems with early childhood, postsec-*  
21 *ondary, and workforce data systems, or to further develop*  
22 *such systems: Provided further, That up to \$6,000,000 of*  
23 *the funds available to carry out section 208 of the Edu-*  
24 *cational Technical Assistance Act may be used for awards*  
25 *to public or private organizations or agencies to support*

1 *activities to improve data coordination, quality, and use*  
2 *at the local, State, and national levels.*

3 *DEPARTMENTAL MANAGEMENT*

4 *PROGRAM ADMINISTRATION*

5 *For carrying out, to the extent not otherwise provided,*  
6 *the Department of Education Organization Act, including*  
7 *rental of conference rooms in the District of Columbia and*  
8 *hire of three passenger motor vehicles, \$432,000,000, of*  
9 *which up to \$1,000,000, to remain available until expended,*  
10 *may be for relocation of, and renovation of buildings occu-*  
11 *piated by, Department staff: Provided, That \$2,000,000 of the*  
12 *unobligated funds available under this heading and “Stu-*  
13 *dent Aid Administration” in this and prior appropriations*  
14 *acts that may be used for travel, printing, supplies and*  
15 *other administrative expenses shall be available for obliga-*  
16 *tion for the Ready to Learn program.*

17 *OFFICE FOR CIVIL RIGHTS*

18 *For expenses necessary for the Office for Civil Rights,*  
19 *as authorized by section 203 of the Department of Edu-*  
20 *cation Organization Act, \$108,500,000.*

21 *OFFICE OF INSPECTOR GENERAL*

22 *For expenses necessary for the Office of Inspector Gen-*  
23 *eral, as authorized by section 212 of the Department of*  
24 *Education Organization Act, \$59,256,000.*







1        *student to work toward completion of an eligible pro-*  
2        *gram if, during that single award year, the student—*

3                *“(i) has received a Federal Pell Grant*  
4                *for an award year and is enrolled in an eli-*  
5                *gible program for one or more additional*  
6                *payment periods during the same award*  
7                *year that are not otherwise fully covered by*  
8                *the student’s Federal Pell Grant; and*

9                *“(ii) is enrolled on at least a half-time*  
10               *basis while receiving any funds under this*  
11               *section.*

12               *“(B) In the case of a student receiving more*  
13               *than one Federal Pell Grant in a single award*  
14               *year under subparagraph (A), the total amount*  
15               *of Federal Pell Grants awarded to such student*  
16               *for the award year may exceed the maximum*  
17               *basic grant level specified in the appropriate ap-*  
18               *propriations Act for such award year.*

19               *“(C) Any period of study covered by a Fed-*  
20               *eral Pell Grant awarded under subparagraph*  
21               *(A) shall be included in determining a student’s*  
22               *duration limit under subsection (c)(5).*

23               *“(D) In any case where an eligible student*  
24               *is receiving a Federal Pell Grant for a payment*  
25               *period that spans two award years, the Secretary*



1 8503(c) of title 41, United States Code, to perform contract  
2 requirements of the Committee as prescribed under section  
3 51–3.2 of title 41, Code of Federal Regulations, the Com-  
4 mittee shall enter into a written agreement with any such  
5 central nonprofit agency: Provided further, That such  
6 agreement entered into under the preceding proviso shall  
7 contain such auditing, oversight, and reporting provisions  
8 as necessary to implement chapter 85 of title 41, United  
9 States Code: Provided further, That such agreement shall  
10 include the elements listed under this heading in the explan-  
11 atory statement accompanying Public Law 114–113: Pro-  
12 vided further, That a fee may not be charged under section  
13 51–3.5 of title 41, Code of Federal Regulations, unless such  
14 fee is under the terms of the written agreement between the  
15 Committee and any such central nonprofit agency: Pro-  
16 vided further, That no less than \$1,000,000 shall be avail-  
17 able for the Office of Inspector General.

18 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

19 OPERATING EXPENSES

20 For necessary expenses for the Corporation for Na-  
21 tional and Community Service (referred to in this title as  
22 “CNCS”) to carry out the Domestic Volunteer Service Act  
23 of 1973 (referred to in this title as “1973 Act”) and the  
24 National and Community Service Act of 1990 (referred to  
25 in this title as “1990 Act”), \$736,029,000, notwithstanding



1 *sections 198B(b)(3), 198S(g), 501(a)(4)(C), and*  
2 *501(a)(4)(F) of the 1990 Act: Provided, That of the amounts*  
3 *provided under this heading: (1) up to 1 percent of program*  
4 *grant funds may be used to defray the costs of conducting*  
5 *grant application reviews, including the use of outside peer*  
6 *reviewers and electronic management of the grants cycle;*  
7 *(2) \$16,538,000 shall be available to provide assistance to*  
8 *State commissions on national and community service,*  
9 *under section 126(a) of the 1990 Act and notwithstanding*  
10 *section 501(a)(5)(B) of the 1990 Act; (3) \$30,000,000 shall*  
11 *be available to carry out subtitle E of the 1990 Act; and*  
12 *(4) \$3,800,000 shall be available for expenses authorized*  
13 *under section 501(a)(4)(F) of the 1990 Act, which, notwith-*  
14 *standing the provisions of section 198P shall be awarded*  
15 *by CNCS on a competitive basis: Provided further, That*  
16 *for the purposes of carrying out the 1990 Act, satisfying*  
17 *the requirements in section 122(c)(1)(D) may include a de-*  
18 *termination of need by the local community.*

19 *PAYMENT TO THE NATIONAL SERVICE TRUST*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For payment to the National Service Trust established*  
22 *under subtitle D of title I of the 1990 Act, \$206,842,000,*  
23 *to remain available until expended: Provided, That CNCS*  
24 *may transfer additional funds from the amount provided*  
25 *within “Operating Expenses” allocated to grants under sub-*

1 *title C of title I of the 1990 Act to the National Service*  
2 *Trust upon determination that such transfer is necessary*  
3 *to support the activities of national service participants*  
4 *and after notice is transmitted to the Committees on Appro-*  
5 *priations of the House of Representatives and the Senate:*  
6 *Provided further, That amounts appropriated for or trans-*  
7 *ferred to the National Service Trust may be invested under*  
8 *section 145(b) of the 1990 Act without regard to the require-*  
9 *ment to apportion funds under 31 U.S.C. 1513(b).*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of administration as provided*  
12 *under section 501(a)(5) of the 1990 Act and under section*  
13 *504(a) of the 1973 Act, including payment of salaries, au-*  
14 *thorized travel, hire of passenger motor vehicles, the rental*  
15 *of conference rooms in the District of Columbia, the employ-*  
16 *ment of experts and consultants authorized under 5 U.S.C.*  
17 *3109, and not to exceed \$2,500 for official reception and*  
18 *representation expenses, \$81,737,000.*

19 *OFFICE OF INSPECTOR GENERAL*

20 *For necessary expenses of the Office of Inspector Gen-*  
21 *eral in carrying out the Inspector General Act of 1978,*  
22 *\$5,750,000.*

23 *ADMINISTRATIVE PROVISIONS*

24 *SEC. 401. CNCS shall make any significant changes*  
25 *to program requirements, service delivery or policy only*

1 *through public notice and comment rulemaking. For fiscal*  
2 *year 2017, during any grant selection process, an officer*  
3 *or employee of CNCS shall not knowingly disclose any cov-*  
4 *ered grant selection information regarding such selection,*  
5 *directly or indirectly, to any person other than an officer*  
6 *or employee of CNCS that is authorized by CNCS to receive*  
7 *such information.*

8       *SEC. 402. AmeriCorps programs receiving grants*  
9 *under the National Service Trust program shall meet an*  
10 *overall minimum share requirement of 24 percent for the*  
11 *first 3 years that they receive AmeriCorps funding, and*  
12 *thereafter shall meet the overall minimum share require-*  
13 *ment as provided in section 2521.60 of title 45, Code of*  
14 *Federal Regulations, without regard to the operating costs*  
15 *match requirement in section 121(e) or the member support*  
16 *Federal share limitations in section 140 of the 1990 Act,*  
17 *and subject to partial waiver consistent with section*  
18 *2521.70 of title 45, Code of Federal Regulations.*

19       *SEC. 403. Donations made to CNCS under section 196*  
20 *of the 1990 Act for the purposes of financing programs and*  
21 *operations under titles I and II of the 1973 Act or subtitle*  
22 *B, C, D, or E of title I of the 1990 Act shall be used to*  
23 *supplement and not supplant current programs and oper-*  
24 *ations.*

1       *SEC. 404. In addition to the requirements in section*  
2 *146(a) of the 1990 Act, use of an educational award for*  
3 *the purpose described in section 148(a)(4) shall be limited*  
4 *to individuals who are veterans as defined under section*  
5 *101 of the Act.*

6       *SEC. 405. For the purpose of carrying out section*  
7 *189D of the 1990 Act—*

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

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

14           *(3) State Commissions on National and Commu-*  
15 *nity Service established pursuant to section 178 of the*  
16 *1990 Act, are authorized to receive criminal history*  
17 *record information, consistent with Public Law 92–*  
18 *544.*

19           *CORPORATION FOR PUBLIC BROADCASTING*

20       *For payment to the Corporation for Public Broad-*  
21 *casting (“CPB”), as authorized by the Communications Act*  
22 *of 1934, an amount which shall be available within limita-*  
23 *tions specified by that Act, for the fiscal year 2019,*  
24 *\$445,000,000: Provided, That none of the funds made avail-*  
25 *able to CPB by this Act shall be used to pay for receptions,*

1 *parties, or similar forms of entertainment for Government*  
2 *officials or employees: Provided further, That none of the*  
3 *funds made available to CPB by this Act shall be available*  
4 *or used to aid or support any program or activity from*  
5 *which any person is excluded, or is denied benefits, or is*  
6 *discriminated against, on the basis of race, color, national*  
7 *origin, religion, or sex: Provided further, That none of the*  
8 *funds made available to CPB by this Act shall be used to*  
9 *apply any political test or qualification in selecting, ap-*  
10 *pointing, promoting, or taking any other personnel action*  
11 *with respect to officers, agents, and employees of CPB: Pro-*  
12 *vided further, That none of the funds made available to*  
13 *CPB by this Act shall be used to support the Television Fu-*  
14 *ture Fund or any similar purpose.*

15 *In addition, for the costs associated with replacing and*  
16 *upgrading the public broadcasting interconnection system,*  
17 *\$50,000,000.*

18 *FEDERAL MEDIATION AND CONCILIATION SERVICE*

19 *SALARIES AND EXPENSES*

20 *For expenses necessary for the Federal Mediation and*  
21 *Conciliation Service (“Service”) to carry out the functions*  
22 *vested in it by the Labor-Management Relations Act, 1947,*  
23 *including hire of passenger motor vehicles; for expenses nec-*  
24 *essary for the Labor-Management Cooperation Act of 1978;*  
25 *and for expenses necessary for the Service to carry out the*

1 *functions vested in it by the Civil Service Reform Act,*  
2 *\$46,650,000, including up to \$900,000 to remain available*  
3 *through September 30, 2018, for activities authorized by the*  
4 *Labor-Management Cooperation Act of 1978: Provided,*  
5 *That notwithstanding 31 U.S.C. 3302, fees charged, up to*  
6 *full-cost recovery, for special training activities and other*  
7 *conflict resolution services and technical assistance, includ-*  
8 *ing those provided to foreign governments and international*  
9 *organizations, and for arbitration services shall be credited*  
10 *to and merged with this account, and shall remain avail-*  
11 *able until expended: Provided further, That fees for arbitra-*  
12 *tion services shall be available only for education, training,*  
13 *and professional development of the agency workforce: Pro-*  
14 *vided further, That the Director of the Service is authorized*  
15 *to accept and use on behalf of the United States gifts of*  
16 *services and real, personal, or other property in the aid of*  
17 *any projects or functions within the Director's jurisdiction.*

18 *FEDERAL MINE SAFETY AND HEALTH REVIEW*

19 *COMMISSION*

20 *SALARIES AND EXPENSES*

21 *For expenses necessary for the Federal Mine Safety*  
22 *and Health Review Commission, \$17,184,000.*



1                    *NATIONAL LABOR RELATIONS BOARD*2                    *SALARIES AND EXPENSES*

3            *For expenses necessary for the National Labor Rela-*  
4 *tions Board to carry out the functions vested in it by the*  
5 *Labor-Management Relations Act, 1947, and other laws,*  
6 *\$274,224,000: Provided, That no part of this appropriation*  
7 *shall be available to organize or assist in organizing agri-*  
8 *cultural laborers or used in connection with investigations,*  
9 *hearings, directives, or orders concerning bargaining units*  
10 *composed of agricultural laborers as referred to in section*  
11 *2(3) of the Act of July 5, 1935, and as amended by the*  
12 *Labor-Management Relations Act, 1947, and as defined in*  
13 *section 3(f) of the Act of June 25, 1938, and including in*  
14 *said definition employees engaged in the maintenance and*  
15 *operation of ditches, canals, reservoirs, and waterways*  
16 *when maintained or operated on a mutual, nonprofit basis*  
17 *and at least 95 percent of the water stored or supplied there-*  
18 *by is used for farming purposes.*

19                    *ADMINISTRATIVE PROVISIONS*

20            *SEC. 406. None of the funds provided by this Act or*  
21 *previous Acts making appropriations for the National*  
22 *Labor Relations Board may be used to issue any new ad-*  
23 *ministrative directive or regulation that would provide em-*  
24 *ployees any means of voting through any electronic means*



1 *in an election to determine a representative for the purposes*  
2 *of collective bargaining.*

3 *NATIONAL MEDIATION BOARD*

4 *SALARIES AND EXPENSES*

5 *For expenses necessary to carry out the provisions of*  
6 *the Railway Labor Act, including emergency boards ap-*  
7 *pointed by the President, \$13,800,000.*

8 *OCCUPATIONAL SAFETY AND HEALTH REVIEW*

9 *COMMISSION*

10 *SALARIES AND EXPENSES*

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

13 *RAILROAD RETIREMENT BOARD*

14 *DUAL BENEFITS PAYMENTS ACCOUNT*

15 *For payment to the Dual Benefits Payments Account,*  
16 *authorized under section 15(d) of the Railroad Retirement*  
17 *Act of 1974, \$25,000,000, which shall include amounts be-*  
18 *coming available in fiscal year 2017 pursuant to section*  
19 *224(c)(1)(B) of Public Law 98-76; and in addition, an*  
20 *amount, not to exceed 2 percent of the amount provided*  
21 *herein, shall be available proportional to the amount by*  
22 *which the product of recipients and the average benefit re-*  
23 *ceived exceeds the amount available for payment of vested*  
24 *dual benefits: Provided, That the total amount provided*

1 *herein shall be credited in 12 approximately equal amounts*  
2 *on the first day of each month in the fiscal year.*

3 *FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT*

4 *ACCOUNTS*

5 *For payment to the accounts established in the Treas-*  
6 *ury for the payment of benefits under the Railroad Retire-*  
7 *ment Act for interest earned on unnegotiated checks,*  
8 *\$150,000, to remain available through September 30, 2018,*  
9 *which shall be the maximum amount available for payment*  
10 *pursuant to section 417 of Public Law 98–76.*

11 *LIMITATION ON ADMINISTRATION*

12 *For necessary expenses for the Railroad Retirement*  
13 *Board (“Board”) for administration of the Railroad Retire-*  
14 *ment Act and the Railroad Unemployment Insurance Act,*  
15 *\$113,500,000, to be derived in such amounts as determined*  
16 *by the Board from the railroad retirement accounts and*  
17 *from moneys credited to the railroad unemployment insur-*  
18 *ance administration fund: Provided, That notwithstanding*  
19 *section 7(b)(9) of the Railroad Retirement Act this limita-*  
20 *tion may be used to hire attorneys only through the excepted*  
21 *service: Provided further, That the previous proviso shall*  
22 *not change the status under Federal employment laws of*  
23 *any attorney hired by the Railroad Retirement Board prior*  
24 *to January 1, 2013.*

1        *LIMITATION ON THE OFFICE OF INSPECTOR GENERAL*

2        *For expenses necessary for the Office of Inspector Gen-*  
3 *eral for audit, investigatory and review activities, as au-*  
4 *thorized by the Inspector General Act of 1978, not more*  
5 *than \$10,000,000, to be derived from the railroad retire-*  
6 *ment accounts and railroad unemployment insurance ac-*  
7 *count.*

8                        *SOCIAL SECURITY ADMINISTRATION*9                        *PAYMENTS TO SOCIAL SECURITY TRUST FUNDS*

10        *For payment to the Federal Old-Age and Survivors In-*  
11 *surance Trust Fund and the Federal Disability Insurance*  
12 *Trust Fund, as provided under sections 201(m) and*  
13 *1131(b)(2) of the Social Security Act, \$11,400,000.*

14                        *SUPPLEMENTAL SECURITY INCOME PROGRAM*

15        *For carrying out titles XI and XVI of the Social Secu-*  
16 *rity Act, section 401 of Public Law 92-603, section 212*  
17 *of Public Law 93-66, as amended, and section 405 of Public*  
18 *Law 95-216, including payment to the Social Security*  
19 *trust funds for administrative expenses incurred pursuant*  
20 *to section 201(g)(1) of the Social Security Act,*  
21 *\$43,618,163,000, to remain available until expended: Pro-*  
22 *vided, That any portion of the funds provided to a State*  
23 *in the current fiscal year and not obligated by the State*  
24 *during that year shall be returned to the Treasury: Pro-*  
25 *vided further, That not more than \$58,000,000 shall be*

1 *available for research and demonstrations under sections*  
2 *1110, 1115, and 1144 of the Social Security Act, and re-*  
3 *main available through September 30, 2019.*

4 *For making, after June 15 of the current fiscal year,*  
5 *benefit payments to individuals under title XVI of the So-*  
6 *cial Security Act, for unanticipated costs incurred for the*  
7 *current fiscal year, such sums as may be necessary.*

8 *For making benefit payments under title XVI of the*  
9 *Social Security Act for the first quarter of fiscal year 2018,*  
10 *\$15,000,000,000, to remain available until expended.*

11 *LIMITATION ON ADMINISTRATIVE EXPENSES*

12 *For necessary expenses, including the hire of two pas-*  
13 *senger motor vehicles, and not to exceed \$20,000 for official*  
14 *reception and representation expenses, not more than*  
15 *\$12,357,945,000 may be expended, as authorized by section*  
16 *201(g)(1) of the Social Security Act, from any one or all*  
17 *of the trust funds referred to in such section: Provided, That*  
18 *not less than \$2,300,000 shall be for the Social Security*  
19 *Advisory Board: Provided further, That, \$90,000,000 to re-*  
20 *main available through September 30, 2018, shall be used*  
21 *for activities to address the hearing backlog within the Of-*  
22 *fice of Disability Adjudication and Review: Provided fur-*  
23 *ther, That unobligated balances of funds provided under*  
24 *this paragraph at the end of fiscal year 2017 not needed*  
25 *for fiscal year 2017 shall remain available until expended*

1 *to invest in the Social Security Administration information*  
2 *technology and telecommunications hardware and software*  
3 *infrastructure, including related equipment and non-pay-*  
4 *roll administrative expenses associated solely with this in-*  
5 *formation technology and telecommunications infrastruc-*  
6 *ture: Provided further, That the Commissioner of Social Se-*  
7 *curity shall notify the Committees on Appropriations of the*  
8 *House of Representatives and the Senate prior to making*  
9 *unobligated balances available under the authority in the*  
10 *previous proviso: Provided further, That reimbursement to*  
11 *the trust funds under this heading for expenditures for offi-*  
12 *cial time for employees of the Social Security Administra-*  
13 *tion pursuant to 5 U.S.C. 7131, and for facilities or support*  
14 *services for labor organizations pursuant to policies, regula-*  
15 *tions, or procedures referred to in section 7135(b) of such*  
16 *title shall be made by the Secretary of the Treasury, with*  
17 *interest, from amounts in the general fund not otherwise*  
18 *appropriated, as soon as possible after such expenditures*  
19 *are made.*

20 *Of the total amount made available under this head-*  
21 *ing, not more than \$1,819,000,000, to remain available*  
22 *through March 31, 2018, is for the costs associated with con-*  
23 *tinuing disability reviews under titles II and XVI of the*  
24 *Social Security Act, including work-related continuing dis-*  
25 *ability reviews to determine whether earnings derived from*

1 *services demonstrate an individual's ability to engage in*  
2 *substantial gainful activity, for the cost associated with*  
3 *conducting redeterminations of eligibility under title XVI*  
4 *of the Social Security Act, for the cost of co-operative dis-*  
5 *ability investigation units, and for the cost associated with*  
6 *the prosecution of fraud in the programs and operations*  
7 *of the Social Security Administration by Special Assistant*  
8 *United States Attorneys: Provided, That, of such amount,*  
9 *\$273,000,000 is provided to meet the terms of section*  
10 *251(b)(2)(B)(ii)(III) of the Balanced Budget and Emer-*  
11 *gency Deficit Control Act of 1985, as amended, and*  
12 *\$1,546,000,000 is additional new budget authority specified*  
13 *for purposes of section 251(b)(2)(B) of such Act: Provided*  
14 *further, That the Commissioner shall provide to the Con-*  
15 *gress (at the conclusion of the fiscal year) a report on the*  
16 *obligation and expenditure of these funds, similar to the*  
17 *reports that were required by section 103(d)(2) of Public*  
18 *Law 104–121 for fiscal years 1996 through 2002.*

19 *In addition, \$123,000,000 to be derived from adminis-*  
20 *tration fees in excess of \$5.00 per supplementary payment*  
21 *collected pursuant to section 1616(d) of the Social Security*  
22 *Act or section 212(b)(3) of Public Law 93–66, which shall*  
23 *remain available until expended. To the extent that the*  
24 *amounts collected pursuant to such sections in fiscal year*  
25 *2017 exceed \$123,000,000, the amounts shall be available*

1 *in fiscal year 2018 only to the extent provided in advance*  
2 *in appropriations Acts.*

3 *In addition, up to \$1,000,000 to be derived from fees*  
4 *collected pursuant to section 303(c) of the Social Security*  
5 *Protection Act, which shall remain available until ex-*  
6 *pended.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For expenses necessary for the Office of Inspector Gen-*  
10 *eral in carrying out the provisions of the Inspector General*  
11 *Act of 1978, \$29,787,000, together with not to exceed*  
12 *\$75,713,000, to be transferred and expended as authorized*  
13 *by section 201(g)(1) of the Social Security Act from the*  
14 *Federal Old-Age and Survivors Insurance Trust Fund and*  
15 *the Federal Disability Insurance Trust Fund.*

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

## TITLE V

## GENERAL PROVISIONS

## (TRANSFER OF FUNDS)

1  
2  
3  
4       *SEC. 501. The Secretaries of Labor, Health and*  
5 *Human Services, and Education are authorized to transfer*  
6 *unexpended balances of prior appropriations to accounts*  
7 *corresponding to current appropriations provided in this*  
8 *Act. Such transferred balances shall be used for the same*  
9 *purpose, and for the same periods of time, for which they*  
10 *were originally appropriated.*

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

14       *SEC. 503. (a) No part of any appropriation contained*  
15 *in this Act or transferred pursuant to section 4002 of Public*  
16 *Law 111–148 shall be used, other than for normal and rec-*  
17 *ognized executive-legislative relationships, for publicity or*  
18 *propaganda purposes, for the preparation, distribution, or*  
19 *use of any kit, pamphlet, booklet, publication, electronic*  
20 *communication, radio, television, or video presentation de-*  
21 *signed to support or defeat the enactment of legislation be-*  
22 *fore the Congress or any State or local legislature or legisla-*  
23 *tive body, except in presentation to the Congress or any*  
24 *State or local legislature itself, or designed to support or*  
25 *defeat any proposed or pending regulation, administrative*



1 *action, or order issued by the executive branch of any State*  
2 *or local government, except in presentation to the executive*  
3 *branch of any State or local government itself.*

4       **(b)** *No part of any appropriation contained in this*  
5 *Act or transferred pursuant to section 4002 of Public Law*  
6 *111–148 shall be used to pay the salary or expenses of any*  
7 *grant or contract recipient, or agent acting for such recipi-*  
8 *ent, related to any activity designed to influence the enact-*  
9 *ment of legislation, appropriations, regulation, administra-*  
10 *tive action, or Executive order proposed or pending before*  
11 *the Congress or any State government, State legislature or*  
12 *local legislature or legislative body, other than for normal*  
13 *and recognized executive-legislative relationships or partici-*  
14 *pation by an agency or officer of a State, local or tribal*  
15 *government in policymaking and administrative processes*  
16 *within the executive branch of that government.*

17       **(c)** *The prohibitions in subsections (a) and (b) shall*  
18 *include any activity to advocate or promote any proposed,*  
19 *pending or future Federal, State or local tax increase, or*  
20 *any proposed, pending, or future requirement or restriction*  
21 *on any legal consumer product, including its sale or mar-*  
22 *keting, including but not limited to the advocacy or pro-*  
23 *motion of gun control.*

24       **SEC. 504.** *The Secretaries of Labor and Education are*  
25 *authorized to make available not to exceed \$28,000 and*

1 \$20,000, respectively, from funds available for salaries and  
2 expenses under titles I and III, respectively, for official re-  
3 ception and representation expenses; the Director of the  
4 Federal Mediation and Conciliation Service is authorized  
5 to make available for official reception and representation  
6 expenses not to exceed \$5,000 from the funds available for  
7 “Federal Mediation and Conciliation Service, Salaries and  
8 Expenses”; and the Chairman of the National Mediation  
9 Board is authorized to make available for official reception  
10 and representation expenses not to exceed \$5,000 from funds  
11 available for “National Mediation Board, Salaries and Ex-  
12 penses”.

13       *SEC. 505. When issuing statements, press releases, re-*  
14 *quests for proposals, bid solicitations and other documents*  
15 *describing projects or programs funded in whole or in part*  
16 *with Federal money, all grantees receiving Federal funds*  
17 *included in this Act, including but not limited to State and*  
18 *local governments and recipients of Federal research grants,*  
19 *shall clearly state—*

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

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

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

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

8           (b) None of the funds appropriated in this Act, and  
9           none of the funds in any trust fund to which funds are  
10          appropriated in this Act, shall be expended for health bene-  
11          fits coverage that includes coverage of abortion.

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

15          SEC. 507. (a) The limitations established in the pre-  
16          ceding section shall not apply to an abortion—

17                  (1) if the pregnancy is the result of an act of  
18                  rape or incest; or

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

1       (b) *Nothing in the preceding section shall be construed*  
2 *as prohibiting the expenditure by a State, locality, entity,*  
3 *or private person of State, local, or private funds (other*  
4 *than a State’s or locality’s contribution of Medicaid match-*  
5 *ing funds).*

6       (c) *Nothing in the preceding section shall be construed*  
7 *as restricting the ability of any managed care provider*  
8 *from offering abortion coverage or the ability of a State or*  
9 *locality to contract separately with such a provider for such*  
10 *coverage with State funds (other than a State’s or locality’s*  
11 *contribution of Medicaid matching funds).*

12       (d)(1) *None of the funds made available in this Act*  
13 *may be made available to a Federal agency or program,*  
14 *or to a State or local government, if such agency, program,*  
15 *or government subjects any institutional or individual*  
16 *health care entity to discrimination on the basis that the*  
17 *health care entity does not provide, pay for, provide cov-*  
18 *erage of, or refer for abortions.*

19       (2) *In this subsection, the term “health care entity”*  
20 *includes an individual physician or other health care pro-*  
21 *fessional, a hospital, a provider-sponsored organization, a*  
22 *health maintenance organization, a health insurance plan,*  
23 *or any other kind of health care facility, organization, or*  
24 *plan.*

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

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

5            *(2) research in which a human embryo or em-*  
6 *bryos are destroyed, discarded, or knowingly subjected*  
7 *to risk of injury or death greater than that allowed*  
8 *for research on fetuses in utero under 45 CFR*  
9 *46.204(b) and section 498(b) of the Public Health*  
10 *Service Act (42 U.S.C. 289g(b)).*

11        *(b) For purposes of this section, the term “human em-*  
12 *bryo or embryos” includes any organism, not protected as*  
13 *a human subject under 45 CFR 46 as of the date of the*  
14 *enactment of this Act, that is derived by fertilization, par-*  
15 *thenogenesis, cloning, or any other means from one or more*  
16 *human gametes or human diploid cells.*

17        *SEC. 509. (a) None of the funds made available in this*  
18 *Act may be used for any activity that promotes the legaliza-*  
19 *tion of any drug or other substance included in schedule*  
20 *I of the schedules of controlled substances established under*  
21 *section 202 of the Controlled Substances Act except for nor-*  
22 *mal and recognized executive-congressional communica-*  
23 *tions.*

24        *(b) The limitation in subsection (a) shall not apply*  
25 *when there is significant medical evidence of a therapeutic*

1 *advantage to the use of such drug or other substance or that*  
2 *federally sponsored clinical trials are being conducted to de-*  
3 *termine therapeutic advantage.*

4 *SEC. 510. None of the funds made available in this*  
5 *Act may be used to promulgate or adopt any final standard*  
6 *under section 1173(b) of the Social Security Act providing*  
7 *for, or providing for the assignment of, a unique health*  
8 *identifier for an individual (except in an individual's ca-*  
9 *capacity as an employer or a health care provider), until leg-*  
10 *islation is enacted specifically approving the standard.*

11 *SEC. 511. None of the funds made available in this*  
12 *Act may be obligated or expended to enter into or renew*  
13 *a contract with an entity if—*

14 *(1) such entity is otherwise a contractor with the*  
15 *United States and is subject to the requirement in 38*  
16 *U.S.C. 4212(d) regarding submission of an annual*  
17 *report to the Secretary of Labor concerning employ-*  
18 *ment of certain veterans; and*

19 *(2) such entity has not submitted a report as re-*  
20 *quired by that section for the most recent year for*  
21 *which such requirement was applicable to such entity.*

22 *SEC. 512. None of the funds made available in this*  
23 *Act may be transferred to any department, agency, or in-*  
24 *strumentality of the United States Government, except pur-*

1 *suant to a transfer made by, or transfer authority provided*  
2 *in, this Act or any other appropriation Act.*

3 *SEC. 513. None of the funds made available by this*  
4 *Act to carry out the Library Services and Technology Act*  
5 *may be made available to any library covered by paragraph*  
6 *(1) of section 224(f) of such Act, as amended by the Chil-*  
7 *dren’s Internet Protection Act, unless such library has made*  
8 *the certifications required by paragraph (4) of such section.*

9 *SEC. 514. (a) None of the funds provided under this*  
10 *Act, or provided under previous appropriations Acts to the*  
11 *agencies funded by this Act that remain available for obli-*  
12 *gation or expenditure in fiscal year 2017, or provided from*  
13 *any accounts in the Treasury of the United States derived*  
14 *by the collection of fees available to the agencies funded by*  
15 *this Act, shall be available for obligation or expenditure*  
16 *through a reprogramming of funds that—*

17 *(1) creates new programs;*

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

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

22 *(4) relocates an office or employees;*

23 *(5) reorganizes or renames offices;*

24 *(6) reorganizes programs or activities; or*

1           (7) *contracts out or privatizes any functions or*  
2           *activities presently performed by Federal employees;*  
3           *unless the Committees on Appropriations of the House of*  
4           *Representatives and the Senate are consulted 15 days in*  
5           *advance of such reprogramming or of an announcement of*  
6           *intent relating to such reprogramming, whichever occurs*  
7           *earlier, and are notified in writing 10 days in advance of*  
8           *such reprogramming.*

9           (b) *None of the funds provided under this Act, or pro-*  
10          *vided under previous appropriations Acts to the agencies*  
11          *funded by this Act that remain available for obligation or*  
12          *expenditure in fiscal year 2017, or provided from any ac-*  
13          *counts in the Treasury of the United States derived by the*  
14          *collection of fees available to the agencies funded by this*  
15          *Act, shall be available for obligation or expenditure through*  
16          *a reprogramming of funds in excess of \$500,000 or 10 per-*  
17          *cent, whichever is less, that—*

18               (1) *augments existing programs, projects (in-*  
19               *cluding construction projects), or activities;*

20               (2) *reduces by 10 percent funding for any exist-*  
21               *ing program, project, or activity, or numbers of per-*  
22               *sonnel by 10 percent as approved by Congress; or*

23               (3) *results from any general savings from a re-*  
24               *duction in personnel which would result in a change*



1        *in existing programs, activities, or projects as ap-*  
2        *proved by Congress;*  
3        *unless the Committees on Appropriations of the House of*  
4        *Representatives and the Senate are consulted 15 days in*  
5        *advance of such reprogramming or of an announcement of*  
6        *intent relating to such reprogramming, whichever occurs*  
7        *earlier, and are notified in writing 10 days in advance of*  
8        *such reprogramming.*

9        *SEC. 515. (a) None of the funds made available in this*  
10       *Act may be used to request that a candidate for appoint-*  
11       *ment to a Federal scientific advisory committee disclose the*  
12       *political affiliation or voting history of the candidate or*  
13       *the position that the candidate holds with respect to polit-*  
14       *ical issues not directly related to and necessary for the work*  
15       *of the committee involved.*

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

19       *SEC. 516. Within 45 days of enactment of this Act,*  
20       *each department and related agency funded through this*  
21       *Act shall submit an operating plan that details at the pro-*  
22       *gram, project, and activity level any funding allocations*  
23       *for fiscal year 2017 that are different than those specified*  
24       *in this Act, the accompanying detailed table in the explana-*  
25       *tory statement described in section 4 (in the matter pre-*

1 *ceding division A of this consolidated Act), or the fiscal year*  
2 *2017 budget request.*

3       *SEC. 517. The Secretaries of Labor, Health and*  
4 *Human Services, and Education shall each prepare and*  
5 *submit to the Committees on Appropriations of the House*  
6 *of Representatives and the Senate a report on the number*  
7 *and amount of contracts, grants, and cooperative agree-*  
8 *ments exceeding \$500,000 in value and awarded by the De-*  
9 *partment on a non-competitive basis during each quarter*  
10 *of fiscal year 2017, but not to include grants awarded on*  
11 *a formula basis or directed by law. Such report shall in-*  
12 *clude the name of the contractor or grantee, the amount of*  
13 *funding, the governmental purpose, including a justifica-*  
14 *tion for issuing the award on a non-competitive basis. Such*  
15 *report shall be transmitted to the Committees within 30*  
16 *days after the end of the quarter for which the report is*  
17 *submitted.*

18       *SEC. 518. None of the funds appropriated in this Act*  
19 *shall be expended or obligated by the Commissioner of So-*  
20 *cial Security, for purposes of administering Social Security*  
21 *benefit payments under title II of the Social Security Act,*  
22 *to process any claim for credit for a quarter of coverage*  
23 *based on work performed under a social security account*  
24 *number that is not the claimant's number and the perform-*  
25 *ance of such work under such number has formed the basis*

1 *for a conviction of the claimant of a violation of section*  
2 *208(a)(6) or (7) of the Social Security Act.*

3       *SEC. 519. None of the funds appropriated by this Act*  
4 *may be used by the Commissioner of Social Security or the*  
5 *Social Security Administration to pay the compensation of*  
6 *employees of the Social Security Administration to admin-*  
7 *ister Social Security benefit payments, under any agree-*  
8 *ment between the United States and Mexico establishing to-*  
9 *talization arrangements between the social security system*  
10 *established by title II of the Social Security Act and the*  
11 *social security system of Mexico, which would not otherwise*  
12 *be payable but for such agreement.*

13       *SEC. 520. Notwithstanding any other provision of this*  
14 *Act, no funds appropriated in this Act shall be used to pur-*  
15 *chase sterile needles or syringes for the hypodermic injection*  
16 *of any illegal drug: Provided, That such limitation does not*  
17 *apply to the use of funds for elements of a program other*  
18 *than making such purchases if the relevant State or local*  
19 *health department, in consultation with the Centers for Dis-*  
20 *ease Control and Prevention, determines that the State or*  
21 *local jurisdiction, as applicable, is experiencing, or is at*  
22 *risk for, a significant increase in hepatitis infections or an*  
23 *HIV outbreak due to injection drug use, and such program*  
24 *is operating in accordance with State and local law.*

1        *SEC. 521. (a) None of the funds made available in this*  
2 *Act may be used to maintain or establish a computer net-*  
3 *work unless such network blocks the viewing, downloading,*  
4 *and exchanging of pornography.*

5        *(b) Nothing in subsection (a) shall limit the use of*  
6 *funds necessary for any Federal, State, tribal, or local law*  
7 *enforcement agency or any other entity carrying out crimi-*  
8 *nal investigations, prosecution, or adjudication activities.*

9        *SEC. 522. None of the funds made available under this*  
10 *or any other Act, or any prior Appropriations Act, may*  
11 *be provided to the Association of Community Organizations*  
12 *for Reform Now (ACORN), or any of its affiliates, subsidi-*  
13 *aries, allied organizations, or successors.*

14        *SEC. 523. For purposes of carrying out Executive*  
15 *Order 13589, Office of Management and Budget Memo-*  
16 *randum M-12-12 dated May 11, 2012, and requirements*  
17 *contained in the annual appropriations bills relating to*  
18 *conference attendance and expenditures:*

19            *(1) the operating divisions of HHS shall be con-*  
20            *sidered independent agencies; and*

21            *(2) attendance at and support for scientific con-*  
22            *ferences shall be tabulated separately from and not*  
23            *included in agency totals.*

24        *SEC. 524. Federal agencies funded under this Act shall*  
25 *clearly state within the text, audio, or video used for adver-*

1 *tising or educational purposes, including emails or Internet*  
2 *postings, that the communication is printed, published, or*  
3 *produced and disseminated at U.S. taxpayer expense. The*  
4 *funds used by a Federal agency to carry out this require-*  
5 *ment shall be derived from amounts made available to the*  
6 *agency for advertising or other communications regarding*  
7 *the programs and activities of the agency.*

8       *SEC. 525. (a) Federal agencies may use Federal discre-*  
9 *tionary funds that are made available in this Act to carry*  
10 *out up to 10 Performance Partnership Pilots. Such Pilots*  
11 *shall be governed by the provisions of section 526 of division*  
12 *H of Public Law 113–76, except that in carrying out such*  
13 *Pilots section 526 shall be applied by substituting “FISCAL*  
14 *YEAR 2017” for “FISCAL YEAR 2014” in the title of sub-*  
15 *section (b) and by substituting “September 30, 2021” for*  
16 *“September 30, 2018” each place it appears: Provided, That*  
17 *such pilots shall include communities that have experienced*  
18 *civil unrest.*

19       *(b) In addition, Federal agencies may use Federal dis-*  
20 *cretionary funds that are made available in this Act to par-*  
21 *ticipate in Performance Partnership Pilots that are being*  
22 *carried out pursuant to the authority provided by section*  
23 *526 of division H of Public Law 113–76, section 524 of*  
24 *division G of Public Law 113–235, and section 525 of divi-*  
25 *sion H of Public Law 114–113.*

1           (c) *Pilot sites selected under authorities in this Act and*  
2 *prior appropriations Acts may be granted by relevant agen-*  
3 *cies up to an additional 5 years to operate under such au-*  
4 *thorities.*

5           *SEC. 526. Not later than 30 days after the end of each*  
6 *calendar quarter, beginning with the first quarter of fiscal*  
7 *year 2013, the Departments of Labor, Health and Human*  
8 *Services and Education and the Social Security Adminis-*  
9 *tration shall provide the Committees on Appropriations of*  
10 *the House of Representatives and Senate a quarterly report*  
11 *on the status of balances of appropriations: Provided, That*  
12 *for balances that are unobligated and uncommitted, com-*  
13 *mitted, and obligated but unexpended, the quarterly reports*  
14 *shall separately identify the amounts attributable to each*  
15 *source year of appropriation (beginning with fiscal year*  
16 *2012, or, to the extent feasible, earlier fiscal years) from*  
17 *which balances were derived.*

18           *SEC. 527. Section 5 of the Special Olympics Sport and*  
19 *Empowerment Act of 2004 (Public Law 108–406; 118 Stat.*  
20 *2296) is amended—*

21                   (1) *in paragraph (1), by striking all that follows*  
22 *after “3(a),” and inserting “such sums as may be*  
23 *necessary for fiscal year 2017 and each of the 4 suc-*  
24 *ceeding fiscal years;”;*



1 (RESCISSION)

2 *SEC. 531. Of the funds made available for purposes*  
3 *of carrying out section 2105(a)(3) of the Social Security*  
4 *Act, \$5,750,000,000 are hereby rescinded.*

5 (RESCISSION)

6 *SEC. 532. Of any available amounts appropriated*  
7 *under section 301(b)(3) of Public Law 114-10,*  
8 *\$1,132,000,000 are hereby rescinded.*

9 *SEC. 533. As of the date of enactment of this Act, sec-*  
10 *tion 170(b) of the Continuing Appropriations Act, 2017 (di-*  
11 *vision C of Public Law 114-223), as amended by the Fur-*  
12 *ther Continuing and Security Assistance Appropriations*  
13 *Act, 2017 (Public Law 114-254), shall no longer have any*  
14 *force or effect: Provided, That any amounts made available*  
15 *pursuant to that section of that Act as of the date of enact-*  
16 *ment of this Act shall remain available until September 30,*  
17 *2017: Provided further, That if any amounts made avail-*  
18 *able pursuant to that section of that Act remain unobligated*  
19 *as of the date of enactment of this Act, then the balances*  
20 *available from those amounts shall be hereby rescinded im-*  
21 *mediately upon enactment of this Act.*

22 *This division may be cited as the “Departments of*  
23 *Labor, Health and Human Services, and Education, and*  
24 *Related Agencies Appropriations Act, 2017”.*



1       ***DIVISION I—LEGISLATIVE BRANCH***  
2               ***APPROPRIATIONS ACT, 2017***

3                       ***TITLE I***

4                               ***LEGISLATIVE BRANCH***

5                                       ***SENATE***

6   ***EXPENSE ALLOWANCES***

7           *For expense allowances of the Vice President, \$18,760;*  
8 *the President Pro Tempore of the Senate, \$37,520; Majority*  
9 *Leader of the Senate, \$39,920; Minority Leader of the Sen-*  
10 *ate, \$39,920; Majority Whip of the Senate, \$9,980; Minority*  
11 *Whip of the Senate, \$9,980; Chairmen of the Majority and*  
12 *Minority Conference Committees, \$4,690 for each Chair-*  
13 *man; and Chairmen of the Majority and Minority Policy*  
14 *Committees, \$4,690 for each Chairman; in all, \$174,840.*

15       ***REPRESENTATION ALLOWANCES FOR THE MAJORITY AND***

16                               ***MINORITY LEADERS***

17           *For representation allowances of the Majority and Mi-*  
18 *nority Leaders of the Senate, \$14,070 for each such Leader;*  
19 *in all, \$28,140.*

20                               ***SALARIES, OFFICERS AND EMPLOYEES***

21           *For compensation of officers, employees, and others as*  
22 *authorized by law, including agency contributions,*  
23 *\$182,287,812, which shall be paid from this appropriation*  
24 *as follows:*

1                    *OFFICE OF THE VICE PRESIDENT*2                    *For the Office of the Vice President, \$2,417,248.*3                    *OFFICE OF THE PRESIDENT PRO TEMPORE*4                    *For the Office of the President Pro Tempore, \$723,466.*5                    *OFFICES OF THE MAJORITY AND MINORITY LEADERS*6                    *For Offices of the Majority and Minority Leaders,*  
7                    *\$5,255,576.*8                    *OFFICES OF THE MAJORITY AND MINORITY WHIPS*9                    *For Offices of the Majority and Minority Whips,*  
10                   *\$3,359,424.*11                   *COMMITTEE ON APPROPRIATIONS*12                   *For salaries of the Committee on Appropriations,*  
13                   *\$15,142,000.*14                   *CONFERENCE COMMITTEES*15                   *For the Conference of the Majority and the Conference*  
16                   *of the Minority, at rates of compensation to be fixed by the*  
17                   *Chairman of each such committee, \$1,658,000 for each such*  
18                   *committee; in all, \$3,316,000.*19                   *OFFICES OF THE SECRETARIES OF THE CONFERENCE OF*  
20                   *THE MAJORITY AND THE CONFERENCE OF THE MINORITY*21                   *For Offices of the Secretaries of the Conference of the*  
22                   *Majority and the Conference of the Minority, \$817,402.*

1 *POLICY COMMITTEES*

2 *For salaries of the Majority Policy Committee and the*  
3 *Minority Policy Committee, \$1,692,905 for each such com-*  
4 *mittee; in all, \$3,385,810.*

5 *OFFICE OF THE CHAPLAIN*

6 *For Office of the Chaplain, \$436,886.*

7 *OFFICE OF THE SECRETARY*

8 *For Office of the Secretary, \$24,772,000.*

9 *OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER*

10 *For Office of the Sergeant at Arms and Doorkeeper,*  
11 *\$70,900,000.*

12 *OFFICES OF THE SECRETARIES FOR THE MAJORITY AND*13 *MINORITY*

14 *For Offices of the Secretary for the Majority and the*  
15 *Secretary for the Minority, \$1,810,000.*

16 *AGENCY CONTRIBUTIONS AND RELATED EXPENSES*

17 *For agency contributions for employee benefits, as au-*  
18 *thorized by law, and related expenses, \$49,952,000.*

19 *OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE*

20 *For salaries and expenses of the Office of the Legisla-*  
21 *tive Counsel of the Senate, \$5,808,500.*

22 *OFFICE OF SENATE LEGAL COUNSEL*

23 *For salaries and expenses of the Office of Senate Legal*  
24 *Counsel, \$1,120,000.*

1 *EXPENSE ALLOWANCES OF THE SECRETARY OF THE SEN-*  
2 *ATE, SERGEANT AT ARMS AND DOORKEEPER OF THE*  
3 *SENATE, AND SECRETARIES FOR THE MAJORITY AND*  
4 *MINORITY OF THE SENATE*

5 *For expense allowances of the Secretary of the Senate,*  
6 *\$7,110; Sergeant at Arms and Doorkeeper of the Senate,*  
7 *\$7,110; Secretary for the Majority of the Senate, \$7,110;*  
8 *Secretary for the Minority of the Senate, \$7,110; in all,*  
9 *\$28,440.*

10 *CONTINGENT EXPENSES OF THE SENATE*

11 *INQUIRIES AND INVESTIGATIONS*

12 *For expenses of inquiries and investigations ordered*  
13 *by the Senate, or conducted under paragraph 1 of rule*  
14 *XXVI of the Standing Rules of the Senate, section 112 of*  
15 *the Supplemental Appropriations and Rescission Act, 1980*  
16 *(Public Law 96-304), and Senate Resolution 281, 96th*  
17 *Congress, agreed to March 11, 1980, \$133,265,000, of which*  
18 *\$26,650,000 shall remain available until September 30,*  
19 *2019.*

20 *U.S. SENATE CAUCUS ON INTERNATIONAL NARCOTICS*

21 *CONTROL*

22 *For expenses of the United States Senate Caucus on*  
23 *International Narcotics Control, \$508,000.*



1                                    *ADMINISTRATIVE PROVISIONS*  
2    *REQUIRING AMOUNTS REMAINING IN SENATORS' OFFICIAL*  
3                    *PERSONNEL AND OFFICE EXPENSE ACCOUNT TO BE*  
4                    *USED FOR DEFICIT REDUCTION OR TO REDUCE THE*  
5                    *FEDERAL DEBT*

6            *SEC. 1. Notwithstanding any other provision of law,*  
7    *any amounts appropriated under this Act under the head-*  
8    *ing "SENATE" under the heading "CONTINGENT EX-*  
9    *PENSES OF THE SENATE" under the heading "SENATORS'*  
10 *OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT"*  
11 *shall be available for obligation only during the fiscal year*  
12 *or fiscal years for which such amounts are made available.*  
13 *Any unexpended balances under such allowances remaining*  
14 *after the end of the period of availability shall be returned*  
15 *to the Treasury in accordance with the undesignated para-*  
16 *graph under the center heading "GENERAL PROVISION"*  
17 *under chapter XI of the Third Supplemental Appropriation*  
18 *Act, 1957 (2 U.S.C. 4107) and used for deficit reduction*  
19 *(or, if there is no Federal budget deficit after all such pay-*  
20 *ments have been made, for reducing the Federal debt, in*  
21 *such manner as the Secretary of the Treasury considers ap-*  
22 *propriate).*

23                                    *AUTHORITY FOR TRANSFER OF FUNDS*

24            *SEC. 2. Section 3(c)(3) of the Legislative Branch Ap-*  
25 *propriations Act, 2004 (2 USC 2108(c)(3)) is amended—*

1           (1) *in the paragraph heading, by striking “**and***  
2 ***disbursements”** and inserting “**disburse-***  
3 ***ments, and transfers”**; and*

4           (2) *by adding at the end the following:*

5                   “(D) *TRANSFERS.—*

6                           “(i) *IN GENERAL.—The Commission*  
7 *may, for individual conservation or restora-*  
8 *tion projects estimated to cost greater than*  
9 *\$100,000, transfer amounts in the fund to*  
10 *the Architect of the Capitol for the cost of*  
11 *conservation or restoration, in whole or in*  
12 *part, by the Architect of the Capitol of*  
13 *works of art, historical objects, documents,*  
14 *or material relating to historical matters*  
15 *placed or exhibited, or to be placed or exhib-*  
16 *ited, within the Senate wing of the United*  
17 *States Capitol or any Senate Office Build-*  
18 *ing.*

19                           “(ii) *AVAILABILITY.—Amounts trans-*  
20 *ferred to the Architect of the Capitol under*  
21 *clause (i) and not subject to return under*  
22 *clause (v) shall remain available until ex-*  
23 *pended.*

24                           “(iii) *APPROVAL AND OVERSIGHT OF*  
25 *CONSERVATION OR RESTORATION.—Before*

1           *authorizing transfers under clause (i), in*  
2           *whole or in part, the Commission, or the*  
3           *chairman and vice chairman acting jointly*  
4           *on behalf of the Commission and after giv-*  
5           *ing notice to the Commission, shall review*  
6           *and approve a conservation or restoration*  
7           *project for which such amounts are intended*  
8           *(referred to in this section as the ‘Project’).*  
9           *The Commission may require updated re-*  
10          *ports on the Project before any additional*  
11          *amounts are transferred for the Project. No*  
12          *disbursements may be made from funds*  
13          *transferred under clause (i) that are incon-*  
14          *sistent with the Project approved by the*  
15          *Commission upon which the relevant trans-*  
16          *fer is based.*

17                 “(iv) *ACCEPTANCE OF DONATIONS.—*  
18                 *The Commission retains the discretion*  
19                 *whether or not to approve the acceptance of*  
20                 *any donation to the fund regardless of*  
21                 *whether the donation is intended for a con-*  
22                 *servation or restoration Project under clause*  
23                 *(i).*

24                 “(v) *ISSUANCE OF GUIDELINES.—The*  
25                 *Commission may prescribe such guidelines*



1           *as it deems necessary for the approval and*  
2           *transfer of any amounts under clause (i)*  
3           *and the return of any undisbursed amounts.*

4           “(vi) *RETURN OF UNUSED FUNDS.—*

5           *The Commission may require the return of*  
6           *amounts transferred to the Architect of the*  
7           *Capitol under clause (i) and not disbursed*  
8           *pursuant to an approved Project within five*  
9           *years of the transfer. Such amounts will be*  
10          *returned to the fund for use or disposition*  
11          *as the Commission shall determine appro-*  
12          *priate. For purposes of this subsection, the*  
13          *Commission may, at any time, specify a*  
14          *date of return greater than five years from*  
15          *the transfer.*

16          “(vii) *DISBURSEMENT AND AUDIT RE-*

17          *SPONSIBILITY.—Once amounts are trans-*  
18          *ferred pursuant to clause (i), disbursements*  
19          *from transferred funds shall be made by the*  
20          *Architect of the Capitol upon review of*  
21          *vouchers by the Architect of the Capitol and*  
22          *not subject to the audit provisions of clause*  
23          *(c)(6) of this section. Such disbursements*  
24          *shall be limited to purposes for which funds*  
25          *may be disbursed pursuant to this section.*

1                   “(viii) *TERMINATION.*—*The authority*  
2                   *to transfer amounts to the Architect of the*  
3                   *Capitol under clause (i) shall expire ten*  
4                   *years after the date of its initial enactment.*  
5                   *Any amounts transferred prior to the termi-*  
6                   *nation of authority to transfer may con-*  
7                   *tinue to be expended in accordance with*  
8                   *this section.*”.

9                   *HOUSE OF REPRESENTATIVES*

10                   *SALARIES AND EXPENSES*

11                   *For salaries and expenses of the House of Representa-*  
12                   *tives, \$1,189,050,766, as follows:*

13                   *HOUSE LEADERSHIP OFFICES*

14                   *For salaries and expenses, as authorized by law,*  
15                   *\$22,278,891, including: Office of the Speaker, \$6,645,417,*  
16                   *including \$25,000 for official expenses of the Speaker; Office*  
17                   *of the Majority Floor Leader, \$2,180,048, including \$10,000*  
18                   *for official expenses of the Majority Leader; Office of the*  
19                   *Minority Floor Leader, \$7,114,471, including \$10,000 for*  
20                   *official expenses of the Minority Leader; Office of the Major-*  
21                   *ity Whip, including the Chief Deputy Majority Whip,*  
22                   *\$1,886,632, including \$5,000 for official expenses of the Ma-*  
23                   *jority Whip; Office of the Minority Whip, including the*  
24                   *Chief Deputy Minority Whip, \$1,459,639, including \$5,000*  
25                   *for official expenses of the Minority Whip; Republican Con-*

1 *ference, \$1,505,426; Democratic Caucus, \$1,487,258: Pro-*  
2 *vided, That such amount for salaries and expenses shall re-*  
3 *main available from January 3, 2017 until January 2,*  
4 *2018.*

5 *MEMBERS' REPRESENTATIONAL ALLOWANCES*  
6 *INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES*  
7 *OF MEMBERS, AND OFFICIAL MAIL*

8 *For Members' representational allowances, including*  
9 *Members' clerk hire, official expenses, and official mail,*  
10 *\$562,632,498.*

11 *COMMITTEE EMPLOYEES*

12 *STANDING COMMITTEES, SPECIAL AND SELECT*  
13 *For salaries and expenses of standing committees, spe-*  
14 *cial and select, authorized by House resolutions,*  
15 *\$127,053,373: Provided, That such amount shall remain*  
16 *available for such salaries and expenses until December 31,*  
17 *2018, except that \$3,150,200 of such amount shall remain*  
18 *available until expended for committee room upgrading.*

19 *COMMITTEE ON APPROPRIATIONS*

20 *For salaries and expenses of the Committee on Appro-*  
21 *priations, \$23,271,004, including studies and examinations*  
22 *of executive agencies and temporary personal services for*  
23 *such committee, to be expended in accordance with section*  
24 *202(b) of the Legislative Reorganization Act of 1946 and*  
25 *to be available for reimbursement to agencies for services*

1 *performed: Provided, That such amount shall remain avail-*  
2 *able for such salaries and expenses until December 31, 2018.*

3 *SALARIES, OFFICERS AND EMPLOYEES*

4 *For compensation and expenses of officers and employ-*  
5 *ees, as authorized by law, \$181,487,000, including: for sala-*  
6 *ries and expenses of the Office of the Clerk, including the*  
7 *positions of the Chaplain and the Historian, and including*  
8 *not more than \$25,000 for official representation and recep-*  
9 *tion expenses, of which not more than \$20,000 is for the*  
10 *Family Room and not more than \$2,000 is for the Office*  
11 *of the Chaplain, \$26,268,000; for salaries and expenses of*  
12 *the Office of the Sergeant at Arms, including the position*  
13 *of Superintendent of Garages and the Office of Emergency*  
14 *Management, and including not more than \$3,000 for offi-*  
15 *cial representation and reception expenses, \$15,505,000, of*  
16 *which \$5,618,902 shall remain available until expended; for*  
17 *salaries and expenses of the Office of the Chief Administra-*  
18 *tive Officer including not more than \$3,000 for official rep-*  
19 *resentation and reception expenses, \$117,165,000, of which*  
20 *\$2,120,000 shall remain available until expended; for sala-*  
21 *ries and expenses of the Office of the Inspector General,*  
22 *\$4,963,000; for salaries and expenses of the Office of the*  
23 *General Counsel, \$1,444,000; for salaries and expenses of*  
24 *the Office of the Parliamentarian, including the Parliamen-*  
25 *tarian, \$2,000 for preparing the Digest of Rules, and not*

1 *more than \$1,000 for official representation and reception*  
2 *expenses, \$1,999,000; for salaries and expenses of the Office*  
3 *of the Law Revision Counsel of the House, \$3,167,000; for*  
4 *salaries and expenses of the Office of the Legislative Counsel*  
5 *of the House, \$8,979,000; for salaries and expenses of the*  
6 *Office of Interparliamentary Affairs, \$814,000; and for*  
7 *other authorized employees, \$1,183,000.*

8 *ALLOWANCES AND EXPENSES*

9 *For allowances and expenses as authorized by House*  
10 *resolution or law, \$272,328,000, including: supplies, mate-*  
11 *rials, administrative costs and Federal tort claims,*  
12 *\$3,625,000; official mail for committees, leadership offices,*  
13 *and administrative offices of the House, \$190,000; Govern-*  
14 *ment contributions for health, retirement, Social Security,*  
15 *and other applicable employee benefits, \$245,334,000, to re-*  
16 *main available until March 31, 2018; Business Continuity*  
17 *and Disaster Recovery, \$16,217,000, of which \$5,000,000*  
18 *shall remain available until expended; transition activities*  
19 *for new Members and staff \$2,084,000, to remain available*  
20 *until expended; Wounded Warrior Program \$2,500,000, to*  
21 *remain available until expended; Office of Congressional*  
22 *Ethics, \$1,658,000; and miscellaneous items including pur-*  
23 *chase, exchange, maintenance, repair and operation of*  
24 *House motor vehicles, interparliamentary receptions, and*

1 *gratuities to heirs of deceased employees of the House,*  
2 *\$720,000.*

3 *ADMINISTRATIVE PROVISIONS*

4 *REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT*

5 *SEC. 101. (a) Notwithstanding any other provision of*  
6 *law, any amounts appropriated under this Act for*  
7 *“HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS’ REPRESENTATIONAL ALLOWANCES”*  
8 *shall be available only for fiscal year 2017. Any amount*  
9 *remaining after all payments are made under such allow-*  
10 *ances for fiscal year 2017 shall be deposited in the Treasury*  
11 *and used for deficit reduction (or, if there is no Federal*  
12 *budget deficit after all such payments have been made, for*  
13 *reducing the Federal debt, in such manner as the Secretary*  
14 *of the Treasury considers appropriate).*

15 *(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.*

16 *(c) DEFINITION.—As used in this section, the term*  
17 *“Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to,*  
18 *the Congress.*

1 *DELIVERY OF BILLS AND RESOLUTIONS*

2 *SEC. 102. None of the funds made available in this*  
3 *Act may be used to deliver a printed copy of a bill, joint*  
4 *resolution, or resolution to the office of a Member of the*  
5 *House of Representatives (including a Delegate or Resident*  
6 *Commissioner to the Congress) unless the Member requests*  
7 *a copy.*

8 *DELIVERY OF CONGRESSIONAL RECORD*

9 *SEC. 103. None of the funds made available by this*  
10 *Act may be used to deliver a printed copy of any version*  
11 *of the Congressional Record to the office of a Member of*  
12 *the House of Representatives (including a Delegate or Resi-*  
13 *dent Commissioner to the Congress).*

14 *LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES*

15 *SEC. 104. None of the funds made available in this*  
16 *Act may be used by the Chief Administrative Officer of the*  
17 *House of Representatives to make any payments from any*  
18 *Members' Representational Allowance for the leasing of a*  
19 *vehicle, excluding mobile district offices, in an aggregate*  
20 *amount that exceeds \$1,000 for the vehicle in any month.*

21 *LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE*

22 *SEC. 105. None of the funds made available by this*  
23 *Act may be used to provide an aggregate number of more*  
24 *than 50 printed copies of any edition of the United States*  
25 *Code to all offices of the House of Representatives.*

1            *DELIVERY OF REPORTS OF DISBURSEMENTS*

2            *SEC. 106. None of the funds made available by this*  
3 *Act may be used to deliver a printed copy of the report*  
4 *of disbursements for the operations of the House of Rep-*  
5 *resentatives under section 106 of the House of Representa-*  
6 *tives Administrative Reform Technical Corrections Act (2*  
7 *U.S.C. 5535) to the office of a Member of the House of Rep-*  
8 *resentatives (including a Delegate or Resident Commis-*  
9 *sioner to the Congress).*

10            *DELIVERY OF DAILY CALENDAR*

11            *SEC. 107. None of the funds made available by this*  
12 *Act may be used to deliver to the office of a Member of the*  
13 *House of Representatives (including a Delegate or Resident*  
14 *Commissioner to the Congress) a printed copy of the Daily*  
15 *Calendar of the House of Representatives which is prepared*  
16 *by the Clerk of the House of Representatives.*

17            *DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY*

18            *SEC. 108. None of the funds made available by this*  
19 *Act may be used to deliver a printed copy of the Congres-*  
20 *sional Pictorial Directory to the office of a Member of the*  
21 *House of Representatives (including a Delegate or Resident*  
22 *Commissioner to the Congress).*

23            *DELIVERY OF HOUSE TELEPHONE DIRECTORY*

24            *SEC. 109. None of the funds made available by this*  
25 *Act may be used to deliver a printed copy of the United*



1 *States House of Representatives Telephone Directory to the*  
2 *office of any Member of the House of Representatives (in-*  
3 *cluding a Delegate or Resident Commissioner to the Con-*  
4 *gress).*

5 *OVERSEAS TRAVEL TO ACCOMPANY MEMBERS OF HOUSE*  
6 *LEADERSHIP*

7 *SEC. 110. (a) TRAVEL AUTHORIZED.—*

8 *(1) IN GENERAL.—A member of the Capitol Po-*  
9 *lice may travel outside of the United States for offi-*  
10 *cial duty if—*

11 *(A) that travel is with, or in preparation*  
12 *for, travel of a Member of the House of Rep-*  
13 *resentatives who holds a position in a House*  
14 *Leadership Office, including travel of the Mem-*  
15 *ber as part of a congressional delegation; and*

16 *(B) the Sergeant at Arms of the House of*  
17 *Representatives gives prior approval to the travel*  
18 *of the member of the Capitol Police.*

19 *(2) DEFINITIONS.—In this subsection—*

20 *(A) the term “House Leadership office”*  
21 *means an office of the House of Representatives*  
22 *for which the appropriation for salaries and ex-*  
23 *penses of the office for the year involved is pro-*  
24 *vided under the heading “House Leadership Of-*

1           *fices*” in the act making appropriations for the  
2           *Legislative Branch for the fiscal year involved;*

3                   *(B) the term “Member of the House of Rep-*  
4                   *resentatives” includes a Delegate or Resident*  
5                   *Commissioner to the Congress; and*

6                   *(C) the term “United States” means each of*  
7                   *the several States of the United States, the Dis-*  
8                   *trict of Columbia, and the territories and posses-*  
9                   *sions of the United States.*

10       ***(b) REIMBURSEMENT FROM SERGEANT AT ARMS.—***

11                   ***(1) IN GENERAL.—****From amounts made avail-*  
12                   *able for salaries and expenses of the Office of the Ser-*  
13                   *geant at Arms of the House of Representatives, the*  
14                   *Sergeant at Arms of the House of Representatives*  
15                   *shall reimburse the Capitol Police for the overtime*  
16                   *pay, travel, and related expenses of any member of*  
17                   *the Capitol Police who travels under the authority of*  
18                   *this section.*

19                   ***(2) USE OF AMOUNTS RECEIVED.—****Any amounts*  
20                   *received by the Capitol Police for reimbursements*  
21                   *under paragraph (1) shall be credited to the accounts*  
22                   *established for the general expenses or salaries of the*  
23                   *Capitol Police, and shall be available to carry out the*  
24                   *purposes of such accounts during the fiscal year in*

1       *which the amounts are received and the following fis-*  
2       *cal year.*

3       (c) *EFFECTIVE DATE.*—*This section shall apply with*  
4       *respect to fiscal year 2017 and each succeeding fiscal year.*

5                                   *DELIVERY OF PRINTED BUDGET*

6       *SEC. 111. None of the funds made available by this*  
7       *Act may be used to deliver a printed copy of the Budget*  
8       *of the United States Government; Analytical Perspectives,*  
9       *Budget of the United States Government; or the Appendix,*  
10       *Budget of the United States Government, to the office of*  
11       *any Member of the House of Representatives (including a*  
12       *Delegate or Resident Commissioner to the Congress).*

13                                   *DELIVERY OF PRINTED FEDERAL REGISTER*

14       *SEC. 112. None of the funds made available by this*  
15       *Act may be used to deliver a printed copy of the Federal*  
16       *Register to a Member of the House of Representatives (in-*  
17       *cluding a Delegate or Resident Commissioner to the Con-*  
18       *gress) unless the Member requests a copy.*

19                                   *CYBERSECURITY ASSISTANCE FOR HOUSE OF*  
20                                   *REPRESENTATIVES*

21       *SEC. 113. The head of any Federal entity that provides*  
22       *assistance to the House of Representatives in the House's*  
23       *efforts to deter, prevent, mitigate, or remediate cybersecu-*  
24       *rity risks to, and incidents involving, the information sys-*  
25       *tems of the House shall take all necessary steps to ensure*

1 *the constitutional integrity of the separate branches of the*  
2 *government at all stages of providing the assistance, includ-*  
3 *ing applying minimization procedures to limit the spread*  
4 *or sharing of privileged House and Member information.*

5 *JOINT ITEMS*

6 *For Joint Committees, as follows:*

7 *JOINT ECONOMIC COMMITTEE*

8 *For salaries and expenses of the Joint Economic Com-*  
9 *mittee, \$4,203,000, to be disbursed by the Secretary of the*  
10 *Senate.*

11 *JOINT COMMITTEE ON TAXATION*

12 *For salaries and expenses of the Joint Committee on*  
13 *Taxation, \$10,095,000, to be disbursed by the Chief Admin-*  
14 *istrative Officer of the House of Representatives.*

15 *For other joint items, as follows:*

16 *OFFICE OF THE ATTENDING PHYSICIAN*

17 *For medical supplies, equipment, and contingent ex-*  
18 *penses of the emergency rooms, and for the Attending Physi-*  
19 *cian and his assistants, including:*

20 *(1) an allowance of \$2,175 per month to the At-*  
21 *tending Physician;*

22 *(2) an allowance of \$1,300 per month to the Sen-*  
23 *ior Medical Officer;*

1           (3) *an allowance of \$725 per month each to three*  
2           *medical officers while on duty in the Office of the At-*  
3           *tending Physician;*

4           (4) *an allowance of \$725 per month to 2 assist-*  
5           *ants and \$580 per month each not to exceed 11 assist-*  
6           *ants on the basis heretofore provided for such assist-*  
7           *ants; and*

8           (5) *\$2,780,000 for reimbursement to the Depart-*  
9           *ment of the Navy for expenses incurred for staff and*  
10          *equipment assigned to the Office of the Attending*  
11          *Physician, which shall be advanced and credited to*  
12          *the applicable appropriation or appropriations from*  
13          *which such salaries, allowances, and other expenses*  
14          *are payable and shall be available for all the purposes*  
15          *thereof, \$3,838,000, to be disbursed by the Chief Ad-*  
16          *ministrative Officer of the House of Representatives.*

17          OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

18                                  SALARIES AND EXPENSES

19          *For salaries and expenses of the Office of Congressional*  
20          *Accessibility Services, \$1,429,000, to be disbursed by the*  
21          *Secretary of the Senate.*

22                                  CAPITOL POLICE

23    SALARIES

24          *For salaries of employees of the Capitol Police, includ-*  
25          *ing overtime, hazardous duty pay, and Government con-*

1 *tributions for health, retirement, social security, profes-*  
2 *sional liability insurance, and other applicable employee*  
3 *benefits, \$325,300,000 of which overtime shall not exceed*  
4 *\$36,805,000 unless the Committee on Appropriations of the*  
5 *House and Senate are notified, to be disbursed by the Chief*  
6 *of the Capitol Police or his designee.*

7 *GENERAL EXPENSES*

8 *For necessary expenses of the Capitol Police, including*  
9 *motor vehicles, communications and other equipment, secu-*  
10 *rity equipment and installation, uniforms, weapons, sup-*  
11 *plies, materials, training, medical services, forensic services,*  
12 *stenographic services, personal and professional services, the*  
13 *employee assistance program, the awards program, postage,*  
14 *communication services, travel advances, relocation of in-*  
15 *structor and liaison personnel for the Federal Law Enforce-*  
16 *ment Training Center, and not more than \$5,000 to be ex-*  
17 *pende on the certification of the Chief of the Capitol Police*  
18 *in connection with official representation and reception ex-*  
19 *penses, \$68,000,000, to be disbursed by the Chief of the Cap-*  
20 *itol Police or his designee: Provided, That, notwithstanding*  
21 *any other provision of law, the cost of basic training for*  
22 *the Capitol Police at the Federal Law Enforcement Train-*  
23 *ing Center for fiscal year 2017 shall be paid by the Sec-*  
24 *retary of Homeland Security from funds available to the*  
25 *Department of Homeland Security.*

*ADMINISTRATIVE PROVISION**1 AUTHORITY TO DISPOSE OF FORFEITED AND ABANDONED  
2 PROPERTY AND TO ACCEPT SURPLUS OR OBSOLETE  
3 PROPERTY OFFERED BY OTHER FEDERAL AGENCIES*

*4 SEC. 1001. (a) Section 1003(a) of the Legislative  
5 Branch Appropriations Act, 2003 (2 U.S.C. 1906(a)) is  
6 amended by striking “surplus or obsolete property of the  
7 Capitol Police” and inserting the following: “surplus or ob-  
8 solete property of the Capitol Police, and property which  
9 is in the possession of the Capitol Police because it has been  
10 disposed, forfeited, voluntarily abandoned, or unclaimed,”.*

*11 (b) Upon notifying the Committees of Appropriations  
12 of the House of Representatives and Senate, the United  
13 States Capitol Police may accept surplus or obsolete prop-  
14 erty offered by another Federal department, agency, or of-  
15 fice.  
16*

*17 (c) This section and the amendment made by this sec-  
18 tion shall apply with respect to fiscal year 2017 and each  
19 succeeding fiscal year.*

*20 OFFICE OF COMPLIANCE**21 SALARIES AND EXPENSES*

*22 For salaries and expenses of the Office of Compliance,  
23 as authorized by section 305 of the Congressional Account-  
24 ability Act of 1995 (2 U.S.C. 1385), \$3,959,000, of which  
25 \$450,000 shall remain available until September 30, 2018:*

1 *Provided, That not more than \$500 may be expended on*  
2 *the certification of the Executive Director of the Office of*  
3 *Compliance in connection with official representation and*  
4 *reception expenses.*

5 **CONGRESSIONAL BUDGET OFFICE**

6 **SALARIES AND EXPENSES**

7 *For salaries and expenses necessary for operation of*  
8 *the Congressional Budget Office, including not more than*  
9 *\$6,000 to be expended on the certification of the Director*  
10 *of the Congressional Budget Office in connection with offi-*  
11 *cial representation and reception expenses, \$46,500,000.*

12 **ADMINISTRATIVE PROVISION**

13 **ESTABLISHMENT OF SENIOR LEVEL POSITIONS**

14 *SEC. 1101. (a) Notwithstanding the fourth sentence of*  
15 *section 201(b) of the Congressional Budget and Impound-*  
16 *ment Control Act of 1974 (2 U.S.C. 601(b)), the Director*  
17 *of the Congressional Budget Office may establish and fix*  
18 *the compensation of senior level positions in the Congres-*  
19 *sional Budget Office to meet critical scientific, technical,*  
20 *professional, or executive needs of the Office.*

21 *(b) LIMITATION ON COMPENSATION.—The annual rate*  
22 *of pay for any position established under this section may*  
23 *not exceed the annual rate of pay for level II of the Execu-*  
24 *tive Schedule.*



1           (c) *EFFECTIVE DATE.*—*This section shall apply with*  
2 *respect to fiscal year 2017 and each succeeding fiscal year.*

3                                   *ARCHITECT OF THE CAPITOL*

4                                   *CAPITAL CONSTRUCTION AND OPERATIONS*

5           *For salaries for the Architect of the Capitol, and other*  
6 *personal services, at rates of pay provided by law; for all*  
7 *necessary expenses for surveys and studies, construction, op-*  
8 *eration, and general and administrative support in connec-*  
9 *tion with facilities and activities under the care of the Ar-*  
10 *chitect of the Capitol including the Botanic Garden; elec-*  
11 *trical substations of the Capitol, Senate and House office*  
12 *buildings, and other facilities under the jurisdiction of the*  
13 *Architect of the Capitol; including furnishings and office*  
14 *equipment; including not more than \$5,000 for official re-*  
15 *ception and representation expenses, to be expended as the*  
16 *Architect of the Capitol may approve; for purchase or ex-*  
17 *change, maintenance, and operation of a passenger motor*  
18 *vehicle, \$92,957,000, of which \$1,368,000 shall remain*  
19 *available until September 30, 2021.*

20                                   *CAPITOL BUILDING*

21           *For all necessary expenses for the maintenance, care*  
22 *and operation of the Capitol, \$32,584,000, of which*  
23 *\$8,584,000 shall remain available until September 30,*  
24 *2021.*





1 *buildings and grounds, \$47,080,000, of which \$22,137,000*  
2 *shall remain available until September 30, 2021.*

3 *CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY*

4 *For all necessary expenses for the maintenance, care*  
5 *and operation of buildings, grounds and security enhance-*  
6 *ments of the United States Capitol Police, wherever located,*  
7 *the Alternate Computing Facility, and Architect of the Cap-*  
8 *itol security operations, \$20,033,000, of which \$2,500,000*  
9 *shall remain available until September 30, 2021.*

10 *BOTANIC GARDEN*

11 *For all necessary expenses for the maintenance, care*  
12 *and operation of the Botanic Garden and the nurseries,*  
13 *buildings, grounds, and collections; and purchase and ex-*  
14 *change, maintenance, repair, and operation of a passenger*  
15 *motor vehicle; all under the direction of the Joint Com-*  
16 *mittee on the Library, \$14,067,000, of which \$4,054,000*  
17 *shall remain available until September 30, 2021: Provided,*  
18 *That, of the amount made available under this heading, the*  
19 *Architect of the Capitol may obligate and expend such sums*  
20 *as may be necessary for the maintenance, care and oper-*  
21 *ation of the National Garden established under section*  
22 *307E of the Legislative Branch Appropriations Act, 1989*  
23 *(2 U.S.C. 2146), upon vouchers approved by the Architect*  
24 *of the Capitol or a duly authorized designee.*

1                                    *CAPITOL VISITOR CENTER*

2            *For all necessary expenses for the operation of the Cap-*  
3 *itol Visitor Center, \$20,557,000.*

4                                    *ADMINISTRATIVE PROVISIONS*

5            *NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR*  
6                                    *OVER BUDGET*

7            *SEC. 1201. None of the funds made available in this*  
8 *Act for the Architect of the Capitol may be used to make*  
9 *incentive or award payments to contractors for work on*  
10 *contracts or programs for which the contractor is behind*  
11 *schedule or over budget, unless the Architect of the Capitol,*  
12 *or agency-employed designee, determines that any such de-*  
13 *viations are due to unforeseeable events, government-driven*  
14 *scope changes, or are not significant within the overall*  
15 *scope of the project and/or program.*

16                                    *SCRIMS*

17            *SEC. 1202. None of the funds made available by this*  
18 *Act may be used for scrims containing photographs of*  
19 *building facades during restoration or construction projects*  
20 *performed by the Architect of the Capitol.*

21                                    *FLAG OFFICE REVOLVING FUND*

22            *SEC. 1203. (a) ESTABLISHMENT.—There is established*  
23 *in the Treasury of the United States a revolving fund to*  
24 *be known as the “Flag Office Revolving Fund” (in this sec-*  
25 *tion referred to as the “Fund”) for services provided by the*

1 *Flag Office of the Architect of the Capitol (in this section*  
2 *referred to as the “Flag Office”).*

3 (b) *DEPOSIT OF FEES.*—*The Architect of the Capitol*  
4 *shall deposit any fees charged for services described in sub-*  
5 *section (a) into the Fund.*

6 (c) *CONTENTS OF FUND.*—*The Fund shall consist of*  
7 *the following amounts:*

8 (1) *Amounts deposited by the Architect of the*  
9 *Capitol under subsection (b).*

10 (2) *Any other amounts received by the Architect*  
11 *of the Capitol which are attributable to services pro-*  
12 *vided by the Flag Office.*

13 (3) *Such other amounts as may be appropriated*  
14 *under law.*

15 (d) *USE OF AMOUNTS IN FUND.*—*Amounts in the*  
16 *Fund shall be available for disbursement by the Architect*  
17 *of the Capitol, without fiscal year limitation, for expenses*  
18 *in connection with the services provided by the Flag Office,*  
19 *including—*

20 (1) *supplies, inventories, equipment, and other*  
21 *expenses;*

22 (2) *the reimbursement of any applicable appro-*  
23 *priations account for amounts used from such appro-*  
24 *priations account to pay the salaries of employees of*  
25 *the Flag Office; and*

1           (3) amounts necessary to carry out the author-  
2           ized levels in the Fallen Heroes Flag Act of 2016.

3           *USE OF EXPIRED FUNDS FOR UNEMPLOYMENT*

4                           *COMPENSATION PAYMENTS*

5           *SEC. 1204. (a) Available balances of expired Architect*  
6 *of the Capitol appropriations shall be available to the Ar-*  
7 *chitect of the Capitol for reimbursing the Federal Employ-*  
8 *ees Compensation Account (as established by section 909 of*  
9 *the Social Security Act) for any amounts paid with respect*  
10 *to unemployment compensation payments for former em-*  
11 *ployees of the Architect of the Capitol, notwithstanding any*  
12 *other provision of law, without regard to the fiscal year for*  
13 *which the obligation to make such payments is incurred.*

14           *(b) This section shall apply with respect to fiscal year*  
15 *2017 and each succeeding fiscal year.*

16                           *ARCHITECT OF THE CAPITOL CONTRACTING*

17           *SEC. 1205. In addition to recourses available under*  
18 *current policies and procedures, the Architect of the Capitol*  
19 *shall establish, document, and follow policies and proce-*  
20 *dures for suspension and debarment of firms or individuals*  
21 *the Architect has determined should be excluded from future*  
22 *contracts. The Architect shall provide for notice to other*  
23 *government agencies of suspension or debarment actions*  
24 *taken via the government-wide excluded parties system ad-*  
25 *ministered by the General Services Administration. The Ar-*

1 *chitect shall consult the list of excluded parties when mak-*  
2 *ing responsibility determinations prior to the award of any*  
3 *contract.*

4 *AUTHORITY FOR A HOUSE OFFICE BUILDINGS SHUTTLE*

5 *SEC. 1206. (a) The proviso in the item relating to*  
6 *“Capitol Grounds” in title VI of the Legislative Branch Ap-*  
7 *propriations Act, 1977 (90 Stat. 1453; 2 U.S.C. 2163) is*  
8 *amended by striking “appropriated under this heading”*  
9 *and inserting “appropriated for any available account of*  
10 *the Architect of the Capitol”.*

11 *(b) The amendment made by subsection (a) shall apply*  
12 *with respect to fiscal year 2017 and each succeeding fiscal*  
13 *year.*

14 *LIBRARY OF CONGRESS*

15 *SALARIES AND EXPENSES*

16 *For all necessary expenses of the Library of Congress*  
17 *not otherwise provided for, including development and*  
18 *maintenance of the Library’s catalogs; custody and custo-*  
19 *dial care of the Library buildings; special clothing; clean-*  
20 *ing, laundering and repair of uniforms; preservation of mo-*  
21 *tion pictures in the custody of the Library; operation and*  
22 *maintenance of the American Folklife Center in the Li-*  
23 *brary; preparation and distribution of catalog records and*  
24 *other publications of the Library; hire or purchase of one*  
25 *passenger motor vehicle; and expenses of the Library of Con-*



1 *gress Trust Fund Board not properly chargeable to the in-*  
2 *come of any trust fund held by the Board, \$457,017,000,*  
3 *of which not more than \$6,000,000 shall be derived from*  
4 *collections credited to this appropriation during fiscal year*  
5 *2017, and shall remain available until expended, under the*  
6 *Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C.*  
7 *150) and not more than \$350,000 shall be derived from col-*  
8 *lections during fiscal year 2017 and shall remain available*  
9 *until expended for the development and maintenance of an*  
10 *international legal information database and activities re-*  
11 *lated thereto: Provided, That the Library of Congress may*  
12 *not obligate or expend any funds derived from collections*  
13 *under the Act of June 28, 1902, in excess of the amount*  
14 *authorized for obligation or expenditure in appropriations*  
15 *Acts: Provided further, That the total amount available for*  
16 *obligation shall be reduced by the amount by which collec-*  
17 *tions are less than \$6,350,000: Provided further, That of*  
18 *the total amount appropriated, not more than \$12,000 may*  
19 *be expended, on the certification of the Librarian of Con-*  
20 *gress, in connection with official representation and recep-*  
21 *tion expenses for the Overseas Field Offices: Provided fur-*  
22 *ther, That of the total amount appropriated, \$8,444,000*  
23 *shall remain available until expended for the digital collec-*  
24 *tions and educational curricula program: Provided further,*  
25 *That of the total amount appropriated, \$1,300,000 shall re-*

1 *main available until expended for upgrade of the Legisla-*  
2 *tive Branch Financial Management System: Provided fur-*  
3 *ther, That of the total amount appropriated, \$4,039,000*  
4 *shall remain available until September 30, 2019 to complete*  
5 *the first of three phases of the shelving replacement in the*  
6 *Law Library's collection storage areas.*

7 *COPYRIGHT OFFICE*

8 *SALARIES AND EXPENSES*

9 *For all necessary expenses of the Copyright Office,*  
10 *\$68,825,000, of which not more than \$33,619,000, to re-*  
11 *main available until expended, shall be derived from collec-*  
12 *tions credited to this appropriation during fiscal year 2017*  
13 *under section 708(d) of title 17, United States Code: Pro-*  
14 *vided, That the Copyright Office may not obligate or expend*  
15 *any funds derived from collections under such section, in*  
16 *excess of the amount authorized for obligation or expendi-*  
17 *ture in appropriations Acts: Provided further, That not*  
18 *more than \$5,929,000 shall be derived from collections dur-*  
19 *ing fiscal year 2017 under sections 111(d)(2), 119(b)(3),*  
20 *803(e), 1005, and 1316 of such title: Provided further, That*  
21 *the total amount available for obligation shall be reduced*  
22 *by the amount by which collections are less than*  
23 *\$39,548,000: Provided further, That \$6,179,000 shall be de-*  
24 *rived from prior year unobligated balances: Provided fur-*  
25 *ther, That not more than \$100,000 of the amount appro-*

1 *priated is available for the maintenance of an “Inter-*  
2 *national Copyright Institute” in the Copyright Office of the*  
3 *Library of Congress for the purpose of training nationals*  
4 *of developing countries in intellectual property laws and*  
5 *policies: Provided further, That not more than \$6,500 may*  
6 *be expended, on the certification of the Librarian of Con-*  
7 *gress, in connection with official representation and recep-*  
8 *tion expenses for activities of the International Copyright*  
9 *Institute and for copyright delegations, visitors, and semi-*  
10 *nars: Provided further, That, notwithstanding any provi-*  
11 *sion of chapter 8 of title 17, United States Code, any*  
12 *amounts made available under this heading which are at-*  
13 *tributable to royalty fees and payments received by the*  
14 *Copyright Office pursuant to sections 111, 119, and chapter*  
15 *10 of such title may be used for the costs incurred in the*  
16 *administration of the Copyright Royalty Judges program,*  
17 *with the exception of the costs of salaries and benefits for*  
18 *the Copyright Royalty Judges and staff under section*  
19 *802(e).*

20 *CONGRESSIONAL RESEARCH SERVICE*

21 *SALARIES AND EXPENSES*

22 *For all necessary expenses to carry out the provisions*  
23 *of section 203 of the Legislative Reorganization Act of 1946*  
24 *(2 U.S.C. 166) and to revise and extend the Annotated Con-*  
25 *stitution of the United States of America, \$107,945,234:*

1 *Provided, That no part of such amount may be used to pay*  
2 *any salary or expense in connection with any publication,*  
3 *or preparation of material therefor (except the Digest of*  
4 *Public General Bills), to be issued by the Library of Con-*  
5 *gress unless such publication has obtained prior approval*  
6 *of either the Committee on House Administration of the*  
7 *House of Representatives or the Committee on Rules and*  
8 *Administration of the Senate.*

9 *BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED*

10 *SALARIES AND EXPENSES*

11 *For all necessary expenses to carry out the Act of*  
12 *March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a),*  
13 *\$50,248,000: Provided, That of the total amount appro-*  
14 *priated, \$650,000 shall be available to contract to provide*  
15 *newspapers to blind and physically handicapped residents*  
16 *at no cost to the individual.*

17 *ADMINISTRATIVE PROVISIONS*

18 *REIMBURSABLE AND REVOLVING FUND ACTIVITIES*

19 *SEC. 1301. (a) IN GENERAL.—For fiscal year 2017,*  
20 *the obligational authority of the Library of Congress for the*  
21 *activities described in subsection (b) may not exceed*  
22 *\$188,188,000.*

23 *(b) ACTIVITIES.—The activities referred to in sub-*  
24 *section (a) are reimbursable and revolving fund activities*  
25 *that are funded from sources other than appropriations to*

1 *the Library in appropriations Acts for the legislative*  
2 *branch.*

3 *LIBRARY OF CONGRESS NATIONAL COLLECTION*

4 *STEWARDSHIP FUND*

5 *SEC. 1302. (a) ESTABLISHMENT.—There is hereby es-*  
6 *tablished in the Treasury of the United States, as an ac-*  
7 *count for the Librarian of Congress, the “Library of Con-*  
8 *gress National Collection Stewardship Fund” (hereafter in*  
9 *this section referred to as the “Fund”).*

10 *(b) CONTENTS OF FUND.—The Fund shall consist of*  
11 *the following amounts:*

12 *(1) Such amounts as may be transferred by the*  
13 *Librarian from available amounts appropriated for*  
14 *any fiscal year for the Library of Congress under the*  
15 *heading “Salaries and Expenses”.*

16 *(c) USE OF AMOUNTS.—Amounts in the Fund may be*  
17 *used by the Librarian as follows:*

18 *(1) The Librarian may use amounts directly for*  
19 *the purpose of preparing collection materials of the*  
20 *Library of Congress for long-term storage.*

21 *(2) The Librarian may transfer amounts to the*  
22 *Architect of the Capitol for the purpose of designing,*  
23 *constructing, altering, upgrading, and equipping col-*  
24 *lections preservation and storage facilities for the Li-*  
25 *brary of Congress, or for the purpose of acquiring real*

1        *property by lease for the preservation and storage of*  
2        *Library of Congress collections in accordance with*  
3        *section 1102 of the Legislative Branch Appropriations*  
4        *Act, 2009 (2 U.S.C. 1823a).*

5        *(d) CONTINUING AVAILABILITY OF FUNDS.—Any*  
6        *amounts in the Fund shall remain available until expended.*

7        *(e) ANNUAL REPORT.—Not later than 180 days after*  
8        *the end of each fiscal year, the Librarian shall submit a*  
9        *joint report on the Fund to the Joint Committee on the Li-*  
10       *brary and the Committees on Appropriations of the House*  
11       *of Representatives and Senate.*

12       *(f) INITIAL 5-YEAR PLAN.—Not later than 6 months*  
13       *after the date of the enactment of this Act, the Librarian*  
14       *shall submit to the Joint Committee on the Library and*  
15       *the Committees on Appropriations of the House of Rep-*  
16       *resentatives and Senate a report providing a plan for ex-*  
17       *penditures from the Fund for the first 5 fiscal years of the*  
18       *Fund's operation.*

19       *(g) NOTIFICATION OF TRANSFERS.—Prior to any*  
20       *transfer into the Fund, the Librarian shall notify the Joint*  
21       *Committee on the Library and the Committees on Appro-*  
22       *priations of the House and the Senate of the amount and*  
23       *origin of funds to be transferred.*

24       *(h) EFFECTIVE DATE.—This section shall apply with*  
25       *respect to fiscal year 2017 and each succeeding fiscal year.*

1            *GOVERNMENT PUBLISHING OFFICE*  
2                            *CONGRESSIONAL PUBLISHING*  
3                            *(INCLUDING TRANSFER OF FUNDS)*

4            *For authorized publishing of congressional informa-*  
5 *tion and the distribution of congressional information in*  
6 *any format; expenses necessary for preparing the semi-*  
7 *monthly and session index to the Congressional Record, as*  
8 *authorized by law (section 902 of title 44, United States*  
9 *Code); publishing of Government publications authorized by*  
10 *law to be distributed to Members of Congress; and pub-*  
11 *lishing, and distribution of Government publications au-*  
12 *thorized by law to be distributed without charge to the re-*  
13 *cipient, \$79,736,000: Provided, That this appropriation*  
14 *shall not be available for paper copies of the permanent edi-*  
15 *tion of the Congressional Record for individual Representa-*  
16 *tives, Resident Commissioners or Delegates authorized*  
17 *under section 906 of title 44, United States Code: Provided*  
18 *further, That this appropriation shall be available for the*  
19 *payment of obligations incurred under the appropriations*  
20 *for similar purposes for preceding fiscal years: Provided*  
21 *further, That notwithstanding the 2-year limitation under*  
22 *section 718 of title 44, United States Code, none of the funds*  
23 *appropriated or made available under this Act or any other*  
24 *Act for printing and binding and related services provided*  
25 *to Congress under chapter 7 of title 44, United States Code,*

1 *may be expended to print a document, report, or publica-*  
2 *tion after the 27-month period beginning on the date that*  
3 *such document, report, or publication is authorized by Con-*  
4 *gress to be printed, unless Congress reauthorizes such print-*  
5 *ing in accordance with section 718 of title 44, United States*  
6 *Code: Provided further, That any unobligated or unex-*  
7 *pendent balances in this account or accounts for similar*  
8 *purposes for preceding fiscal years may be transferred to*  
9 *the Government Publishing Office Business Operations Re-*  
10 *volving Fund for carrying out the purposes of this heading,*  
11 *subject to the approval of the Committees on Appropriations*  
12 *of the House of Representatives and Senate: Provided fur-*  
13 *ther, That notwithstanding sections 901, 902, and 906 of*  
14 *title 44, United States Code, this appropriation may be*  
15 *used to prepare indexes to the Congressional Record on only*  
16 *a monthly and session basis.*

17 *PUBLIC INFORMATION PROGRAMS OF THE*

18 *SUPERINTENDENT OF DOCUMENTS*

19 *SALARIES AND EXPENSES*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For expenses of the public information programs of the*  
22 *Office of Superintendent of Documents necessary to provide*  
23 *for the cataloging and indexing of Government publications*  
24 *and their distribution to the public, Members of Congress,*  
25 *other Government agencies, and designated depository and*



1 *international exchange libraries as authorized by law,*  
2 *\$29,500,000: Provided, That amounts of not more than*  
3 *\$2,000,000 from current year appropriations are author-*  
4 *ized for producing and disseminating Congressional serial*  
5 *sets and other related publications for fiscal years 2015 and*  
6 *2016 to depository and other designated libraries: Provided*  
7 *further, That any unobligated or unexpended balances in*  
8 *this account or accounts for similar purposes for preceding*  
9 *fiscal years may be transferred to the Government Pub-*  
10 *lishing Office Business Operations Revolving Fund for car-*  
11 *rying out the purposes of this heading, subject to the ap-*  
12 *proval of the Committees on Appropriations of the House*  
13 *of Representatives and Senate.*

14           *GOVERNMENT PUBLISHING OFFICE BUSINESS*

15                     *OPERATIONS REVOLVING FUND*

16       *For payment to the Government Publishing Office*  
17 *Business Operations Revolving Fund, \$7,832,000, to re-*  
18 *main available until expended, for information technology*  
19 *development and facilities repair: Provided, That the Gov-*  
20 *ernment Publishing Office is hereby authorized to make*  
21 *such expenditures, within the limits of funds available and*  
22 *in accordance with law, and to make such contracts and*  
23 *commitments without regard to fiscal year limitations as*  
24 *provided by section 9104 of title 31, United States Code,*  
25 *as may be necessary in carrying out the programs and pur-*

1 poses set forth in the budget for the current fiscal year for  
2 the Government Publishing Office Business Operations Re-  
3 volving Fund: Provided further, That not more than \$7,500  
4 may be expended on the certification of the Director of the  
5 Government Publishing Office in connection with official  
6 representation and reception expenses: Provided further,  
7 That the Business Operations Revolving Fund shall be  
8 available for the hire or purchase of not more than 12 pas-  
9 senger motor vehicles: Provided further, That expenditures  
10 in connection with travel expenses of the advisory councils  
11 to the Director of the Government Publishing Office shall  
12 be deemed necessary to carry out the provisions of title 44,  
13 United States Code: Provided further, That the Business  
14 Operations Revolving Fund shall be available for tem-  
15 porary or intermittent services under section 3109(b) of  
16 title 5, United States Code, but at rates for individuals not  
17 more than the daily equivalent of the annual rate of basic  
18 pay for level V of the Executive Schedule under section 5316  
19 of such title: Provided further, That activities financed  
20 through the Business Operations Revolving Fund may pro-  
21 vide information in any format: Provided further, That the  
22 Business Operations Revolving Fund and the funds pro-  
23 vided under the heading "Public Information Programs of  
24 the Superintendent of Documents" may not be used for con-

1 *tracted security services at Government Publishing Office's*  
2 *passport facility in the District of Columbia.*

3 **GOVERNMENT ACCOUNTABILITY OFFICE**

4 **SALARIES AND EXPENSES**

5 *For necessary expenses of the Government Account-*  
6 *ability Office, including not more than \$12,500 to be ex-*  
7 *pendent on the certification of the Comptroller General of*  
8 *the United States in connection with official representation*  
9 *and reception expenses; temporary or intermittent services*  
10 *under section 3109(b) of title 5, United States Code, but*  
11 *at rates for individuals not more than the daily equivalent*  
12 *of the annual rate of basic pay for level IV of the Executive*  
13 *Schedule under section 5315 of such title; hire of one pas-*  
14 *senger motor vehicle; advance payments in foreign countries*  
15 *in accordance with section 3324 of title 31, United States*  
16 *Code; benefits comparable to those payable under sections*  
17 *901(5), (6), and (8) of the Foreign Service Act of 1980 (22*  
18 *U.S.C. 4081(5), (6), and (8)); and under regulations pre-*  
19 *scribed by the Comptroller General of the United States,*  
20 *rental of living quarters in foreign countries, \$544,505,919:*  
21 *Provided, That, in addition, \$23,350,000 of payments re-*  
22 *ceived under sections 782, 791, 3521, and 9105 of title 31,*  
23 *United States Code, shall be available without fiscal year*  
24 *limitation: Provided further, That this appropriation and*  
25 *appropriations for administrative expenses of any other de-*

1 *partment or agency which is a member of the National*  
2 *Intergovernmental Audit Forum or a Regional Intergovern-*  
3 *mental Audit Forum shall be available to finance an appro-*  
4 *priate share of either Forum's costs as determined by the*  
5 *respective Forum, including necessary travel expenses of*  
6 *non-Federal participants: Provided further, That payments*  
7 *hereunder to the Forum may be credited as reimbursements*  
8 *to any appropriation from which costs involved are ini-*  
9 *tially financed.*

10 *OPEN WORLD LEADERSHIP CENTER TRUST*

11 *FUND*

12 *For a payment to the Open World Leadership Center*  
13 *Trust Fund for financing activities of the Open World*  
14 *Leadership Center under section 313 of the Legislative*  
15 *Branch Appropriations Act, 2001 (2 U.S.C. 1151),*  
16 *\$5,600,000: Provided, That funds made available to support*  
17 *Russian participants shall only be used for those engaging*  
18 *in free market development, humanitarian activities, and*  
19 *civic engagement, and shall not be used for officials of the*  
20 *central government of Russia.*

21 *JOHN C. STENNIS CENTER FOR PUBLIC SERVICE*

22 *TRAINING AND DEVELOPMENT*

23 *For payment to the John C. Stennis Center for Public*  
24 *Service Development Trust Fund established under section*

1 *116 of the John C. Stennis Center for Public Service Train-*  
2 *ing and Development Act (2 U.S.C. 1105), \$430,000.*

3 *TITLE II*

4 *GENERAL PROVISIONS*

5 *MAINTENANCE AND CARE OF PRIVATE VEHICLES*

6 *SEC. 201. No part of the funds appropriated in this*  
7 *Act shall be used for the maintenance or care of private*  
8 *vehicles, except for emergency assistance and cleaning as*  
9 *may be provided under regulations relating to parking fa-*  
10 *cilities for the House of Representatives issued by the Com-*  
11 *mittee on House Administration and for the Senate issued*  
12 *by the Committee on Rules and Administration.*

13 *FISCAL YEAR LIMITATION*

14 *SEC. 202. No part of the funds appropriated in this*  
15 *Act shall remain available for obligation beyond fiscal year*  
16 *2017 unless expressly so provided in this Act.*

17 *RATES OF COMPENSATION AND DESIGNATION*

18 *SEC. 203. Whenever in this Act any office or position*  
19 *not specifically established by the Legislative Pay Act of*  
20 *1929 (46 Stat. 32 et seq.) is appropriated for or the rate*  
21 *of compensation or designation of any office or position ap-*  
22 *propriated for is different from that specifically established*  
23 *by such Act, the rate of compensation and the designation*  
24 *in this Act shall be the permanent law with respect thereto:*  
25 *Provided, That the provisions in this Act for the various*

1 *items of official expenses of Members, officers, and commit-*  
2 *tees of the Senate and House of Representatives, and clerk*  
3 *hire for Senators and Members of the House of Representa-*  
4 *tives shall be the permanent law with respect thereto.*

5 *CONSULTING SERVICES*

6 *SEC. 204. The expenditure of any appropriation under*  
7 *this Act for any consulting service through procurement*  
8 *contract, under section 3109 of title 5, United States Code,*  
9 *shall be limited to those contracts where such expenditures*  
10 *are a matter of public record and available for public in-*  
11 *spection, except where otherwise provided under existing*  
12 *law, or under existing Executive order issued under existing*  
13 *law.*

14 *COSTS OF LBFMC*

15 *SEC. 205. Amounts available for administrative ex-*  
16 *penses of any legislative branch entity which participates*  
17 *in the Legislative Branch Financial Managers Council*  
18 *(LBFMC) established by charter on March 26, 1996, shall*  
19 *be available to finance an appropriate share of LBFMC*  
20 *costs as determined by the LBFMC, except that the total*  
21 *LBFMC costs to be shared among all participating legisla-*  
22 *tive branch entities (in such allocations among the entities*  
23 *as the entities may determine) may not exceed \$2,000.*



1 *work unless such network blocks the viewing, downloading,*  
 2 *and exchanging of pornography.*

3 *(b) Nothing in subsection (a) shall limit the use of*  
 4 *funds necessary for any Federal, State, tribal, or local law*  
 5 *enforcement agency or any other entity to carry out crimi-*  
 6 *nal investigations, prosecution, or adjudication activities,*  
 7 *or for any committee or other entity of Congress to carry*  
 8 *out investigations or reports on any matter, or for the Li-*  
 9 *brary of Congress or the Copyright Office to carry out any*  
 10 *of its responsibilities under law.*

11 *This division may be cited as the “Legislative*  
 12 *Branch Appropriations Act, 2017”.*

13 ***DIVISION J—DEPARTMENT OF STATE,***  
 14 ***FOREIGN OPERATIONS, AND RELATED***  
 15 ***PROGRAMS APPROPRIATIONS ACT,***  
 16 ***2017***

17 ***TITLE I***

18 ***DEPARTMENT OF STATE AND RELATED AGENCY***

19 ***DEPARTMENT OF STATE***

20 ***ADMINISTRATION OF FOREIGN AFFAIRS***

21 ***DIPLOMATIC AND CONSULAR PROGRAMS***

22 *For necessary expenses of the Department of State and*  
 23 *the Foreign Service not otherwise provided for,*  
 24 *\$6,147,254,000, of which up to \$637,166,000 may remain*  
 25 *available until September 30, 2018, and of which up to*



1 \$1,899,479,000 may remain available until expended for  
2 *Worldwide Security Protection: Provided, That funds made*  
3 *available under this heading shall be allocated in accord-*  
4 *ance with paragraphs (1) through (4) as follows:*

5 (1) *HUMAN RESOURCES.—For necessary ex-*  
6 *penses for training, human resources management,*  
7 *and salaries, including employment without regard to*  
8 *civil service and classification laws of persons on a*  
9 *temporary basis (not to exceed \$700,000), as author-*  
10 *ized by section 801 of the United States Information*  
11 *and Educational Exchange Act of 1948,*  
12 *\$2,529,387,000, of which up to \$463,417,000 is for*  
13 *Worldwide Security Protection.*

14 (2) *OVERSEAS PROGRAMS.—For necessary ex-*  
15 *penses for the regional bureaus of the Department of*  
16 *State and overseas activities as authorized by law,*  
17 *\$1,401,847,000.*

18 (3) *DIPLOMATIC POLICY AND SUPPORT.—For*  
19 *necessary expenses for the functional bureaus of the*  
20 *Department of State, including representation to cer-*  
21 *tain international organizations in which the United*  
22 *States participates pursuant to treaties ratified pur-*  
23 *suant to the advice and consent of the Senate or spe-*  
24 *cific Acts of Congress, general administration, and*

1 *arms control, nonproliferation and disarmament ac-*  
2 *tivities as authorized, \$757,713,000.*

3 (4) *SECURITY PROGRAMS.—For necessary ex-*  
4 *penses for security activities, \$1,458,307,000, of which*  
5 *up to \$1,436,062,000 is for Worldwide Security Pro-*  
6 *tection.*

7 (5) *FEEES AND PAYMENTS COLLECTED.—In addi-*  
8 *tion to amounts otherwise made available under this*  
9 *heading—*

10 (A) *as authorized by section 810 of the*  
11 *United States Information and Educational Ex-*  
12 *change Act, not to exceed \$5,000,000, to remain*  
13 *available until expended, may be credited to this*  
14 *appropriation from fees or other payments re-*  
15 *ceived from English teaching, library, motion*  
16 *pictures, and publication programs and from*  
17 *fees from educational advising and counseling*  
18 *and exchange visitor programs; and*

19 (B) *not to exceed \$15,000, which shall be*  
20 *derived from reimbursements, surcharges, and*  
21 *fees for use of Blair House facilities.*

22 (6) *TRANSFER OF FUNDS, REPROGRAMMING, AND*  
23 *OTHER MATTERS.—*

24 (A) *Notwithstanding any other provision of*  
25 *this Act, funds may be reprogrammed within*

1           *and between paragraphs (1) through (4) under*  
2           *this heading subject to section 7015 of this Act.*

3           *(B) Of the amount made available under*  
4           *this heading, not to exceed \$10,000,000 may be*  
5           *transferred to, and merged with, funds made*  
6           *available by this Act under the heading “Emer-*  
7           *gencies in the Diplomatic and Consular Serv-*  
8           *ice”, to be available only for emergency evacu-*  
9           *ations and rewards, as authorized.*

10           *(C) Funds appropriated under this heading*  
11           *are available for acquisition by exchange or pur-*  
12           *chase of passenger motor vehicles as authorized*  
13           *by law and, pursuant to section 1108(g) of title*  
14           *31, United States Code, for the field examination*  
15           *of programs and activities in the United States*  
16           *funded from any account contained in this title.*

17           *(D) Funds appropriated under this heading*  
18           *may be made available for Conflict Stabilization*  
19           *Operations and for related reconstruction and*  
20           *stabilization assistance to prevent or respond to*  
21           *conflict or civil strife in foreign countries or re-*  
22           *gions, or to enable transition from such strife.*

23           *(E) Funds appropriated under this heading*  
24           *in this Act that are designated for Worldwide Se-*  
25           *curity Protection shall continue to be made*

1           *available for support of security-related training*  
2           *at sites in existence prior to the enactment of*  
3           *this Act.*

4                           *CAPITAL INVESTMENT FUND*

5           *For necessary expenses of the Capital Investment*  
6           *Fund, as authorized, \$12,600,000, to remain available until*  
7           *expended.*

8                           *OFFICE OF INSPECTOR GENERAL*

9           *For necessary expenses of the Office of Inspector Gen-*  
10          *eral, \$87,069,000, notwithstanding section 209(a)(1) of the*  
11          *Foreign Service Act of 1980 (Public Law 96–465), as it*  
12          *relates to post inspections: Provided, That of the funds ap-*  
13          *propriated under this heading, \$13,060,000 may remain*  
14          *available until September 30, 2018.*

15                          *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

16          *For expenses of educational and cultural exchange pro-*  
17          *grams, as authorized, \$634,143,000, to remain available*  
18          *until expended, of which not less than \$240,000,000 shall*  
19          *be for the Fulbright Program and not less than*  
20          *\$111,360,000 shall be for Citizen Exchange Program, in-*  
21          *cluding \$4,125,000 for the Congress-Bundestag Youth Ex-*  
22          *change: Provided, That fees or other payments received*  
23          *from, or in connection with, English teaching, educational*  
24          *advising and counseling programs, and exchange visitor*  
25          *programs as authorized may be credited to this account,*

1 *to remain available until expended: Provided further, That*  
2 *a portion of the Fulbright awards from the Eurasia and*  
3 *Central Asia regions shall be designated as Edmund S.*  
4 *Muskie Fellowships, following consultation with the Com-*  
5 *mittees on Appropriations: Provided further, That Depart-*  
6 *ment of State-designated sponsors may not issue a Form*  
7 *DS-2019 (Certificate of Eligibility for Exchange Visitor*  
8 *(J-1) Status) to place student participants in seafood prod-*  
9 *uct preparation or packaging positions in the Summer*  
10 *Work Travel program in fiscal year 2017 unless prior to*  
11 *issuing such Form the sponsor provides to the Secretary of*  
12 *State a description of such program and verifies in writing*  
13 *to the Secretary that such program fully complies with part*  
14 *62 of title 22 of the Code of Federal Regulations, notwith-*  
15 *standing subsection 62.32(h)(16) of such part, and with the*  
16 *requirements specified in Senate Report 114-290: Provided*  
17 *further, That any substantive modifications from the prior*  
18 *fiscal year to programs funded by this Act under this head-*  
19 *ing shall be subject to prior consultation with, and the reg-*  
20 *ular notification procedures of, the Committees on Appro-*  
21 *riations.*

22 *REPRESENTATION EXPENSES*

23 *For representation expenses as authorized, \$8,030,000.*

1        *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

2        *For expenses, not otherwise provided, to enable the Sec-*  
3 *retary of State to provide for extraordinary protective serv-*  
4 *ices, as authorized, \$30,344,000, to remain available until*  
5 *September 30, 2018.*

6        *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

7        *For necessary expenses for carrying out the Foreign*  
8 *Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), pre-*  
9 *serving, maintaining, repairing, and planning for build-*  
10 *ings that are owned or directly leased by the Department*  
11 *of State, renovating, in addition to funds otherwise avail-*  
12 *able, the Harry S Truman Building, and carrying out the*  
13 *Diplomatic Security Construction Program as authorized,*  
14 *\$759,161,000, to remain available until expended, of which*  
15 *not to exceed \$25,000 may be used for domestic and overseas*  
16 *representation expenses as authorized: Provided, That none*  
17 *of the funds appropriated in this paragraph shall be avail-*  
18 *able for acquisition of furniture, furnishings, or generators*  
19 *for other departments and agencies of the United States*  
20 *Government.*

21        *In addition, for the costs of worldwide security up-*  
22 *grades, acquisition, and construction as authorized,*  
23 *\$358,698,000, to remain available until expended: Pro-*  
24 *vided, That not later than 45 days after enactment of this*  
25 *Act, the Secretary of State shall submit to the Committees*

1 *on Appropriations the proposed allocation of funds made*  
2 *available under this heading and the actual and antici-*  
3 *pated proceeds of sales for all projects in fiscal year 2017.*

4 *EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*  
5 *SERVICE*

6 *For necessary expenses to enable the Secretary of State*  
7 *to meet unforeseen emergencies arising in the Diplomatic*  
8 *and Consular Service, as authorized, \$7,900,000, to remain*  
9 *available until expended, of which not to exceed \$1,000,000*  
10 *may be transferred to, and merged with, funds appro-*  
11 *priated by this Act under the heading “Repatriation Loans*  
12 *Program Account”, subject to the same terms and condi-*  
13 *tions.*

14 *REPATRIATION LOANS PROGRAM ACCOUNT*

15 *For the cost of direct loans, \$1,300,000, as authorized:*  
16 *Provided, That such costs, including the cost of modifying*  
17 *such loans, shall be as defined in section 502 of the Congres-*  
18 *sional Budget Act of 1974: Provided further, That such*  
19 *funds are available to subsidize gross obligations for the*  
20 *principal amount of direct loans not to exceed \$2,433,545.*

21 *PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN*

22 *For necessary expenses to carry out the Taiwan Rela-*  
23 *tions Act (Public Law 96–8), \$31,963,000.*





1 budget prepared by the United Nations for the operations  
2 of the United Nations: Provided further, That the Secretary  
3 of State shall notify the Committees on Appropriations at  
4 least 15 days in advance (or in an emergency, as far in  
5 advance as is practicable) of any United Nations action  
6 to increase funding for any United Nations program with-  
7 out identifying an offsetting decrease elsewhere in the  
8 United Nations budget: Provided further, That not later  
9 than June 1, 2017, and 30 days after the end of fiscal year  
10 2017, the Secretary of State shall report to the Committees  
11 on Appropriations any credits attributable to the United  
12 States, including from the United Nations Tax Equali-  
13 zation Fund, and provide updated fiscal year 2017 and fis-  
14 cal year 2018 assessment costs including offsets from avail-  
15 able credits and updated foreign currency exchange rates:  
16 Provided further, That any such credits shall only be avail-  
17 able for United States assessed contributions to the United  
18 Nations regular budget, and the Committees on Appropria-  
19 tions shall be notified when such credits are applied to any  
20 assessed contribution, including any payment of arrearages:  
21 Provided further, That any notification regarding funds  
22 appropriated or otherwise made available under this head-  
23 ing in this Act or prior Acts making appropriations for  
24 the Department of State, foreign operations, and related  
25 programs submitted pursuant to section 7015 of this Act,

1 *section 34 of the State Department Basic Authorities Act*  
2 *of 1956 (22 U.S.C. 2706), or any operating plan submitted*  
3 *pursuant to section 7076 of this Act, shall include an esti-*  
4 *mate of all known credits currently attributable to the*  
5 *United States and provide updated assessment costs includ-*  
6 *ing offsets from available credits and updated foreign cur-*  
7 *rency exchange rates: Provided further, That any payment*  
8 *of arrearages under this heading shall be directed to activi-*  
9 *ties that are mutually agreed upon by the United States*  
10 *and the respective international organization and shall be*  
11 *subject to the regular notification procedures of the Commit-*  
12 *tees on Appropriations: Provided further, That none of the*  
13 *funds appropriated under this heading shall be available*  
14 *for a United States contribution to an international organi-*  
15 *zation for the United States share of interest costs made*  
16 *known to the United States Government by such organiza-*  
17 *tion for loans incurred on or after October 1, 1984, through*  
18 *external borrowings.*

19       *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

20                       *ACTIVITIES*

21       *For necessary expenses to pay assessed and other ex-*  
22 *penses of international peacekeeping activities directed to*  
23 *the maintenance or restoration of international peace and*  
24 *security, \$552,904,000, of which 15 percent shall remain*  
25 *available until September 30, 2018: Provided, That none*

1 of the funds made available by this Act shall be obligated  
2 or expended for any new or expanded United Nations peace-  
3 keeping mission unless, at least 15 days in advance of vot-  
4 ing for such mission in the United Nations Security Coun-  
5 cil (or in an emergency as far in advance as is practicable),  
6 the Committees on Appropriations are notified of: (1) the  
7 estimated cost and duration of the mission, the objectives  
8 of the mission, the national interest that will be served, and  
9 the exit strategy; and (2) the sources of funds, including  
10 any reprogrammings or transfers, that will be used to pay  
11 the cost of the new or expanded mission, and the estimated  
12 cost in future fiscal years: Provided further, That none of  
13 the funds appropriated under this heading may be made  
14 available for obligation unless the Secretary of State cer-  
15 tifies and reports to the Committees on Appropriations on  
16 a peacekeeping mission-by-mission basis that the United  
17 Nations is implementing effective policies and procedures  
18 to prevent United Nations employees, contractor personnel,  
19 and peacekeeping troops serving in such mission from traf-  
20 ficking in persons, exploiting victims of trafficking, or com-  
21 mitting acts of sexual exploitation and abuse or other viola-  
22 tions of human rights, and to bring to justice individuals  
23 who engage in such acts while participating in such mis-  
24 sion, including prosecution in their home countries and  
25 making information about such prosecutions publicly avail-

1 *able on the Web site of the United Nations: Provided further,*  
2 *That the Secretary of State shall work with the United Na-*  
3 *tions and foreign governments contributing peacekeeping*  
4 *troops to implement effective vetting procedures to ensure*  
5 *that such troops have not violated human rights: Provided*  
6 *further, That funds shall be available for peacekeeping ex-*  
7 *penses unless the Secretary of State determines that United*  
8 *States manufacturers and suppliers are not being given op-*  
9 *portunities to provide equipment, services, and material for*  
10 *United Nations peacekeeping activities equal to those being*  
11 *given to foreign manufacturers and suppliers: Provided fur-*  
12 *ther, That none of the funds appropriated or otherwise*  
13 *made available under this heading may be used for any*  
14 *United Nations peacekeeping mission that will involve*  
15 *United States Armed Forces under the command or oper-*  
16 *ational control of a foreign national, unless the President's*  
17 *military advisors have submitted to the President a rec-*  
18 *ommendation that such involvement is in the national in-*  
19 *terest of the United States and the President has submitted*  
20 *to Congress such a recommendation: Provided further, That*  
21 *not later than June 1, 2017, and 30 days after the end of*  
22 *fiscal year 2017, the Secretary of State shall report to the*  
23 *Committees on Appropriations any credits attributable to*  
24 *the United States, including those resulting from United*  
25 *Nations peacekeeping missions or the United Nations Tax*

1 *Equalization Fund, and provide updated fiscal year 2017*  
2 *and fiscal year 2018 assessment costs including offsets from*  
3 *available credits: Provided further, That any such credits*  
4 *shall only be available for United States assessed contribu-*  
5 *tions to United Nations peacekeeping missions, and the*  
6 *Committees on Appropriations shall be notified when such*  
7 *credits are applied to any assessed contribution, including*  
8 *any payment of arrearages: Provided further, That any no-*  
9 *tification regarding funds appropriated or otherwise made*  
10 *available under this heading in this Act or prior Acts mak-*  
11 *ing appropriations for the Department of State, foreign op-*  
12 *erations, and related programs submitted pursuant to sec-*  
13 *tion 7015 of this Act, section 34 of the State Department*  
14 *Basic Authorities Act of 1956 (22 U.S.C. 2706), or any op-*  
15 *erating plan submitted pursuant to section 7076 of this Act,*  
16 *shall include an estimate of all known credits currently at-*  
17 *tributable to the United States and provide updated assess-*  
18 *ment costs including offsets from available credits: Provided*  
19 *further, That any payment of arrearages with funds appro-*  
20 *priated by this Act shall be subject to the regular notifica-*  
21 *tion procedures of the Committees on Appropriations: Pro-*  
22 *vided further, That the Secretary of State shall work with*  
23 *the United Nations and members of the United Nations Se-*  
24 *curity Council to evaluate and prioritize peacekeeping mis-*

1 *sions, and to consider a draw down when mission goals*  
2 *have been substantially achieved.*

3 *INTERNATIONAL COMMISSIONS*

4 *For necessary expenses, not otherwise provided for, to*  
5 *meet obligations of the United States arising under treaties,*  
6 *or specific Acts of Congress, as follows:*

7 *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*

8 *UNITED STATES AND MEXICO*

9 *For necessary expenses for the United States Section*  
10 *of the International Boundary and Water Commission,*  
11 *United States and Mexico, and to comply with laws appli-*  
12 *cable to the United States Section, including not to exceed*  
13 *\$6,000 for representation expenses; as follows:*

14 *SALARIES AND EXPENSES*

15 *For salaries and expenses, not otherwise provided for,*  
16 *\$48,134,000.*

17 *CONSTRUCTION*

18 *For detailed plan preparation and construction of au-*  
19 *thorized projects, \$29,400,000, to remain available until ex-*  
20 *pended, as authorized.*

21 *AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS*

22 *For necessary expenses, not otherwise provided, for the*  
23 *International Joint Commission and the International*  
24 *Boundary Commission, United States and Canada, as au-*  
25 *thorized by treaties between the United States and Canada*

1 *or Great Britain, and the Border Environment Cooperation*  
2 *Commission as authorized by the North American Free*  
3 *Trade Agreement Implementation Act (Public Law 103–*  
4 *182), \$12,258,000: Provided, That of the amount provided*  
5 *under this heading for the International Joint Commission,*  
6 *up to \$500,000 may remain available until September 30,*  
7 *2018, and \$9,000 may be made available for representation*  
8 *expenses.*

9 *INTERNATIONAL FISHERIES COMMISSIONS*

10 *For necessary expenses for international fisheries com-*  
11 *missions, not otherwise provided for, as authorized by law,*  
12 *\$37,502,000: Provided, That the United States share of such*  
13 *expenses may be advanced to the respective commissions*  
14 *pursuant to section 3324 of title 31, United States Code.*

15 *RELATED AGENCY*

16 *BROADCASTING BOARD OF GOVERNORS*

17 *INTERNATIONAL BROADCASTING OPERATIONS*

18 *For necessary expenses to enable the Broadcasting*  
19 *Board of Governors (BBG), as authorized, to carry out*  
20 *international communication activities, and to make and*  
21 *supervise grants for radio, Internet, and television broad-*  
22 *casting to the Middle East, \$772,108,000: Provided, That*  
23 *in addition to amounts otherwise available for such pur-*  
24 *poses, up to \$32,501,000 of the amount appropriated under*  
25 *this heading may remain available until expended for sat-*

1 *elite transmissions and Internet freedom programs, of*  
2 *which not less than \$13,800,000 shall be for Internet free-*  
3 *dom programs: Provided further, That of the total amount*  
4 *appropriated under this heading, not to exceed \$35,000*  
5 *may be used for representation expenses, of which \$10,000*  
6 *may be used for such expenses within the United States as*  
7 *authorized, and not to exceed \$30,000 may be used for rep-*  
8 *resentation expenses of Radio Free Europe/Radio Liberty:*  
9 *Provided further, That the BBG shall notify the Committees*  
10 *on Appropriations within 15 days of any determination by*  
11 *the BBG that any of its broadcast entities, including its*  
12 *grantee organizations, provides an open platform for inter-*  
13 *national terrorists or those who support international ter-*  
14 *rorism, or is in violation of the principles and standards*  
15 *set forth in subsections (a) and (b) of section 303 of the*  
16 *United States International Broadcasting Act of 1994 (22*  
17 *U.S.C. 6202) or the entity's journalistic code of ethics: Pro-*  
18 *vided further, That significant modifications to BBG*  
19 *broadcast hours previously justified to Congress, including*  
20 *changes to transmission platforms (shortwave, medium*  
21 *wave, satellite, Internet, and television), for all BBG lan-*  
22 *guage services shall be subject to the regular notification*  
23 *procedures of the Committees on Appropriations: Provided*  
24 *further, That in addition to funds made available under*  
25 *this heading, and notwithstanding any other provision of*



1 *law, up to \$5,000,000 in receipts from advertising and rev-*  
2 *enue from business ventures, up to \$500,000 in receipts*  
3 *from cooperating international organizations, and up to*  
4 *\$1,000,000 in receipts from privatization efforts of the Voice*  
5 *of America and the International Broadcasting Bureau,*  
6 *shall remain available until expended for carrying out au-*  
7 *thorized purposes.*

8 *BROADCASTING CAPITAL IMPROVEMENTS*

9 *For the purchase, rent, construction, repair, preserva-*  
10 *tion, and improvement of facilities for radio, television, and*  
11 *digital transmission and reception; the purchase, rent, and*  
12 *installation of necessary equipment for radio, television,*  
13 *and digital transmission and reception, including to Cuba,*  
14 *as authorized; and physical security worldwide, in addition*  
15 *to amounts otherwise available for such purposes,*  
16 *\$9,700,000, to remain available until expended, as author-*  
17 *ized.*

18 *RELATED PROGRAMS*

19 *THE ASIA FOUNDATION*

20 *For a grant to The Asia Foundation, as authorized*  
21 *by The Asia Foundation Act (22 U.S.C. 4402), \$17,000,000,*  
22 *to remain available until expended.*

23 *UNITED STATES INSTITUTE OF PEACE*

24 *For necessary expenses of the United States Institute*  
25 *of Peace, as authorized by the United States Institute of*

1 *Peace Act (22 U.S.C. 4601 et seq.), \$37,884,000, to remain*  
2 *available until September 30, 2018, which shall not be used*  
3 *for construction activities.*

4 *CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE*  
5 *TRUST FUND*

6 *For necessary expenses of the Center for Middle East-*  
7 *ern-Western Dialogue Trust Fund, as authorized by section*  
8 *633 of the Departments of Commerce, Justice, and State,*  
9 *the Judiciary, and Related Agencies Appropriations Act,*  
10 *2004 (22 U.S.C. 2078), the total amount of the interest and*  
11 *earnings accruing to such Fund on or before September 30,*  
12 *2017, to remain available until expended.*

13 *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM*

14 *For necessary expenses of Eisenhower Exchange Fel-*  
15 *lowships, Incorporated, as authorized by sections 4 and 5*  
16 *of the Eisenhower Exchange Fellowship Act of 1990 (20*  
17 *U.S.C. 5204–5205), all interest and earnings accruing to*  
18 *the Eisenhower Exchange Fellowship Program Trust Fund*  
19 *on or before September 30, 2017, to remain available until*  
20 *expended: Provided, That none of the funds appropriated*  
21 *herein shall be used to pay any salary or other compensa-*  
22 *tion, or to enter into any contract providing for the pay-*  
23 *ment thereof, in excess of the rate authorized by section 5376*  
24 *of title 5, United States Code; or for purposes which are*  
25 *not in accordance with section 200 of title 2 of the Code*

1 *of Federal Regulations, including the restrictions on com-*  
2 *pensation for personal services.*

3 *ISRAELI ARAB SCHOLARSHIP PROGRAM*

4 *For necessary expenses of the Israeli Arab Scholarship*  
5 *Program, as authorized by section 214 of the Foreign Rela-*  
6 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*  
7 *U.S.C. 2452), all interest and earnings accruing to the*  
8 *Israeli Arab Scholarship Fund on or before September 30,*  
9 *2017, to remain available until expended.*

10 *EAST-WEST CENTER*

11 *To enable the Secretary of State to provide for car-*  
12 *rying out the provisions of the Center for Cultural and*  
13 *Technical Interchange Between East and West Act of 1960,*  
14 *by grant to the Center for Cultural and Technical Inter-*  
15 *change Between East and West in the State of Hawaii,*  
16 *\$16,700,000.*

17 *NATIONAL ENDOWMENT FOR DEMOCRACY*

18 *For grants made by the Department of State to the*  
19 *National Endowment for Democracy, as authorized by the*  
20 *National Endowment for Democracy Act (22 U.S.C. 4412),*  
21 *\$170,000,000, to remain available until expended, of which*  
22 *\$117,500,000 shall be allocated in the traditional and cus-*  
23 *tomary manner, including for the core institutes, and*  
24 *\$52,500,000 shall be for democracy programs.*

1                                    *OTHER COMMISSIONS*  
2                    *COMMISSION FOR THE PRESERVATION OF AMERICA'S*  
3                                    *HERITAGE ABROAD*  
4                                    *SALARIES AND EXPENSES*

5            *For necessary expenses for the Commission for the*  
6 *Preservation of America's Heritage Abroad, \$888,000, as*  
7 *authorized by chapter 3123 of title 54, United States Code:*  
8 *Provided, That the Commission may procure temporary,*  
9 *intermittent, and other services notwithstanding paragraph*  
10 *(3) of section 312304(b) of such chapter: Provided further,*  
11 *That such authority shall terminate on October 1, 2017:*  
12 *Provided further, That the Commission shall notify the*  
13 *Committees on Appropriations prior to exercising such au-*  
14 *thority.*

15                                    *UNITED STATES COMMISSION ON INTERNATIONAL*  
16                                    *RELIGIOUS FREEDOM*  
17                                    *SALARIES AND EXPENSES*

18            *For necessary expenses for the United States Commis-*  
19 *sion on International Religious Freedom, as authorized by*  
20 *title II of the International Religious Freedom Act of 1998*  
21 *(22 U.S.C. 6431 et seq.), \$3,500,000, to remain available*  
22 *until September 30, 2018, including not more than \$4,000*  
23 *for representation expenses.*

1 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*  
2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Commission on Security*  
4 *and Cooperation in Europe, as authorized by Public Law*  
5 *94-304, \$2,579,000, including not more than \$4,000 for*  
6 *representation expenses, to remain available until Sep-*  
7 *tember 30, 2018.*

8 *CONGRESSIONAL-EXECUTIVE COMMISSION ON THE*  
9 *PEOPLE'S REPUBLIC OF CHINA*  
10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the Congressional-Executive*  
12 *Commission on the People's Republic of China, as author-*  
13 *ized by title III of the U.S.-China Relations Act of 2000*  
14 *(22 U.S.C. 6911 et seq.), \$2,000,000, including not more*  
15 *than \$3,000 for representation expenses, to remain avail-*  
16 *able until September 30, 2018.*

17 *UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW*  
18 *COMMISSION*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the United States-China*  
21 *Economic and Security Review Commission, as authorized*  
22 *by section 1238 of the Floyd D. Spence National Defense*  
23 *Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),*  
24 *\$3,500,000, including not more than \$4,000 for representa-*  
25 *tion expenses, to remain available until September 30,*

1 *2018: Provided, That the authorities, requirements, limita-*  
2 *tions, and conditions contained in the second through sixth*  
3 *provisos under this heading in the Department of State,*  
4 *Foreign Operations, and Related Programs Appropriations*  
5 *Act, 2010 (division F of Public Law 111–117) shall con-*  
6 *tinue in effect during fiscal year 2017 and shall apply to*  
7 *funds appropriated under this heading as if included in*  
8 *this Act.*

9 *TITLE II*

10 *UNITED STATES AGENCY FOR INTERNATIONAL*

11 *DEVELOPMENT*

12 *FUNDS APPROPRIATED TO THE PRESIDENT*

13 *OPERATING EXPENSES*

14 *For necessary expenses to carry out the provisions of*  
15 *section 667 of the Foreign Assistance Act of 1961,*  
16 *\$1,204,609,000, of which up to \$180,691,000 may remain*  
17 *available until September 30, 2018: Provided, That none*  
18 *of the funds appropriated under this heading and under*  
19 *the heading “Capital Investment Fund” in this title may*  
20 *be made available to finance the construction (including ar-*  
21 *chitect and engineering services), purchase, or long-term*  
22 *lease of offices for use by the United States Agency for Inter-*  
23 *national Development, unless the USAID Administrator*  
24 *has identified such proposed use of funds in a report sub-*  
25 *mitted to the Committees on Appropriations at least 15*

1 *days prior to the obligation of funds for such purposes: Pro-*  
2 *vided further, That contracts or agreements entered into*  
3 *with funds appropriated under this heading may entail*  
4 *commitments for the expenditure of such funds through the*  
5 *following fiscal year: Provided further, That the authority*  
6 *of sections 610 and 109 of the Foreign Assistance Act of*  
7 *1961 may be exercised by the Secretary of State to transfer*  
8 *funds appropriated to carry out chapter 1 of part I of such*  
9 *Act to “Operating Expenses” in accordance with the provi-*  
10 *sions of those sections: Provided further, That of the funds*  
11 *appropriated or made available under this heading, not to*  
12 *exceed \$250,000 may be available for representation and*  
13 *entertainment expenses, of which not to exceed \$5,000 may*  
14 *be available for entertainment expenses, and not to exceed*  
15 *\$100,500 shall be for official residence expenses, for USAID*  
16 *during the current fiscal year.*

17 *CAPITAL INVESTMENT FUND*

18 *For necessary expenses for overseas construction and*  
19 *related costs, and for the procurement and enhancement of*  
20 *information technology and related capital investments,*  
21 *pursuant to section 667 of the Foreign Assistance Act of*  
22 *1961, \$174,985,000, to remain available until expended:*  
23 *Provided, That this amount is in addition to funds other-*  
24 *wise available for such purposes: Provided further, That*  
25 *funds appropriated under this heading shall be available*

1 *subject to the regular notification procedures of the Commit-*  
2 *tees on Appropriations.*

3 *OFFICE OF INSPECTOR GENERAL*

4 *For necessary expenses to carry out the provisions of*  
5 *section 667 of the Foreign Assistance Act of 1961,*  
6 *\$67,600,000, of which up to \$10,140,000 may remain avail-*  
7 *able until September 30, 2018, for the Office of Inspector*  
8 *General of the United States Agency for International De-*  
9 *velopment.*

10 *TITLE III*

11 *BILATERAL ECONOMIC ASSISTANCE*

12 *FUNDS APPROPRIATED TO THE PRESIDENT*

13 *For necessary expenses to enable the President to carry*  
14 *out the provisions of the Foreign Assistance Act of 1961,*  
15 *and for other purposes, as follows:*

16 *GLOBAL HEALTH PROGRAMS*

17 *For necessary expenses to carry out the provisions of*  
18 *chapters 1 and 10 of part I of the Foreign Assistance Act*  
19 *of 1961, for global health activities, in addition to funds*  
20 *otherwise available for such purposes, \$3,054,950,000, to re-*  
21 *main available until September 30, 2018, and which shall*  
22 *be apportioned directly to the United States Agency for*  
23 *International Development: Provided, That this amount*  
24 *shall be made available for training, equipment, and tech-*  
25 *nical assistance to build the capacity of public health insti-*



1 *tutions and organizations in developing countries, and for*  
2 *such activities as: (1) child survival and maternal health*  
3 *programs; (2) immunization and oral rehydration pro-*  
4 *grams; (3) other health, nutrition, water and sanitation*  
5 *programs which directly address the needs of mothers and*  
6 *children, and related education programs; (4) assistance for*  
7 *children displaced or orphaned by causes other than AIDS;*  
8 *(5) programs for the prevention, treatment, control of, and*  
9 *research on HIV/AIDS, tuberculosis, polio, malaria, and*  
10 *other infectious diseases including neglected tropical dis-*  
11 *eases, and for assistance to communities severely affected*  
12 *by HIV/AIDS, including children infected or affected by*  
13 *AIDS; (6) disaster preparedness training for health crises;*  
14 *(7) programs to prevent, prepare for, and respond to, unan-*  
15 *ticipated and emerging global health threats; and (8) family*  
16 *planning/reproductive health: Provided further, That funds*  
17 *appropriated under this paragraph may be made available*  
18 *for a United States contribution to the GAVI Alliance: Pro-*  
19 *vided further, That none of the funds made available in this*  
20 *Act nor any unobligated balances from prior appropria-*  
21 *tions Acts may be made available to any organization or*  
22 *program which, as determined by the President of the*  
23 *United States, supports or participates in the management*  
24 *of a program of coercive abortion or involuntary steriliza-*  
25 *tion: Provided further, That any determination made under*

1 *the previous proviso must be made not later than 6 months*  
2 *after the date of enactment of this Act, and must be accom-*  
3 *panied by the evidence and criteria utilized to make the*  
4 *determination: Provided further, That none of the funds*  
5 *made available under this Act may be used to pay for the*  
6 *performance of abortion as a method of family planning*  
7 *or to motivate or coerce any person to practice abortions:*  
8 *Provided further, That nothing in this paragraph shall be*  
9 *construed to alter any existing statutory prohibitions*  
10 *against abortion under section 104 of the Foreign Assist-*  
11 *ance Act of 1961: Provided further, That none of the funds*  
12 *made available under this Act may be used to lobby for*  
13 *or against abortion: Provided further, That in order to re-*  
14 *duce reliance on abortion in developing nations, funds shall*  
15 *be available only to voluntary family planning projects*  
16 *which offer, either directly or through referral to, or infor-*  
17 *mation about access to, a broad range of family planning*  
18 *methods and services, and that any such voluntary family*  
19 *planning project shall meet the following requirements: (1)*  
20 *service providers or referral agents in the project shall not*  
21 *implement or be subject to quotas, or other numerical tar-*  
22 *gets, of total number of births, number of family planning*  
23 *acceptors, or acceptors of a particular method of family*  
24 *planning (this provision shall not be construed to include*  
25 *the use of quantitative estimates or indicators for budgeting*

1 *and planning purposes); (2) the project shall not include*  
2 *payment of incentives, bribes, gratuities, or financial re-*  
3 *ward to: (A) an individual in exchange for becoming a fam-*  
4 *ily planning acceptor; or (B) program personnel for achiev-*  
5 *ing a numerical target or quota of total number of births,*  
6 *number of family planning acceptors, or acceptors of a par-*  
7 *ticular method of family planning; (3) the project shall not*  
8 *deny any right or benefit, including the right of access to*  
9 *participate in any program of general welfare or the right*  
10 *of access to health care, as a consequence of any individual's*  
11 *decision not to accept family planning services; (4) the*  
12 *project shall provide family planning acceptors comprehen-*  
13 *sible information on the health benefits and risks of the*  
14 *method chosen, including those conditions that might render*  
15 *the use of the method inadvisable and those adverse side*  
16 *effects known to be consequent to the use of the method; and*  
17 *(5) the project shall ensure that experimental contraceptive*  
18 *drugs and devices and medical procedures are provided only*  
19 *in the context of a scientific study in which participants*  
20 *are advised of potential risks and benefits; and, not less*  
21 *than 60 days after the date on which the USAID Adminis-*  
22 *trator determines that there has been a violation of the re-*  
23 *quirements contained in paragraph (1), (2), (3), or (5) of*  
24 *this proviso, or a pattern or practice of violations of the*  
25 *requirements contained in paragraph (4) of this proviso,*

1 *the Administrator shall submit to the Committees on Ap-*  
2 *propriations a report containing a description of such vio-*  
3 *lation and the corrective action taken by the Agency: Pro-*  
4 *vided further, That in awarding grants for natural family*  
5 *planning under section 104 of the Foreign Assistance Act*  
6 *of 1961 no applicant shall be discriminated against because*  
7 *of such applicant's religious or conscientious commitment*  
8 *to offer only natural family planning; and, additionally,*  
9 *all such applicants shall comply with the requirements of*  
10 *the previous proviso: Provided further, That for purposes*  
11 *of this or any other Act authorizing or appropriating funds*  
12 *for the Department of State, foreign operations, and related*  
13 *programs, the term "motivate", as it relates to family plan-*  
14 *ning assistance, shall not be construed to prohibit the provi-*  
15 *sion, consistent with local law, of information or counseling*  
16 *about all pregnancy options: Provided further, That infor-*  
17 *mation provided about the use of condoms as part of*  
18 *projects or activities that are funded from amounts appro-*  
19 *priated by this Act shall be medically accurate and shall*  
20 *include the public health benefits and failure rates of such*  
21 *use.*

22 *In addition, for necessary expenses to carry out the*  
23 *provisions of the Foreign Assistance Act of 1961 for the pre-*  
24 *vention, treatment, and control of, and research on, HIV/*  
25 *AIDS, \$5,670,000,000, to remain available until September*

1 30, 2021, which shall be apportioned directly to the Depart-  
2 ment of State: Provided, That funds appropriated under  
3 this paragraph may be made available, notwithstanding  
4 any other provision of law, except for the United States  
5 Leadership Against HIV/AIDS, Tuberculosis, and Malaria  
6 Act of 2003 (Public Law 108–25), as amended, for a United  
7 States contribution to the Global Fund to Fight AIDS, Tu-  
8 berculosis and Malaria (Global Fund), and shall be ex-  
9 pended at the minimum rate necessary to make timely pay-  
10 ment for projects and activities: Provided further, That the  
11 amount of such contribution should be \$1,350,000,000: Pro-  
12 vided further, That section 202(d)(4)(A)(i) and (vi) of Pub-  
13 lic Law 108–25, as amended, shall be applied with respect  
14 to such funds made available for fiscal years 2015 through  
15 2017 by substituting “2004” for “2009”: Provided further,  
16 That up to 5 percent of the aggregate amount of funds made  
17 available to the Global Fund in fiscal year 2017 may be  
18 made available to USAID for technical assistance related  
19 to the activities of the Global Fund, subject to the regular  
20 notification procedures of the Committees on Appropria-  
21 tions: Provided further, That of the funds appropriated  
22 under this paragraph, up to \$17,000,000 may be made  
23 available, in addition to amounts otherwise available for  
24 such purposes, for administrative expenses of the Office of  
25 the United States Global AIDS Coordinator.

1 *DEVELOPMENT ASSISTANCE*

2 *For necessary expenses to carry out the provisions of*  
3 *sections 103, 105, 106, 214, and sections 251 through 255,*  
4 *and chapter 10 of part I of the Foreign Assistance Act of*  
5 *1961, \$2,995,465,000, to remain available until September*  
6 *30, 2018.*

7 *INTERNATIONAL DISASTER ASSISTANCE*

8 *For necessary expenses to carry out the provisions of*  
9 *section 491 of the Foreign Assistance Act of 1961 for inter-*  
10 *national disaster relief, rehabilitation, and reconstruction*  
11 *assistance, \$498,483,000, to remain available until ex-*  
12 *pended.*

13 *TRANSITION INITIATIVES*

14 *For necessary expenses for international disaster reha-*  
15 *ilitation and reconstruction assistance administered by the*  
16 *Office of Transition Initiatives, United States Agency for*  
17 *International Development, pursuant to section 491 of the*  
18 *Foreign Assistance Act of 1961, \$35,600,000, to remain*  
19 *available until expended, to support transition to democ-*  
20 *racy and long-term development of countries in crisis: Pro-*  
21 *vided, That such support may include assistance to develop,*  
22 *strengthen, or preserve democratic institutions and proc-*  
23 *esses, revitalize basic infrastructure, and foster the peaceful*  
24 *resolution of conflict: Provided further, That the USAID*  
25 *Administrator shall submit a report to the Committees on*

1 *Appropriations at least 5 days prior to beginning a new*  
2 *program of assistance: Provided further, That if the Sec-*  
3 *retary of State determines that it is important to the na-*  
4 *tional interest of the United States to provide transition*  
5 *assistance in excess of the amount appropriated under this*  
6 *heading, up to \$15,000,000 of the funds appropriated by*  
7 *this Act to carry out the provisions of part I of the Foreign*  
8 *Assistance Act of 1961 may be used for purposes of this*  
9 *heading and under the authorities applicable to funds ap-*  
10 *propriated under this heading: Provided further, That*  
11 *funds made available pursuant to the previous proviso shall*  
12 *be made available subject to prior consultation with the*  
13 *Committees on Appropriations.*

14 *COMPLEX CRISES FUND*

15 *For necessary expenses to carry out the provisions of*  
16 *the Foreign Assistance Act of 1961 to support programs and*  
17 *activities to prevent or respond to emerging or unforeseen*  
18 *foreign challenges and complex crises overseas, \$10,000,000,*  
19 *to remain available until expended: Provided, That funds*  
20 *appropriated under this heading may be made available on*  
21 *such terms and conditions as are appropriate and necessary*  
22 *for the purposes of preventing or responding to such chal-*  
23 *lenges and crises, except that no funds shall be made avail-*  
24 *able for lethal assistance or to respond to natural disasters:*  
25 *Provided further, That funds appropriated under this head-*

1 *ing may be made available notwithstanding any other pro-*  
2 *vision of law, except sections 7007, 7008, and 7018 of this*  
3 *Act and section 620M of the Foreign Assistance Act of 1961:*  
4 *Provided further, That funds appropriated under this head-*  
5 *ing may be used for administrative expenses, in addition*  
6 *to funds otherwise available for such purposes, except that*  
7 *such expenses may not exceed 5 percent of the funds appro-*  
8 *priated under this heading: Provided further, That funds*  
9 *appropriated under this heading shall be subject to the reg-*  
10 *ular notification procedures of the Committees on Appro-*  
11 *priations, except that such notifications shall be trans-*  
12 *mitted at least 5 days prior to the obligation of funds.*

13 *DEVELOPMENT CREDIT AUTHORITY*

14 *For the cost of direct loans and loan guarantees pro-*  
15 *vided by the United States Agency for International Devel-*  
16 *opment, as authorized by sections 256 and 635 of the For-*  
17 *ign Assistance Act of 1961, up to \$50,000,000 may be de-*  
18 *rived by transfer from funds appropriated by this Act to*  
19 *carry out part I of such Act and under the heading “Assist-*  
20 *ance for Europe, Eurasia and Central Asia”:* *Provided,*  
21 *That funds provided under this paragraph and funds pro-*  
22 *vided as a gift that are used for purposes of this paragraph*  
23 *pursuant to section 635(d) of the Foreign Assistance Act*  
24 *of 1961 shall be made available only for micro- and small*  
25 *enterprise programs, urban programs, and other programs*



1 *which further the purposes of part I of such Act: Provided*  
2 *further, That funds provided as a gift that are used for pur-*  
3 *poses of this paragraph shall be subject to prior consultation*  
4 *with, and the regular notification procedures of, the Com-*  
5 *mittees on Appropriations: Provided further, That such*  
6 *costs, including the cost of modifying such direct and guar-*  
7 *anteed loans, shall be as defined in section 502 of the Con-*  
8 *gressional Budget Act of 1974, as amended: Provided fur-*  
9 *ther, That funds made available by this paragraph may*  
10 *be used for the cost of modifying any such guaranteed loans*  
11 *under this Act or prior Acts making appropriations for the*  
12 *Department of State, foreign operations, and related pro-*  
13 *grams, and funds used for such cost, including if the cost*  
14 *results in a negative subsidy, shall be subject to the regular*  
15 *notification procedures of the Committees on Appropria-*  
16 *tions: Provided further, That the provisions of section*  
17 *107A(d) (relating to general provisions applicable to the*  
18 *Development Credit Authority) of the Foreign Assistance*  
19 *Act of 1961, as contained in section 306 of H.R. 1486 as*  
20 *reported by the House Committee on International Rela-*  
21 *tions on May 9, 1997, shall be applicable to direct loans*  
22 *and loan guarantees provided under this heading, except*  
23 *that the principal amount of loans made or guaranteed*  
24 *under this heading with respect to any single country shall*  
25 *not exceed \$300,000,000: Provided further, That these funds*

1 *are available to subsidize total loan principal, any portion*  
2 *of which is to be guaranteed, of up to \$1,750,000,000.*

3 *In addition, for administrative expenses to carry out*  
4 *credit programs administered by USAID, \$10,000,000,*  
5 *which may be transferred to, and merged with, funds made*  
6 *available under the heading “Operating Expenses” in title*  
7 *II of this Act: Provided, That funds made available under*  
8 *this heading shall remain available until September 30,*  
9 *2019.*

10 *ECONOMIC SUPPORT FUND*

11 *For necessary expenses to carry out the provisions of*  
12 *chapter 4 of part II of the Foreign Assistance Act of 1961,*  
13 *\$1,041,761,000, to remain available until September 30,*  
14 *2018.*

15 *DEMOCRACY FUND*

16 *For necessary expenses to carry out the provisions of*  
17 *the Foreign Assistance Act of 1961 for the promotion of de-*  
18 *mocracy globally, including to carry out the purposes of sec-*  
19 *tion 502(b)(3) and (5) of Public Law 98–164 (22 U.S.C.*  
20 *4411), \$145,375,000, to remain available until September*  
21 *30, 2018, which shall be made available for the Human*  
22 *Rights and Democracy Fund of the Bureau of Democracy,*  
23 *Human Rights, and Labor, Department of State: Provided,*  
24 *That funds appropriated under this heading that are made*  
25 *available to the National Endowment for Democracy and*

1 *its core institutes are in addition to amounts otherwise*  
2 *available by this Act for such purposes: Provided further,*  
3 *That the Assistant Secretary for Democracy, Human*  
4 *Rights, and Labor, Department of State, shall consult with*  
5 *the Committees on Appropriations prior to the obligation*  
6 *of funds appropriated under this paragraph.*

7 *For an additional amount for such purposes,*  
8 *\$65,125,000, to remain available until September 30, 2018,*  
9 *which shall be made available for the Bureau for Democ-*  
10 *racy, Conflict, and Humanitarian Assistance, United*  
11 *States Agency for International Development.*

12 *ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA*

13 *For necessary expenses to carry out the provisions of*  
14 *the Foreign Assistance Act of 1961, the FREEDOM Sup-*  
15 *port Act (Public Law 102–511), and the Support for East-*  
16 *ern European Democracy (SEED) Act of 1989 (Public Law*  
17 *101–179), \$291,638,000, to remain available until Sep-*  
18 *tember 30, 2018, which shall be available, notwithstanding*  
19 *any other provision of law, except section 7070 of this Act,*  
20 *for assistance and related programs for countries identified*  
21 *in section 3 of Public Law 102–511 and section 3(c) of Pub-*  
22 *lic Law 101–179, in addition to funds otherwise available*  
23 *for such purposes: Provided, That funds appropriated by*  
24 *this Act under the headings “Global Health Programs” and*  
25 *“Economic Support Fund” that are made available for as-*

1 *sistance for such countries shall be administered in accord-*  
2 *ance with the responsibilities of the coordinator designated*  
3 *pursuant to section 102 of Public Law 102–511 and section*  
4 *601 of Public Law 101–179: Provided further, That funds*  
5 *appropriated under this heading shall be considered to be*  
6 *economic assistance under the Foreign Assistance Act of*  
7 *1961 for purposes of making available the administrative*  
8 *authorities contained in that Act for the use of economic*  
9 *assistance.*

10

*DEPARTMENT OF STATE*

11

*MIGRATION AND REFUGEE ASSISTANCE*

12 *For necessary expenses not otherwise provided for, to*  
13 *enable the Secretary of State to carry out the provisions*  
14 *of section 2(a) and (b) of the Migration and Refugee Assist-*  
15 *ance Act of 1962, and other activities to meet refugee and*  
16 *migration needs; salaries and expenses of personnel and de-*  
17 *pendents as authorized by the Foreign Service Act of 1980;*  
18 *allowances as authorized by sections 5921 through 5925 of*  
19 *title 5, United States Code; purchase and hire of passenger*  
20 *motor vehicles; and services as authorized by section 3109*  
21 *of title 5, United States Code, \$912,802,000, to remain*  
22 *available until expended, of which not less than \$35,000,000*  
23 *shall be made available to respond to small-scale emergency*  
24 *humanitarian requirements, and \$7,500,000 shall be made*  
25 *available for refugees resettling in Israel.*

1     *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*  
2                                     *ASSISTANCE FUND*

3             *For necessary expenses to carry out the provisions of*  
4 *section 2(c) of the Migration and Refugee Assistance Act*  
5 *of 1962, as amended (22 U.S.C. 2601(c)), \$10,000,000, to*  
6 *remain available until expended.*

7                                     *INDEPENDENT AGENCIES*

8                                     *PEACE CORPS*

9                                     *(INCLUDING TRANSFER OF FUNDS)*

10            *For necessary expenses to carry out the provisions of*  
11 *the Peace Corps Act (22 U.S.C. 2501 et seq.), including the*  
12 *purchase of not to exceed five passenger motor vehicles for*  
13 *administrative purposes for use outside of the United*  
14 *States, \$410,000,000, of which \$5,500,000 is for the Office*  
15 *of Inspector General, to remain available until September*  
16 *30, 2018: Provided, That the Director of the Peace Corps*  
17 *may transfer to the Foreign Currency Fluctuations Ac-*  
18 *count, as authorized by section 16 of the Peace Corps Act*  
19 *(22 U.S.C. 2515), an amount not to exceed \$5,000,000: Pro-*  
20 *vided further, That funds transferred pursuant to the pre-*  
21 *vious proviso may not be derived from amounts made avail-*  
22 *able for Peace Corps overseas operations: Provided further,*  
23 *That of the funds appropriated under this heading, not to*  
24 *exceed \$104,000 may be available for representation ex-*  
25 *penses, of which not to exceed \$4,000 may be made available*

1 *for entertainment expenses: Provided further, That any de-*  
2 *cision to open, close, significantly reduce, or suspend a do-*  
3 *mestic or overseas office or country program shall be subject*  
4 *to prior consultation with, and the regular notification pro-*  
5 *cedures of, the Committees on Appropriations, except that*  
6 *prior consultation and regular notification procedures may*  
7 *be waived when there is a substantial security risk to volun-*  
8 *teers or other Peace Corps personnel, pursuant to section*  
9 *7015(e) of this Act: Provided further, That none of the funds*  
10 *appropriated under this heading shall be used to pay for*  
11 *abortions: Provided further, That notwithstanding the pre-*  
12 *vious proviso, section 614 of division E of Public Law 113-*  
13 *76 shall apply to funds appropriated under this heading.*

14 *MILLENNIUM CHALLENGE CORPORATION*

15 *For necessary expenses to carry out the provisions of*  
16 *the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et*  
17 *seq.) (MCA), \$905,000,000, to remain available until ex-*  
18 *pended: Provided, That of the funds appropriated under*  
19 *this heading, up to \$105,000,000 may be available for ad-*  
20 *ministrative expenses of the Millennium Challenge Corpora-*  
21 *tion (MCC): Provided further, That up to 5 percent of the*  
22 *funds appropriated under this heading may be made avail-*  
23 *able to carry out the purposes of section 616 of the MCA*  
24 *for fiscal year 2017: Provided further, That section 605(e)*  
25 *of the MCA shall apply to funds appropriated under this*

1 *heading: Provided further, That funds appropriated under*  
2 *this heading may be made available for a Millennium Chal-*  
3 *lenge Compact entered into pursuant to section 609 of the*  
4 *MCA only if such Compact obligates, or contains a commit-*  
5 *ment to obligate subject to the availability of funds and the*  
6 *mutual agreement of the parties to the Compact to proceed,*  
7 *the entire amount of the United States Government funding*  
8 *anticipated for the duration of the Compact: Provided fur-*  
9 *ther, That the MCC Chief Executive Officer shall notify the*  
10 *Committees on Appropriations not later than 15 days prior*  
11 *to commencing negotiations for any country compact or*  
12 *threshold country program; signing any such compact or*  
13 *threshold program; or terminating or suspending any such*  
14 *compact or threshold program: Provided further, That funds*  
15 *appropriated under this heading by this Act and prior Acts*  
16 *making appropriations for the Department of State, foreign*  
17 *operations, and related programs that are available to im-*  
18 *plement section 609(g) of the MCA shall be subject to the*  
19 *regular notification procedures of the Committees on Appro-*  
20 *priations: Provided further, That no country should be eli-*  
21 *gible for a threshold program after such country has com-*  
22 *pleted a country compact: Provided further, That any funds*  
23 *that are deobligated from a Millennium Challenge Compact*  
24 *shall be subject to the regular notification procedures of the*  
25 *Committees on Appropriations prior to re-obligation: Pro-*

1 *vided further, That notwithstanding section 606(a)(2) of the*  
2 *MCA, a country shall be a candidate country for purposes*  
3 *of eligibility for assistance for the fiscal year if the country*  
4 *has a per capita income equal to or below the World Bank's*  
5 *lower middle income country threshold for the fiscal year*  
6 *and is among the 75 lowest per capita income countries*  
7 *as identified by the World Bank; and the country meets the*  
8 *requirements of section 606(a)(1)(B) of the MCA: Provided*  
9 *further, That notwithstanding section 606(b)(1) of the MCA,*  
10 *in addition to countries described in the preceding proviso,*  
11 *a country shall be a candidate country for purposes of eligi-*  
12 *bility for assistance for the fiscal year if the country has*  
13 *a per capita income equal to or below the World Bank's*  
14 *lower middle income country threshold for the fiscal year*  
15 *and is not among the 75 lowest per capita income countries*  
16 *as identified by the World Bank; and the country meets the*  
17 *requirements of section 606(a)(1)(B) of the MCA: Provided*  
18 *further, That any MCC candidate country under section*  
19 *606 of the MCA with a per capita income that changes in*  
20 *the fiscal year such that the country would be reclassified*  
21 *from a low income country to a lower middle income coun-*  
22 *try or from a lower middle income country to a low income*  
23 *country shall retain its candidacy status in its former in-*  
24 *come classification for the fiscal year and the 2 subsequent*  
25 *fiscal years: Provided further, That publication in the Fed-*



1 *eral Register of a notice of availability of a copy of a Com-*  
2 *pact on the MCC Web site shall be deemed to satisfy the*  
3 *requirements of section 610(b)(2) of the MCA for such Com-*  
4 *pact: Provided further, That none of the funds made avail-*  
5 *able by this Act or prior Acts making appropriations for*  
6 *the Department of State, foreign operations, and related*  
7 *programs shall be available for a threshold program in a*  
8 *country that is not currently a candidate country: Provided*  
9 *further, That of the funds appropriated under this heading,*  
10 *not to exceed \$100,000 may be available for representation*  
11 *and entertainment expenses, of which not to exceed \$5,000*  
12 *may be available for entertainment expenses.*

13 *INTER-AMERICAN FOUNDATION*

14 *For necessary expenses to carry out the functions of*  
15 *the Inter-American Foundation in accordance with the pro-*  
16 *visions of section 401 of the Foreign Assistance Act of 1969,*  
17 *\$22,500,000, to remain available until September 30, 2018:*  
18 *Provided, That of the funds appropriated under this head-*  
19 *ing, not to exceed \$2,000 may be available for representa-*  
20 *tion expenses.*

21 *UNITED STATES AFRICAN DEVELOPMENT FOUNDATION*

22 *For necessary expenses to carry out title V of the Inter-*  
23 *national Security and Development Cooperation Act of*  
24 *1980 (Public Law 96-533), \$30,000,000, to remain avail-*  
25 *able until September 30, 2018, of which not to exceed \$2,000*

1 *may be available for representation expenses: Provided,*  
2 *That funds made available to grantees may be invested*  
3 *pending expenditure for project purposes when authorized*  
4 *by the Board of Directors of the United States African De-*  
5 *velopment Foundation (USADF): Provided further, That*  
6 *interest earned shall be used only for the purposes for which*  
7 *the grant was made: Provided further, That notwith-*  
8 *standing section 505(a)(2) of the African Development*  
9 *Foundation Act (22 U.S.C. 290h-3(a)(2)), in exceptional*  
10 *circumstances the Board of Directors of the USADF may*  
11 *waive the \$250,000 limitation contained in that section*  
12 *with respect to a project and a project may exceed the limi-*  
13 *tation by up to 10 percent if the increase is due solely to*  
14 *foreign currency fluctuation: Provided further, That the*  
15 *USADF shall submit a report to the Committees on Appro-*  
16 *priations after each time such waiver authority is exercised:*  
17 *Provided further, That the USADF may make rent or lease*  
18 *payments in advance from appropriations available for*  
19 *such purpose for offices, buildings, grounds, and quarters*  
20 *in Africa as may be necessary to carry out its functions:*  
21 *Provided further, That the USADF may maintain bank ac-*  
22 *counts outside the United States Treasury and retain any*  
23 *interest earned on such accounts, in furtherance of the pur-*  
24 *poses of the African Development Foundation Act: Provided*  
25 *further, That the USADF may not withdraw any appro-*

1 *priation from the Treasury prior to the need of spending*  
2 *such funds for program purposes.*

3 *DEPARTMENT OF THE TREASURY*

4 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

5 *For necessary expenses to carry out the provisions of*  
6 *section 129 of the Foreign Assistance Act of 1961,*  
7 *\$30,000,000, to remain available until September 30, 2019,*  
8 *which shall be available notwithstanding any other provi-*  
9 *sion of law.*

10 *TITLE IV*

11 *INTERNATIONAL SECURITY ASSISTANCE*

12 *DEPARTMENT OF STATE*

13 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

14 *ENFORCEMENT*

15 *For necessary expenses to carry out section 481 of the*  
16 *Foreign Assistance Act of 1961, \$889,664,000, to remain*  
17 *available until September 30, 2018: Provided, That the De-*  
18 *partment of State may use the authority of section 608 of*  
19 *the Foreign Assistance Act of 1961, without regard to its*  
20 *restrictions, to receive excess property from an agency of*  
21 *the United States Government for the purpose of providing*  
22 *such property to a foreign country or international organi-*  
23 *zation under chapter 8 of part I of such Act, subject to the*  
24 *regular notification procedures of the Committees on Appro-*  
25 *priations: Provided further, That section 482(b) of the For-*

1 *Foreign Assistance Act of 1961 shall not apply to funds appro-*  
2 *riated under this heading, except that any funds made*  
3 *available notwithstanding such section shall be subject to*  
4 *the regular notification procedures of the Committees on*  
5 *Appropriations: Provided further, That funds appropriated*  
6 *under this heading shall be made available to support train-*  
7 *ing and technical assistance for foreign law enforcement,*  
8 *corrections, and other judicial authorities, utilizing re-*  
9 *gional partners: Provided further, That not less than*  
10 *\$72,565,000 of the funds appropriated under this heading*  
11 *shall be transferred to, and merged with, funds appro-*  
12 *riated by this Act under the heading “Assistance for Eu-*  
13 *rope, Eurasia and Central Asia”, which shall be available*  
14 *for the same purposes as funds appropriated under this*  
15 *heading: Provided further, That of the funds appropriated*  
16 *under this heading, not less than \$7,000,000 shall be made*  
17 *available, on a competitive basis, for rule of law programs*  
18 *for transitional and post-conflict states, and for activities*  
19 *to coordinate rule of law programs among foreign govern-*  
20 *ments, international and nongovernmental organizations,*  
21 *and other United States Government agencies: Provided*  
22 *further, That funds made available under this heading that*  
23 *are transferred to another department, agency, or instru-*  
24 *mentality of the United States Government pursuant to sec-*  
25 *tion 632(b) of the Foreign Assistance Act of 1961 valued*

1 *in excess of \$5,000,000, and any agreement made pursuant*  
2 *to section 632(a) of such Act, shall be subject to the regular*  
3 *notification procedures of the Committees on Appropria-*  
4 *tions.*

5 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*  
6 *RELATED PROGRAMS*

7 *For necessary expenses for nonproliferation, anti-ter-*  
8 *rorism, demining and related programs and activities,*  
9 *\$500,696,000, to remain available until September 30,*  
10 *2018, to carry out the provisions of chapter 8 of part II*  
11 *of the Foreign Assistance Act of 1961 for anti-terrorism as-*  
12 *sistance, chapter 9 of part II of the Foreign Assistance Act*  
13 *of 1961, section 504 of the FREEDOM Support Act, section*  
14 *23 of the Arms Export Control Act, or the Foreign Assist-*  
15 *ance Act of 1961 for demining activities, the clearance of*  
16 *unexploded ordnance, the destruction of small arms, and*  
17 *related activities, notwithstanding any other provision of*  
18 *law, including activities implemented through nongovern-*  
19 *mental and international organizations, and section 301 of*  
20 *the Foreign Assistance Act of 1961 for a United States con-*  
21 *tribution to the Comprehensive Nuclear Test Ban Treaty*  
22 *Preparatory Commission, and for a voluntary contribution*  
23 *to the International Atomic Energy Agency (IAEA): Pro-*  
24 *vided, That the Secretary of State shall inform the appro-*  
25 *priate congressional committees of information regarding*

1 *any separate arrangements relating to the “Road-map for*  
2 *the Clarification of Past and Present Outstanding Issues*  
3 *Regarding Iran’s Nuclear Program” between the IAEA and*  
4 *the Islamic Republic of Iran, in classified form if necessary,*  
5 *if such information becomes known to the Department of*  
6 *State: Provided further, That for the clearance of*  
7 *unexploded ordnance, the Secretary of State should*  
8 *prioritize those areas where such ordnance was caused by*  
9 *the United States: Provided further, That funds made avail-*  
10 *able under this heading for the Nonproliferation and Disar-*  
11 *mament Fund shall be made available, notwithstanding*  
12 *any other provision of law and subject to prior consultation*  
13 *with, and the regular notification procedures of, the Com-*  
14 *mittees on Appropriations, to promote bilateral and multi-*  
15 *lateral activities relating to nonproliferation, disarmament,*  
16 *and weapons destruction, and shall remain available until*  
17 *expended: Provided further, That such funds may also be*  
18 *used for such countries other than the Independent States*  
19 *of the former Soviet Union and international organizations*  
20 *when it is in the national security interest of the United*  
21 *States to do so: Provided further, That funds appropriated*  
22 *under this heading may be made available for the IAEA*  
23 *unless the Secretary of State determines that Israel is being*  
24 *denied its right to participate in the activities of that Agen-*  
25 *cy: Provided further, That funds made available for conven-*

1 *tional weapons destruction programs, including demining*  
2 *and related activities, in addition to funds otherwise avail-*  
3 *able for such purposes, may be used for administrative ex-*  
4 *penses related to the operation and management of such*  
5 *programs and activities, subject to the regular notification*  
6 *procedures of the Committees on Appropriations.*

7 *PEACEKEEPING OPERATIONS*

8 *For necessary expenses to carry out the provisions of*  
9 *section 551 of the Foreign Assistance Act of 1961,*  
10 *\$135,041,000: Provided, That funds appropriated under*  
11 *this heading may be used, notwithstanding section 660 of*  
12 *such Act, to provide assistance to enhance the capacity of*  
13 *foreign civilian security forces, including gendarmes, to*  
14 *participate in peacekeeping operations: Provided further,*  
15 *That of the funds appropriated under this heading, not less*  
16 *than \$34,500,000 shall be made available for a United*  
17 *States contribution to the Multinational Force and Observ-*  
18 *ers mission in the Sinai: Provided further, That none of*  
19 *the funds appropriated under this heading shall be obli-*  
20 *gated except as provided through the regular notification*  
21 *procedures of the Committees on Appropriations.*

22 *FUNDS APPROPRIATED TO THE PRESIDENT*

23 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

24 *For necessary expenses to carry out the provisions of*  
25 *section 541 of the Foreign Assistance Act of 1961,*

1 \$110,300,000, of which up to \$6,000,000 may remain avail-  
2 able until September 30, 2018: Provided, That the civilian  
3 personnel for whom military education and training may  
4 be provided under this heading may include civilians who  
5 are not members of a government whose participation  
6 would contribute to improved civil-military relations, civil-  
7 ian control of the military, or respect for human rights:  
8 Provided further, That of the funds appropriated under this  
9 heading, not to exceed \$55,000 may be available for enter-  
10 tainment expenses.

11 *FOREIGN MILITARY FINANCING PROGRAM*

12 *For necessary expenses for grants to enable the Presi-*  
13 *dent to carry out the provisions of section 23 of the Arms*  
14 *Export Control Act, \$4,785,805,000: Provided, That to ex-*  
15 *pedite the provision of assistance to foreign countries and*  
16 *international organizations, the Secretary of State, fol-*  
17 *lowing consultation with the Committees on Appropriations*  
18 *and subject to the regular notification procedures of such*  
19 *Committees, may use the funds appropriated under this*  
20 *heading to procure defense articles and services to enhance*  
21 *the capacity of foreign security forces: Provided further,*  
22 *That of the funds appropriated under this heading, not less*  
23 *than \$3,100,000,000 shall be available for grants only for*  
24 *Israel: Provided further, That funds appropriated under*  
25 *this heading for grants only for Israel in fiscal year 2017*



1 *shall be disbursed within 30 days of enactment of this Act:*  
2 *Provided further, That to the extent that the Government*  
3 *of Israel requests that funds be used for such purposes,*  
4 *grants made available for Israel under this heading shall,*  
5 *as agreed by the United States and Israel, be available for*  
6 *advanced weapons systems, of which not less than*  
7 *\$815,300,000 shall be available for the procurement in*  
8 *Israel of defense articles and defense services, including re-*  
9 *search and development: Provided further, That none of the*  
10 *funds made available under this heading shall be made*  
11 *available to support or continue any program initially*  
12 *funded under the authority of section 1206 of the National*  
13 *Defense Authorization Act for Fiscal Year 2006 (Public*  
14 *Law 109–163; 119 Stat. 3456), section 2282 of title 10,*  
15 *United States Code, section 333 of title 10, United States*  
16 *Code, as added by section 1241 of the National Defense Au-*  
17 *thorization Act for Fiscal Year 2017 (Public Law 114–328),*  
18 *or any successor authorities, unless the Secretary of State,*  
19 *in coordination with the Secretary of Defense, has justified*  
20 *such program to the Committees on Appropriations: Pro-*  
21 *vided further, That funds appropriated or otherwise made*  
22 *available under this heading shall be nonrepayable notwith-*  
23 *standing any requirement in section 23 of the Arms Export*  
24 *Control Act: Provided further, That funds made available*  
25 *under this heading shall be obligated upon apportionment*

1 *in accordance with paragraph (5)(C) of section 1501(a) of*  
2 *title 31, United States Code.*

3 *None of the funds made available under this heading*  
4 *shall be available to finance the procurement of defense arti-*  
5 *cles, defense services, or design and construction services*  
6 *that are not sold by the United States Government under*  
7 *the Arms Export Control Act unless the foreign country pro-*  
8 *posing to make such procurement has first signed an agree-*  
9 *ment with the United States Government specifying the*  
10 *conditions under which such procurement may be financed*  
11 *with such funds: Provided, That all country and funding*  
12 *level increases in allocations shall be submitted through the*  
13 *regular notification procedures of section 7015 of this Act:*  
14 *Provided further, That funds made available under this*  
15 *heading may be used, notwithstanding any other provision*  
16 *of law, for demining, the clearance of unexploded ordnance,*  
17 *and related activities, and may include activities imple-*  
18 *mented through nongovernmental and international organi-*  
19 *zations: Provided further, That only those countries for*  
20 *which assistance was justified for the “Foreign Military*  
21 *Sales Financing Program” in the fiscal year 1989 congres-*  
22 *sional presentation for security assistance programs may*  
23 *utilize funds made available under this heading for procure-*  
24 *ment of defense articles, defense services, or design and con-*  
25 *struction services that are not sold by the United States*

1 *Government under the Arms Export Control Act: Provided*  
2 *further, That funds appropriated under this heading shall*  
3 *be expended at the minimum rate necessary to make timely*  
4 *payment for defense articles and services: Provided further,*  
5 *That not more than \$80,000,000 of the funds appropriated*  
6 *under this heading may be obligated for necessary expenses,*  
7 *including the purchase of passenger motor vehicles for re-*  
8 *placement only for use outside of the United States, for the*  
9 *general costs of administering military assistance and sales,*  
10 *except that this limitation may be exceeded only through*  
11 *the regular notification procedures of the Committees on*  
12 *Appropriations: Provided further, That of the funds made*  
13 *available under this heading for general costs of admin-*  
14 *istering military assistance and sales, not to exceed \$4,000*  
15 *may be available for entertainment expenses and not to ex-*  
16 *ceed \$130,000 may be available for representation expenses:*  
17 *Provided further, That not more than \$920,200,000 of funds*  
18 *realized pursuant to section 21(e)(1)(A) of the Arms Export*  
19 *Control Act may be obligated for expenses incurred by the*  
20 *Department of Defense during fiscal year 2017 pursuant*  
21 *to section 43(b) of the Arms Export Control Act, except that*  
22 *this limitation may be exceeded only through the regular*  
23 *notification procedures of the Committees on Appropria-*  
24 *tions.*

1

*TITLE V*

2

*MULTILATERAL ASSISTANCE*

3

*FUNDS APPROPRIATED TO THE PRESIDENT*

4

*INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

5

*For necessary expenses to carry out the provisions of*

6

*section 301 of the Foreign Assistance Act of 1961, and of*

7

*section 2 of the United Nations Environment Program Par-*

8

*ticipation Act of 1973, \$339,000,000: Provided, That sec-*

9

*tion 307(a) of the Foreign Assistance Act of 1961 shall not*

10

*apply to contributions to the United Nations Democracy*

11

*Fund.*

12

*INTERNATIONAL FINANCIAL INSTITUTIONS*

13

*GLOBAL ENVIRONMENT FACILITY*

14

*For payment to the International Bank for Recon-*

15

*struction and Development as trustee for the Global Envi-*

16

*ronment Facility by the Secretary of the Treasury,*

17

*\$146,563,000, to remain available until expended.*

18

*CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*

19

*ASSOCIATION*

20

*For payment to the International Development Asso-*

21

*ciation by the Secretary of the Treasury, \$1,197,128,000,*

22

*to remain available until expended.*

1           *CONTRIBUTION TO THE INTERNATIONAL BANK FOR*  
2                           *RECONSTRUCTION AND DEVELOPMENT*

3           *For payment to the International Bank for Recon-*  
4 *struction and Development by the Secretary of the Treasury*  
5 *for the United States share of the paid-in portion of the*  
6 *increases in capital stock, \$5,963,421, to remain available*  
7 *until expended.*

8           *CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT*  
9                           *BANK*

10          *For payment to the Inter-American Development Bank*  
11 *by the Secretary of the Treasury for the United States share*  
12 *of the paid-in portion of the increase in capital stock,*  
13 *\$21,939,727, to remain available until expended.*

14          *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

15          *For payment to the Asian Development Bank's Asian*  
16 *Development Fund by the Secretary of the Treasury,*  
17 *\$99,233,000, to remain available until expended.*

18          *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

19          *For payment to the African Development Bank by the*  
20 *Secretary of the Treasury for the United States share of*  
21 *the paid-in portion of the increase in capital stock,*  
22 *\$32,418,000, to remain available until expended.*

23          *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

24          *The United States Governor of the African Develop-*  
25 *ment Bank may subscribe without fiscal year limitation to*

1 *the callable capital portion of the United States share of*  
2 *such capital stock in an amount not to exceed \$507,860,808.*

3 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

4 *For payment to the African Development Fund by the*  
5 *Secretary of the Treasury, \$214,332,000, to remain avail-*  
6 *able until expended.*

7 *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*

8 *AGRICULTURAL DEVELOPMENT*

9 *For payment to the International Fund for Agricul-*  
10 *tural Development by the Secretary of the Treasury,*  
11 *\$30,000,000, to remain available until expended.*

12 *GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM*

13 *For payment to the Global Agriculture and Food Secu-*  
14 *rity Program by the Secretary of the Treasury,*  
15 *\$23,000,000, to remain available until expended.*

16 *TITLE VI*

17 *EXPORT AND INVESTMENT ASSISTANCE*

18 *EXPORT-IMPORT BANK OF THE UNITED STATES*

19 *INSPECTOR GENERAL*

20 *For necessary expenses of the Office of Inspector Gen-*  
21 *eral in carrying out the provisions of the Inspector General*  
22 *Act of 1978, as amended, \$5,700,000, to remain available*  
23 *until September 30, 2018.*

## PROGRAM ACCOUNT

1  
2       *The Export-Import Bank of the United States is au-*  
3 *thorized to make such expenditures within the limits of*  
4 *funds and borrowing authority available to such corpora-*  
5 *tion, and in accordance with law, and to make such con-*  
6 *tracts and commitments without regard to fiscal year limi-*  
7 *tations, as provided by section 104 of the Government Cor-*  
8 *poration Control Act, as may be necessary in carrying out*  
9 *the program for the current fiscal year for such corporation:*  
10 *Provided, That none of the funds available during the cur-*  
11 *rent fiscal year may be used to make expenditures, con-*  
12 *tracts, or commitments for the export of nuclear equipment,*  
13 *fuel, or technology to any country, other than a nuclear-*  
14 *weapon state as defined in Article IX of the Treaty on the*  
15 *Non-Proliferation of Nuclear Weapons eligible to receive*  
16 *economic or military assistance under this Act, that has*  
17 *detonated a nuclear explosive after the date of the enactment*  
18 *of this Act.*

## ADMINISTRATIVE EXPENSES

19  
20       *For administrative expenses to carry out the direct*  
21 *and guaranteed loan and insurance programs, including*  
22 *hire of passenger motor vehicles and services as authorized*  
23 *by section 3109 of title 5, United States Code, and not to*  
24 *exceed \$30,000 for official reception and representation ex-*  
25 *penses for members of the Board of Directors, not to exceed*

1 \$110,000,000: *Provided, That the Export-Import Bank (the*  
2 *Bank) may accept, and use, payment or services provided*  
3 *by transaction participants for legal, financial, or technical*  
4 *services in connection with any transaction for which an*  
5 *application for a loan, guarantee or insurance commitment*  
6 *has been made: Provided further, That the Bank shall*  
7 *charge fees for necessary expenses (including special services*  
8 *performed on a contract or fee basis, but not including other*  
9 *personal services) in connection with the collection of mon-*  
10 *ey* *owed the Bank, repossession or sale of pledged collateral*  
11 *or other assets acquired by the Bank in satisfaction of mon-*  
12 *ey* *owed the Bank, or the investigation or appraisal of any*  
13 *property, or the evaluation of the legal, financial, or tech-*  
14 *nical aspects of any transaction for which an application*  
15 *for a loan, guarantee or insurance commitment has been*  
16 *made, or systems infrastructure directly supporting trans-*  
17 *actions: Provided further, That in addition to other funds*  
18 *appropriated for administrative expenses, such fees shall be*  
19 *credited to this account for such purposes, to remain avail-*  
20 *able until expended.*

21 *RECEIPTS COLLECTED*

22 *Receipts collected pursuant to the Export-Import Bank*  
23 *Act of 1945, as amended, and the Federal Credit Reform*  
24 *Act of 1990, as amended, in an amount not to exceed the*  
25 *amount appropriated herein, shall be credited as offsetting*



1 *collections to this account: Provided, That the sums herein*  
2 *appropriated from the General Fund shall be reduced on*  
3 *a dollar-for-dollar basis by such offsetting collections so as*  
4 *to result in a final fiscal year appropriation from the Gen-*  
5 *eral Fund estimated at \$0: Provided further, That amounts*  
6 *collected in fiscal year 2017 in excess of obligations, up to*  
7 *\$10,000,000 shall become available on September 1, 2017,*  
8 *and shall remain available until September 30, 2020.*

9 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

10 *NONCREDIT ACCOUNT*

11 *The Overseas Private Investment Corporation is au-*  
12 *thorized to make, without regard to fiscal year limitations,*  
13 *as provided by section 9104 of title 31, United States Code,*  
14 *such expenditures and commitments within the limits of*  
15 *funds available to it and in accordance with law as may*  
16 *be necessary: Provided, That the amount available for ad-*  
17 *ministrative expenses to carry out the credit and insurance*  
18 *programs (including an amount for official reception and*  
19 *representation expenses which shall not exceed \$35,000)*  
20 *shall not exceed \$70,000,000: Provided further, That*  
21 *project-specific transaction costs, including direct and indi-*  
22 *rect costs incurred in claims settlements, and other direct*  
23 *costs associated with services provided to specific investors*  
24 *or potential investors pursuant to section 234 of the Foreign*

1 *Assistance Act of 1961, shall not be considered administra-*  
2 *tive expenses for the purposes of this heading.*

3 *PROGRAM ACCOUNT*

4 *For the cost of direct and guaranteed loans,*  
5 *\$20,000,000, as authorized by section 234 of the Foreign*  
6 *Assistance Act of 1961, to be derived by transfer from the*  
7 *Overseas Private Investment Corporation Noncredit Ac-*  
8 *count: Provided, That such costs, including the cost of modi-*  
9 *fying such loans, shall be as defined in section 502 of the*  
10 *Congressional Budget Act of 1974: Provided further, That*  
11 *such sums shall be available for direct loan obligations and*  
12 *loan guaranty commitments incurred or made during fiscal*  
13 *years 2017, 2018, and 2019: Provided further, That funds*  
14 *so obligated in fiscal year 2017 remain available for dis-*  
15 *bursement through 2025; funds obligated in fiscal year 2018*  
16 *remain available for disbursement through 2026; and funds*  
17 *obligated in fiscal year 2019 remain available for disburse-*  
18 *ment through 2027: Provided further, That notwithstanding*  
19 *any other provision of law, the Overseas Private Investment*  
20 *Corporation is authorized to undertake any program au-*  
21 *thorized by title IV of chapter 2 of part I of the Foreign*  
22 *Assistance Act of 1961 in Iraq: Provided further, That*  
23 *funds made available pursuant to the authority of the pre-*  
24 *vious proviso shall be subject to the regular notification pro-*  
25 *cedures of the Committees on Appropriations.*



1 *of title 5, United States Code; for services as authorized by*  
2 *section 3109 of such title and for hire of passenger transpor-*  
3 *tation pursuant to section 1343(b) of title 31, United States*  
4 *Code.*

5 *UNOBLIGATED BALANCES REPORT*

6 *SEC. 7002. Any department or agency of the United*  
7 *States Government to which funds are appropriated or oth-*  
8 *erwise made available by this Act shall provide to the Com-*  
9 *mittees on Appropriations a quarterly accounting of cumu-*  
10 *lative unobligated balances and obligated, but unexpended,*  
11 *balances by program, project, and activity, and Treasury*  
12 *Account Fund Symbol of all funds received by such depart-*  
13 *ment or agency in fiscal year 2017 or any previous fiscal*  
14 *year, disaggregated by fiscal year: Provided, That the report*  
15 *required by this section shall be submitted not later than*  
16 *30 days after the end of each fiscal quarter and should*  
17 *specify by account the amount of funds obligated pursuant*  
18 *to bilateral agreements which have not been further sub-obli-*  
19 *gated.*

20 *CONSULTING SERVICES*

21 *SEC. 7003. The expenditure of any appropriation*  
22 *under title I of this Act for any consulting service through*  
23 *procurement contract, pursuant to section 3109 of title 5,*  
24 *United States Code, shall be limited to those contracts where*  
25 *such expenditures are a matter of public record and avail-*

1 *able for public inspection, except where otherwise provided*  
2 *under existing law, or under existing Executive Order*  
3 *issued pursuant to existing law.*

4 *DIPLOMATIC FACILITIES*

5 *SEC. 7004. (a) CAPITAL SECURITY COST SHARING IN-*  
6 *FORMATION.—The Secretary of State shall promptly inform*  
7 *the Committees on Appropriations of each instance in*  
8 *which a Federal department or agency is delinquent in pro-*  
9 *viding the full amount of funding required by section 604(e)*  
10 *of the Secure Embassy Construction and Counterterrorism*  
11 *Act of 1999 (22 U.S.C. 4865 note).*

12 *(b) EXCEPTION.—Notwithstanding paragraph (2) of*  
13 *section 604(e) of the Secure Embassy Construction and*  
14 *Counterterrorism Act of 1999 (as enacted into law by sec-*  
15 *tion 1000(a)(7) of Public Law 106–113 and contained in*  
16 *appendix G of that Act), as amended by section 111 of the*  
17 *Department of State Authorities Act, Fiscal Year 2017*  
18 *(Public Law 114–323), a project to construct a facility of*  
19 *the United States may include office space or other accom-*  
20 *modations for members of the United States Marine Corps.*

21 *(c) NEW DIPLOMATIC FACILITIES.—For the purposes*  
22 *of calculating the fiscal year 2017 costs of providing new*  
23 *United States diplomatic facilities in accordance with sec-*  
24 *tion 604(e) of the Secure Embassy Construction and*  
25 *Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the*

1 *Secretary of State, in consultation with the Director of the*  
2 *Office of Management and Budget, shall determine the an-*  
3 *nual program level and agency shares in a manner that*  
4 *is proportional to the contribution of the Department of*  
5 *State for this purpose.*

6       (d) *CONSULTATION AND NOTIFICATION REQUIRE-*  
7 *MENTS.—Funds appropriated by this Act and prior Acts*  
8 *making appropriations for the Department of State, foreign*  
9 *operations, and related programs, which may be made*  
10 *available for the acquisition of property or award of con-*  
11 *struction contracts for overseas United States diplomatic*  
12 *facilities during fiscal year 2017, shall be subject to prior*  
13 *consultation with, and the regular notification procedures*  
14 *of, the Committees on Appropriations: Provided, That noti-*  
15 *fications pursuant to this subsection shall include the infor-*  
16 *mation enumerated under the heading “Embassy Security,*  
17 *Construction, and Maintenance” in House Report 114–693*  
18 *and Senate Report 114–290: Provided further, That any*  
19 *such notification for a new diplomatic facility justified to*  
20 *the Committees on Appropriations in Appendix 1 of the*  
21 *Congressional Budget Justification, Department of State,*  
22 *Diplomatic Engagement, Fiscal Year 2017, or not pre-*  
23 *viously justified to such Committees, shall also include con-*  
24 *firmation that the Department of State has completed the*  
25 *requisite value engineering studies required pursuant to*

1 *OMB Circular A-131, Value Engineering December 31,*  
2 *2013 and the Bureau of Overseas Building Operations Pol-*  
3 *icy and Procedure Directive, P&PD, Cost 02: Value Engi-*  
4 *neering.*

5 *(e) INTERIM AND TEMPORARY FACILITIES ABROAD.—*

6 *(1) Funds appropriated by this Act under the*  
7 *heading “Embassy Security, Construction, and Main-*  
8 *tenance” may be made available to address security*  
9 *vulnerabilities at interim and temporary United*  
10 *States diplomatic facilities abroad, including physical*  
11 *security upgrades and local guard staffing, except*  
12 *that the amount of funds made available for such*  
13 *purposes from this Act and prior Acts making appro-*  
14 *priations for the Department of State, foreign oper-*  
15 *ations, and related programs shall be a minimum of*  
16 *\$25,000,000: Provided, That the uses of such funds*  
17 *should be the responsibility of the Assistant Secretary*  
18 *for Diplomatic Security, Department of State, in con-*  
19 *sultation with the Director of the Bureau of Overseas*  
20 *Buildings Operations, Department of State: Provided*  
21 *further, That such funds shall be subject to prior con-*  
22 *sultation with the Committees on Appropriations.*

23 *(2) Notwithstanding any other provision of law,*  
24 *the opening, closure, or any significant modification*  
25 *to an interim or temporary United States diplomatic*

1        *facility shall be subject to prior consultation with the*  
2        *appropriate congressional committees and the regular*  
3        *notification procedures of the Committees on Appro-*  
4        *propriations, except that such consultation and notifica-*  
5        *tion may be waived if there is a security risk to per-*  
6        *sonnel.*

7        *(f) TRANSFER OF FUNDS AUTHORITY.—Funds appro-*  
8        *priated under the heading “Diplomatic and Consular Pro-*  
9        *grams”, including for Worldwide Security Protection, and*  
10       *under the heading “Embassy Security, Construction, and*  
11       *Maintenance” in titles I and VIII of this Act may be trans-*  
12       *ferred to, and merged with, funds appropriated by such ti-*  
13       *ties under such headings if the Secretary of State determines*  
14       *and reports to the Committees on Appropriations that to*  
15       *do so is necessary to implement the recommendations of the*  
16       *Benghazi Accountability Review Board, or to prevent or re-*  
17       *spond to security situations and requirements, following*  
18       *consultation with, and subject to the regular notification*  
19       *procedures of, such Committees: Provided, That such trans-*  
20       *fer authority is in addition to any transfer authority other-*  
21       *wise available under any other provision of law.*

22       *(g) SOFT TARGETS.—Funds appropriated by this Act*  
23       *under the heading “Embassy Security, Construction, and*  
24       *Maintenance” may be made available for security upgrades*  
25       *to soft targets, including schools, recreational facilities, and*



1 *residences used by United States diplomatic personnel and*  
2 *their dependents, except that the amount made available for*  
3 *such purposes shall be a minimum of \$10,000,000: Pro-*  
4 *vided, That the uses of such funds should be the responsi-*  
5 *bility of the Assistant Secretary for Diplomatic Security,*  
6 *Department of State, in consultation with the Director of*  
7 *the Bureau of Overseas Building Operations.*

8 *(h) REPORTS.—*

9 *(1) None of the funds appropriated under the*  
10 *heading “Embassy Security, Construction, and Main-*  
11 *tenance” in this Act and prior Acts making appro-*  
12 *priations for the Department of State, foreign oper-*  
13 *ations, and related programs, made available through*  
14 *Federal agency Capital Security Cost Sharing con-*  
15 *tributions and reimbursements, or generated from the*  
16 *proceeds of real property sales, other than from real*  
17 *property sales located in London, United Kingdom,*  
18 *may be made available for site acquisition and miti-*  
19 *gation, planning, design, or construction of the New*  
20 *London Embassy: Provided, That the reporting re-*  
21 *quirement contained in section 7004(f)(2) of the De-*  
22 *partment of State, Foreign Operations, and Related*  
23 *Programs Appropriations Act, 2012 (division I of*  
24 *Public Law 112–74) shall remain in effect during fis-*  
25 *cal year 2017.*

1           (2) *Within 45 days of enactment of this Act and*  
2 *every 4 months thereafter until September 30, 2018,*  
3 *the Secretary of State shall submit to the Committees*  
4 *on Appropriations a report on the new Mexico City*  
5 *Embassy and Beirut Embassy projects: Provided,*  
6 *That such report shall include, for each of the*  
7 *projects—*

8           (A) *a detailed breakout of the project factors*  
9 *that formed the basis of the initial cost estimate*  
10 *used to justify such project to the Committees on*  
11 *Appropriations, as described under the heading*  
12 *“Embassy Security Construction and Maintenance”*  
13 *in House Report 114–693;*

14           (B) *a comparison of the current project fac-*  
15 *tors as compared to the project factors submitted*  
16 *pursuant to subparagraph (A) of this subsection,*  
17 *and an explanation of any changes; and*

18           (C) *the impact of currency exchange rate*  
19 *fluctuations on project costs.*

20           (i) *STRENGTHENING OVERSIGHT.—Funds appro-*  
21 *riated by this Act and prior Acts making appropriations*  
22 *for the Department of State, foreign operations, and related*  
23 *programs under the heading “Diplomatic and Consular*  
24 *Programs” for Worldwide Security Protection shall be made*  
25 *available to strengthen oversight of the local guard force at*

1 *a critical post abroad through the use of United States Gov-*  
2 *ernment employees or contractors who are United States*  
3 *citizens: Provided, That such funds are in addition to funds*  
4 *otherwise made available by such Acts for such purposes:*  
5 *Provided further, That the total annual operating costs as-*  
6 *sociated with providing such oversight in fiscal year 2017*  
7 *and subsequent fiscal years shall be shared among agencies*  
8 *through the International Cooperative Administrative Sup-*  
9 *port Services program: Provided further, That not later*  
10 *than 45 days after enactment of this Act, and prior to the*  
11 *obligation of funds for such purposes, the Secretary of State*  
12 *shall consult with the Committees on Appropriations on*  
13 *plans to carry out the requirement of this subsection: Pro-*  
14 *vided further, That amounts made available pursuant to*  
15 *this subsection from prior Acts making appropriations for*  
16 *the Department of State, foreign operations, and related*  
17 *programs that were previously designated by the Congress*  
18 *for Overseas Contingency Operation/Global War on Ter-*  
19 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
20 *Budget and Emergency Deficit Control Act of 1985 are des-*  
21 *ignated by the Congress for Overseas Contingency Oper-*  
22 *ations/Global War on Terrorism pursuant to section*  
23 *251(b)(2)(A)(ii) of such Act.*

1 *PERSONNEL ACTIONS*

2 *SEC. 7005. Any costs incurred by a department or*  
3 *agency funded under title I of this Act resulting from per-*  
4 *sonnel actions taken in response to funding reductions in-*  
5 *cluded in this Act shall be absorbed within the total budg-*  
6 *etary resources available under title I to such department*  
7 *or agency: Provided, That the authority to transfer funds*  
8 *between appropriations accounts as may be necessary to*  
9 *carry out this section is provided in addition to authorities*  
10 *included elsewhere in this Act: Provided further, That use*  
11 *of funds to carry out this section shall be treated as a re-*  
12 *programming of funds under section 7015 of this Act.*

13 *DEPARTMENT OF STATE MANAGEMENT*

14 *SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVEMENT.—*  
15 *Funds appropriated by this Act for the operations of the*  
16 *Department of State under the headings “Diplomatic and*  
17 *Consular Programs” and “Capital Investment Fund” shall*  
18 *be made available to implement the recommendations con-*  
19 *tained in the Foreign Assistance Data Review Findings Re-*  
20 *port (FADR) and the Office of Inspector General (OIG) re-*  
21 *port entitled “Department Financial Systems Are Insuffi-*  
22 *cient to Track and Report on Foreign Assistance Funds”:*  
23 *Provided, That not later than 45 days after enactment of*  
24 *this Act, the Secretary of State shall submit to the Commit-*  
25 *tees on Appropriations a plan, including timeline and*

1 costs, for implementing the FADR and OIG recommenda-  
2 tions: Provided further, That such funds may not be obli-  
3 gated for enhancements to, or expansions of, the Budget  
4 System Modernization Financial System, Central Resource  
5 Management System, Joint Financial Management System,  
6 or Foreign Assistance Coordination and Tracking System  
7 until such plan is submitted to the Committees on Appro-  
8 priations: Provided further, That such funds may not be  
9 obligated for new, or expansion of existing, ad hoc electronic  
10 systems to track commitments, obligations or expenditures  
11 of funds unless the Secretary of State, following consulta-  
12 tion with the Chief Information Officer of the Department  
13 of State, has reviewed and certified that such new system  
14 or expansion is consistent with the FADR and OIG rec-  
15 ommendations.

16 (b) WORKING CAPITAL FUND.—Funds appropriated  
17 by this Act or otherwise made available to the Department  
18 of State for payments to the Working Capital Fund may  
19 only be used for the service centers included in Appendix  
20 1 of the Congressional Budget Justification, Department of  
21 State, Diplomatic Engagement, Fiscal Year 2017: Provided,  
22 That the amounts for such service centers shall be the  
23 amounts included in such budget justification, except as  
24 provided in section 7015(b) of this Act: Provided further,  
25 That Federal agency components shall be charged only for

1 *their direct usage of each Working Capital Fund service:*  
2 *Provided further, That prior to increasing the percentage*  
3 *charged to Department of State bureaus and offices for pro-*  
4 *curement-related activities, the Secretary of State shall in-*  
5 *clude the proposed increase in the Department of State*  
6 *budget justification or, at least 60 days prior to the in-*  
7 *crease, provide the Committees on Appropriations a jus-*  
8 *tification for such increase, including a detailed assessment*  
9 *of the cost and benefit of the services provided by the pro-*  
10 *curement fee: Provided further, That Federal agency compo-*  
11 *nents may only pay for Working Capital Fund services that*  
12 *are consistent with the purpose and authorities of such com-*  
13 *ponents: Provided further, That the Working Capital Fund*  
14 *shall be paid in advance or reimbursed at rates which will*  
15 *return the full cost of each service.*

16       (c) *CERTIFICATION REQUIREMENT.*—*Not later than 45*  
17 *days after the initial obligation of funds appropriated*  
18 *under titles III and IV of this Act that are made available*  
19 *to a Department of State bureau or office with responsi-*  
20 *bility for the oversight or management of such funds, the*  
21 *Secretary of State shall certify and report to the Committees*  
22 *on Appropriations, on an individual bureau or office basis,*  
23 *that such bureau or office is in compliance with Depart-*  
24 *ment and Federal financial management policies, proce-*  
25 *dures and regulations, as appropriate: Provided, That if*

1 *the Secretary is unable to make such certification for an*  
2 *individual bureau or office, the Secretary shall submit a*  
3 *plan and timeline to such Committees detailing the steps*  
4 *to be taken to ensure such compliance.*

5 *(d) REPORT ON SOLE SOURCE AWARDS.—Not later*  
6 *than December 31, 2017, the Secretary of State shall submit*  
7 *a report to the appropriate congressional committees detail-*  
8 *ing all sole-source awards made by the Department of State*  
9 *during the previous fiscal year in excess of \$2,000,000: Pro-*  
10 *vided, That such report should be posted on the Department*  
11 *of State Web site.*

12 *PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN*  
13 *COUNTRIES*

14 *SEC. 7007. None of the funds appropriated or other-*  
15 *wise made available pursuant to titles III through VI of*  
16 *this Act shall be obligated or expended to finance directly*  
17 *any assistance or reparations for the governments of Cuba,*  
18 *North Korea, Iran, or Syria: Provided, That for purposes*  
19 *of this section, the prohibition on obligations or expendi-*  
20 *tures shall include direct loans, credits, insurance, and*  
21 *guarantees of the Export-Import Bank or its agents.*

22 *COUPS D'ÉTAT*

23 *SEC. 7008. None of the funds appropriated or other-*  
24 *wise made available pursuant to titles III through VI of*  
25 *this Act shall be obligated or expended to finance directly*

1 *any assistance to the government of any country whose duly*  
2 *elected head of government is deposed by military coup*  
3 *d'état or decree or, after the date of enactment of this Act,*  
4 *a coup d'état or decree in which the military plays a deci-*  
5 *sive role: Provided, That assistance may be resumed to such*  
6 *government if the Secretary of State certifies and reports*  
7 *to the appropriate congressional committees that subsequent*  
8 *to the termination of assistance a democratically elected*  
9 *government has taken office: Provided further, That the pro-*  
10 *visions of this section shall not apply to assistance to pro-*  
11 *mote democratic elections or public participation in demo-*  
12 *cratic processes: Provided further, That funds made avail-*  
13 *able pursuant to the previous provisos shall be subject to*  
14 *the regular notification procedures of the Committees on*  
15 *Appropriations.*

16 *TRANSFER OF FUNDS AUTHORITY*

17 *SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-*  
18 *CASTING BOARD OF GOVERNORS.—*

19 *(1) Not to exceed 5 percent of any appropriation*  
20 *made available for the current fiscal year for the De-*  
21 *partment of State under title I of this Act may be*  
22 *transferred between, and merged with, such appro-*  
23 *priations, but no such appropriation, except as other-*  
24 *wise specifically provided, shall be increased by more*  
25 *than 10 percent by any such transfers, and no such*



1        *transfer may be made to increase the appropriation*  
2        *under the heading “Representation Expenses”.*

3            *(2) Not to exceed 5 percent of any appropriation*  
4        *made available for the current fiscal year for the*  
5        *Broadcasting Board of Governors under title I of this*  
6        *Act may be transferred between, and merged with,*  
7        *such appropriations, but no such appropriation, ex-*  
8        *cept as otherwise specifically provided, shall be in-*  
9        *creased by more than 10 percent by any such trans-*  
10       *fers.*

11           *(3) Any transfer pursuant to this subsection*  
12        *shall be treated as a reprogramming of funds under*  
13        *section 7015 of this Act and shall not be available for*  
14        *obligation or expenditure except in compliance with*  
15        *the procedures set forth in that section.*

16        *(b) TITLE VI AGENCIES.—Not to exceed 5 percent of*  
17        *any appropriation other than for administrative expenses*  
18        *made available for fiscal year 2017, for programs under*  
19        *title VI of this Act may be transferred between such appro-*  
20        *priations for use for any of the purposes, programs, and*  
21        *activities for which the funds in such receiving account may*  
22        *be used, but no such appropriation, except as otherwise spe-*  
23        *cifically provided, shall be increased by more than 25 per-*  
24        *cent by any such transfer: Provided, That the exercise of*

1 *such authority shall be subject to the regular notification*  
2 *procedures of the Committees on Appropriations.*

3 (c) *LIMITATION ON TRANSFERS OF FUNDS BETWEEN*  
4 *AGENCIES.—*

5 (1) *None of the funds made available under titles*  
6 *II through V of this Act may be transferred to any*  
7 *department, agency, or instrumentality of the United*  
8 *States Government, except pursuant to a transfer*  
9 *made by, or transfer authority provided in, this Act*  
10 *or any other appropriations Act.*

11 (2) *Notwithstanding paragraph (1), in addition*  
12 *to transfers made by, or authorized elsewhere in, this*  
13 *Act, funds appropriated by this Act to carry out the*  
14 *purposes of the Foreign Assistance Act of 1961 may*  
15 *be allocated or transferred to agencies of the United*  
16 *States Government pursuant to the provisions of sec-*  
17 *tions 109, 610, and 632 of the Foreign Assistance Act*  
18 *of 1961.*

19 (3) *Any agreement entered into by the United*  
20 *States Agency for International Development or the*  
21 *Department of State with any department, agency, or*  
22 *instrumentality of the United States Government pur-*  
23 *suant to section 632(b) of the Foreign Assistance Act*  
24 *of 1961 valued in excess of \$1,000,000 and any agree-*  
25 *ment made pursuant to section 632(a) of such Act,*

1       *with funds appropriated by this Act or prior Acts*  
2       *making appropriations for the Department of State,*  
3       *foreign operations, and related programs under the*  
4       *headings “Global Health Programs”, “Development*  
5       *Assistance”, “Economic Support Fund”, and “Assist-*  
6       *ance for Europe, Eurasia and Central Asia” shall be*  
7       *subject to the regular notification procedures of the*  
8       *Committees on Appropriations: Provided, That the re-*  
9       *quirement in the previous sentence shall not apply to*  
10       *agreements entered into between USAID and the De-*  
11       *partment of State.*

12       *(d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—*  
13       *None of the funds made available under titles II through*  
14       *V of this Act may be obligated under an appropriations*  
15       *account to which such funds were not appropriated, except*  
16       *for transfers specifically provided for in this Act, unless the*  
17       *President, not less than 5 days prior to the exercise of any*  
18       *authority contained in the Foreign Assistance Act of 1961*  
19       *to transfer funds, consults with and provides a written pol-*  
20       *icy justification to the Committees on Appropriations.*

21       *(e) AUDIT OF INTER-AGENCY TRANSFERS OF FUNDS.—*  
22       *Any agreement for the transfer or allocation of funds appro-*  
23       *priated by this Act or prior Acts making appropriations*  
24       *for the Department of State, foreign operations and related*  
25       *programs, entered into between the Department of State or*

1 *USAID and another agency of the United States Govern-*  
2 *ment under the authority of section 632(a) of the Foreign*  
3 *Assistance Act of 1961 or any comparable provision of law,*  
4 *shall expressly provide that the Inspector General (IG) for*  
5 *the agency receiving the transfer or allocation of such funds,*  
6 *or other entity with audit responsibility if the receiving*  
7 *agency does not have an IG, shall perform periodic program*  
8 *and financial audits of the use of such funds and report*  
9 *to the Department of State or USAID, as appropriate, upon*  
10 *completion of such audits: Provided, That such audits shall*  
11 *be transmitted to the Committees on Appropriations by the*  
12 *Department of State or USAID, as appropriate: Provided*  
13 *further, That funds transferred under such authority may*  
14 *be made available for the cost of such audits.*

15 *(f) REPORT.—Not later than 90 days after enactment*  
16 *of this Act, the Secretary of State and the USAID Adminis-*  
17 *trator shall each submit a report to the Committees on Ap-*  
18 *propriations detailing all transfers to another agency of the*  
19 *United States Government made pursuant to sections*  
20 *632(a) and 632(b) of the Foreign Assistance Act of 1961*  
21 *with funds provided in the Department of State, Foreign*  
22 *Operations, and Related Programs Appropriations Act,*  
23 *2016 (division K of Public Law 114–113) as of the date*  
24 *of enactment of this Act: Provided, That such reports shall*  
25 *include a list of each transfer made pursuant to such sec-*

1 *tions with the respective funding level, appropriation ac-*  
2 *count, and the receiving agency.*

3 *PROHIBITION ON CERTAIN OPERATIONAL EXPENSES*

4 *SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the*  
5 *funds made available by this Act may be used for first-class*  
6 *travel by employees of United States Government depart-*  
7 *ments and agencies funded by this Act in contravention of*  
8 *section 301–10.122 through 301–10.124 of title 41, Code of*  
9 *Federal Regulations.*

10 *(b) COMPUTER NETWORKS.—None of the funds made*  
11 *available by this Act for the operating expenses of any*  
12 *United States Government department or agency may be*  
13 *used to establish or maintain a computer network for use*  
14 *by such department or agency unless such network has fil-*  
15 *ters designed to block access to sexually explicit Web sites:*  
16 *Provided, That nothing in this subsection shall limit the*  
17 *use of funds necessary for any Federal, State, tribal, or local*  
18 *law enforcement agency, or any other entity carrying out*  
19 *the following activities: criminal investigations, prosecu-*  
20 *tions, and adjudications; administrative discipline; and the*  
21 *monitoring of such Web sites undertaken as part of official*  
22 *business.*

23 *(c) PROHIBITION ON PROMOTION OF TOBACCO.—None*  
24 *of the funds made available by this Act shall be available*  
25 *to promote the sale or export of tobacco or tobacco products,*

1 *or to seek the reduction or removal by any foreign country*  
2 *of restrictions on the marketing of tobacco or tobacco prod-*  
3 *ucts, except for restrictions which are not applied equally*  
4 *to all tobacco or tobacco products of the same type.*

5 *AVAILABILITY OF FUNDS*

6 *SEC. 7011. No part of any appropriation contained*  
7 *in this Act shall remain available for obligation after the*  
8 *expiration of the current fiscal year unless expressly so pro-*  
9 *vided by this Act: Provided, That funds appropriated for*  
10 *the purposes of chapters 1 and 8 of part I, section 661,*  
11 *chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assist-*  
12 *ance Act of 1961, section 23 of the Arms Export Control*  
13 *Act, and funds provided under the headings "Development*  
14 *Credit Authority" and "Assistance for Europe, Eurasia and*  
15 *Central Asia" shall remain available for an additional 4*  
16 *years from the date on which the availability of such funds*  
17 *would otherwise have expired, if such funds are initially*  
18 *obligated before the expiration of their respective periods of*  
19 *availability contained in this Act: Provided further, That*  
20 *notwithstanding any other provision of this Act, any funds*  
21 *made available for the purposes of chapter 1 of part I and*  
22 *chapter 4 of part II of the Foreign Assistance Act of 1961*  
23 *which are allocated or obligated for cash disbursements in*  
24 *order to address balance of payments or economic policy*  
25 *reform objectives, shall remain available for an additional*

1 4 years from the date on which the availability of such  
2 funds would otherwise have expired, if such funds are ini-  
3 tially allocated or obligated before the expiration of their  
4 respective periods of availability contained in this Act: Pro-  
5 vided further, That the Secretary of State shall provide a  
6 report to the Committees on Appropriations not later than  
7 October 30, 2017, detailing by account and source year, the  
8 use of this authority during the previous fiscal year.

9 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

10 *SEC. 7012. No part of any appropriation provided*  
11 *under titles III through VI in this Act shall be used to fur-*  
12 *nish assistance to the government of any country which is*  
13 *in default during a period in excess of 1 calendar year in*  
14 *payment to the United States of principal or interest on*  
15 *any loan made to the government of such country by the*  
16 *United States pursuant to a program for which funds are*  
17 *appropriated under this Act unless the President deter-*  
18 *mines, following consultations with the Committees on Ap-*  
19 *propriations, that assistance for such country is in the na-*  
20 *tional interest of the United States.*

21 *PROHIBITION ON TAXATION OF UNITED STATES*

22 *ASSISTANCE*

23 *SEC. 7013. (a) PROHIBITION ON TAXATION.—None of*  
24 *the funds appropriated under titles III through VI of this*  
25 *Act may be made available to provide assistance for a for-*

1 *ign country under a new bilateral agreement governing the*  
2 *terms and conditions under which such assistance is to be*  
3 *provided unless such agreement includes a provision stating*  
4 *that assistance provided by the United States shall be ex-*  
5 *empt from taxation, or reimbursed, by the foreign govern-*  
6 *ment, and the Secretary of State and the Administrator of*  
7 *the United States Agency for International Development*  
8 *shall expeditiously seek to negotiate amendments to existing*  
9 *bilateral agreements, as necessary, to conform with this re-*  
10 *quirement.*

11 *(b) NOTIFICATION AND REIMBURSEMENT OF FOREIGN*  
12 *TAXES.—An amount equivalent to 200 percent of the total*  
13 *taxes assessed during fiscal year 2017 on funds appro-*  
14 *priated by this Act and prior Acts making appropriations*  
15 *for the Department of State, foreign operations, and related*  
16 *programs by a foreign government or entity against United*  
17 *States assistance programs, either directly or through*  
18 *grantees, contractors, and subcontractors shall be withheld*  
19 *from obligation from funds appropriated for assistance for*  
20 *fiscal year 2018 and for prior fiscal years and allocated*  
21 *for the central government of such country or for the West*  
22 *Bank and Gaza program if, not later than September 30,*  
23 *2018, such taxes have not been reimbursed: Provided, That*  
24 *the Secretary of State shall report to the Committees on*  
25 *Appropriations by such date on the foreign governments*



1 *and entities that have not reimbursed such taxes, including*  
2 *any amount of funds withheld pursuant to this subsection.*

3 (c) *DE MINIMIS EXCEPTION.*—*Foreign taxes of a de*  
4 *minimis nature shall not be subject to the provisions of sub-*  
5 *section (b).*

6 (d) *REPROGRAMMING OF FUNDS.*—*Funds withheld*  
7 *from obligation for each foreign government or entity pur-*  
8 *suant to subsection (b) shall be reprogrammed for assistance*  
9 *for countries which do not assess taxes on United States*  
10 *assistance or which have an effective arrangement that is*  
11 *providing substantial reimbursement of such taxes, and that*  
12 *can reasonably accommodate such assistance in a program-*  
13 *matically responsible manner.*

14 (e) *DETERMINATIONS.*—

15 (1) *The provisions of this section shall not apply*  
16 *to any foreign government or entity that assesses such*  
17 *taxes if the Secretary of State reports to the Commit-*  
18 *tees on Appropriations that—*

19 (A) *such foreign government or entity has*  
20 *an effective arrangement that is providing sub-*  
21 *stantial reimbursement of such taxes; or*

22 (B) *the foreign policy interests of the United*  
23 *States outweigh the purpose of this section to en-*  
24 *sure that United States assistance is not subject*  
25 *to taxation.*

1           (2) *The Secretary of State shall consult with the*  
2           *Committees on Appropriations at least 15 days prior*  
3           *to exercising the authority of this subsection with re-*  
4           *gard to any foreign government or entity.*

5           (f) *IMPLEMENTATION.—The Secretary of State shall*  
6           *issue rules, regulations, or policy guidance, as appropriate,*  
7           *to implement the prohibition against the taxation of assist-*  
8           *ance contained in this section.*

9           (g) *DEFINITIONS.—As used in this section—*

10           (1) *the term “bilateral agreement” refers to a*  
11           *framework bilateral agreement between the Govern-*  
12           *ment of the United States and the government of the*  
13           *country receiving assistance that describes the privi-*  
14           *leges and immunities applicable to United States for-*  
15           *oreign assistance for such country generally, or an indi-*  
16           *vidual agreement between the Government of the*  
17           *United States and such government that describes,*  
18           *among other things, the treatment for tax purposes*  
19           *that will be accorded the United States assistance*  
20           *provided under that agreement; and*

21           (2) *the term “taxes and taxation” shall include*  
22           *value added taxes and customs duties but shall not*  
23           *include individual income taxes assessed to local staff.*

24           (h) *REPORT.—The Secretary of State, in consultation*  
25           *with the heads of other relevant departments or agencies*

1 *of the United States Government, shall submit a report to*  
2 *the Committees on Appropriations, not later than 90 days*  
3 *after the enactment of this Act, detailing steps taken by such*  
4 *departments or agencies to comply with the requirements*  
5 *of this section, including rules, regulations, and policy*  
6 *guidance issued pursuant to subsection (f).*

7 *RESERVATIONS OF FUNDS*

8 *SEC. 7014. (a) REPROGRAMMING.—Funds appro-*  
9 *priated under titles III through VI of this Act which are*  
10 *specifically designated may be reprogrammed for other pro-*  
11 *grams within the same account notwithstanding the des-*  
12 *ignation if compliance with the designation is made impos-*  
13 *sible by operation of any provision of this or any other Act:*  
14 *Provided, That any such reprogramming shall be subject*  
15 *to the regular notification procedures of the Committees on*  
16 *Appropriations: Provided further, That assistance that is*  
17 *reprogrammed pursuant to this subsection shall be made*  
18 *available under the same terms and conditions as originally*  
19 *provided.*

20 *(b) EXTENSION OF AVAILABILITY.—In addition to the*  
21 *authority contained in subsection (a), the original period*  
22 *of availability of funds appropriated by this Act and ad-*  
23 *ministered by the Department of State or the United States*  
24 *Agency for International Development that are specifically*  
25 *designated for particular programs or activities by this or*

1 *any other Act may be extended for an additional fiscal year*  
2 *if the Secretary of State or the USAID Administrator, as*  
3 *appropriate, determines and reports promptly to the Com-*  
4 *mittees on Appropriations that the termination of assist-*  
5 *ance to a country or a significant change in circumstances*  
6 *makes it unlikely that such designated funds can be obli-*  
7 *gated during the original period of availability: Provided,*  
8 *That such designated funds that continue to be available*  
9 *for an additional fiscal year shall be obligated only for the*  
10 *purpose of such designation.*

11 *(c) OTHER ACTS.—Ceilings and specifically des-*  
12 *ignated funding levels contained in this Act shall not be*  
13 *applicable to funds or authorities appropriated or otherwise*  
14 *made available by any subsequent Act unless such Act spe-*  
15 *cifically so directs: Provided, That specifically designated*  
16 *funding levels or minimum funding requirements contained*  
17 *in any other Act shall not be applicable to funds appro-*  
18 *priated by this Act.*

19 *NOTIFICATION REQUIREMENTS*

20 *SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-*  
21 *GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds*  
22 *made available in titles I and II of this Act or prior Acts*  
23 *making appropriations for the Department of State, foreign*  
24 *operations, and related programs to the departments and*  
25 *agencies funded by this Act that remain available for obli-*

1 *gation in fiscal year 2017, or provided from any accounts*  
2 *in the Treasury of the United States derived by the collec-*  
3 *tion of fees or of currency reflows or other offsetting collec-*  
4 *tions, or made available by transfer, to the departments and*  
5 *agencies funded by this Act, shall be available for obligation*  
6 *to—*

- 7           (1) *create new programs;*  
8           (2) *eliminate a program, project, or activity;*  
9           (3) *close, suspend, open, or reopen a mission or*  
10 *post;*  
11           (4) *create, close, reorganize, or rename bureaus,*  
12 *centers, or offices; or*  
13           (5) *contract out or privatize any functions or ac-*  
14 *tivities presently performed by Federal employees;*  
15 *unless previously justified to the Committees on Appropria-*  
16 *tions or such Committees are notified 15 days in advance*  
17 *of such obligation.*

18           (b) *NOTIFICATION OF REPROGRAMMING OF FUNDS.—*  
19 *None of the funds provided under titles I and II of this*  
20 *Act or prior Acts making appropriations for the Depart-*  
21 *ment of State, foreign operations, and related programs, to*  
22 *the departments and agencies funded under titles I and II*  
23 *of this Act that remain available for obligation in fiscal*  
24 *year 2017, or provided from any accounts in the Treasury*  
25 *of the United States derived by the collection of fees avail-*

1 *able to the department and agency funded under title I of*  
2 *this Act, shall be available for obligation or expenditure for*  
3 *activities, programs, or projects through a reprogramming*  
4 *of funds in excess of \$1,000,000 or 10 percent, whichever*  
5 *is less, that—*

6           (1) *augments or changes existing programs,*  
7 *projects, or activities;*

8           (2) *relocates an existing office or employees;*

9           (3) *reduces by 10 percent funding for any exist-*  
10 *ing program, project, or activity, or numbers of per-*  
11 *sonnel by 10 percent as approved by Congress; or*

12           (4) *results from any general savings, including*  
13 *savings from a reduction in personnel, which would*  
14 *result in a change in existing programs, activities, or*  
15 *projects as approved by Congress;*

16 *unless the Committees on Appropriations are notified 15*  
17 *days in advance of such reprogramming of funds.*

18           (c) *NOTIFICATION REQUIREMENT.—None of the funds*  
19 *made available by this Act under the headings “Global*  
20 *Health Programs”, “Development Assistance”, “Inter-*  
21 *national Organizations and Programs”, “Trade and Devel-*  
22 *opment Agency”, “International Narcotics Control and*  
23 *Law Enforcement”, “Economic Support Fund”, “Democ-*  
24 *racy Fund”, “Assistance for Europe, Eurasia and Central*  
25 *Asia”, “Peacekeeping Operations”, “Nonproliferation,*

1 *Anti-terrorism, Demining and Related Programs*”, “*Millen-*  
2 *nium Challenge Corporation*”, “*Foreign Military Financ-*  
3 *ing Program*”, “*International Military Education and*  
4 *Training*”, and “*Peace Corps*”, shall be available for obliga-  
5 *tion for activities, programs, projects, type of materiel as-*  
6 *sistance, countries, or other operations not justified or in*  
7 *excess of the amount justified to the Committees on Appro-*  
8 *priations for obligation under any of these specific headings*  
9 *unless the Committees on Appropriations are notified 15*  
10 *days in advance: Provided, That the President shall not*  
11 *enter into any commitment of funds appropriated for the*  
12 *purposes of section 23 of the Arms Export Control Act for*  
13 *the provision of major defense equipment, other than con-*  
14 *ventional ammunition, or other major defense items defined*  
15 *to be aircraft, ships, missiles, or combat vehicles, not pre-*  
16 *viously justified to Congress or 20 percent in excess of the*  
17 *quantities justified to Congress unless the Committees on*  
18 *Appropriations are notified 15 days in advance of such*  
19 *commitment: Provided further, That requirements of this*  
20 *subsection or any similar provision of this or any other*  
21 *Act shall not apply to any reprogramming for an activity,*  
22 *program, or project for which funds are appropriated under*  
23 *titles III through VI of this Act of less than 10 percent of*  
24 *the amount previously justified to Congress for obligation*  
25 *for such activity, program, or project for the current fiscal*

1 *year: Provided further, That any notification submitted*  
2 *pursuant to subsection (f) of this section shall include infor-*  
3 *mation (if known on the date of transmittal of such notifi-*  
4 *cation) on the use of notwithstanding authority: Provided*  
5 *further, That if subsequent to the notification of assistance*  
6 *it becomes necessary to rely on notwithstanding authority,*  
7 *the Committees on Appropriations should be informed at*  
8 *the earliest opportunity and to the extent practicable.*

9       *(d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-*  
10 *withstanding any other provision of law, with the exception*  
11 *of funds transferred to, and merged with, funds appro-*  
12 *priated under title I of this Act, funds transferred by the*  
13 *Department of Defense to the Department of State and the*  
14 *United States Agency for International Development for as-*  
15 *sistance for foreign countries and international organiza-*  
16 *tions, and funds made available for programs previously*  
17 *authorized under section 1206 of the National Defense Au-*  
18 *thorization Act for Fiscal Year 2006 (Public Law 109–163;*  
19 *119 Stat. 3456), section 2282 of title 10, United States*  
20 *Code, section 333 of title 10, United States Code, as added*  
21 *by section 1241 of the National Defense Authorization Act*  
22 *for Fiscal Year 2017 (Public Law 114–328), or any suc-*  
23 *cessor authorities, shall be subject to the regular notification*  
24 *procedures of the Committees on Appropriations.*



1           (e) *WAIVER.*—*The requirements of this section or any*  
2 *similar provision of this Act or any other Act, including*  
3 *any prior Act requiring notification in accordance with the*  
4 *regular notification procedures of the Committees on Appro-*  
5 *priations, may be waived if failure to do so would pose a*  
6 *substantial risk to human health or welfare: Provided, That*  
7 *in case of any such waiver, notification to the Committees*  
8 *on Appropriations shall be provided as early as practicable,*  
9 *but in no event later than 3 days after taking the action*  
10 *to which such notification requirement was applicable, in*  
11 *the context of the circumstances necessitating such waiver:*  
12 *Provided further, That any notification provided pursuant*  
13 *to such a waiver shall contain an explanation of the emer-*  
14 *gency circumstances.*

15           (f) *COUNTRY NOTIFICATION REQUIREMENTS.*—*None of*  
16 *the funds appropriated under titles III through VI of this*  
17 *Act may be obligated or expended for assistance for Afghan-*  
18 *istan, Bahrain, Bolivia, Burma, Cambodia, Colombia,*  
19 *Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala,*  
20 *Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico,*  
21 *Pakistan, Philippines, the Russian Federation, Somalia,*  
22 *South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Ven-*  
23 *ezuela, Yemen, and Zimbabwe except as provided through*  
24 *the regular notification procedures of the Committees on*  
25 *Appropriations.*

1           (g) *TRUST FUNDS.*—*Funds appropriated or otherwise*  
2 *made available in title III of this Act and prior Acts mak-*  
3 *ing funds available for the Department of State, foreign op-*  
4 *erations, and related programs that are made available for*  
5 *a trust fund held by an international financial institution*  
6 *as defined by section 7034(r)(3) of this Act shall be subject*  
7 *to the regular notification procedures of the Committees on*  
8 *Appropriations: Provided, That such notification shall in-*  
9 *clude the information specified under this section in the ex-*  
10 *planatory statement described in section 4 (in the matter*  
11 *preceding division A of this Consolidated Act).*

12           (h) *PILOT PROGRAM NOTIFICATION REQUIREMENT.*—  
13 *Funds appropriated under Title I of this Act under the*  
14 *heading “Diplomatic and Consular Programs” that are*  
15 *made available for a pilot program for lateral entry into*  
16 *the Foreign Service shall be subject to prior consultation*  
17 *with, and the regular notification procedures of, the Com-*  
18 *mittees on Appropriations.*

19           (i) *WITHHOLDING OF FUNDS.*—*Funds appropriated*  
20 *by this Act under titles III and IV that are withheld from*  
21 *obligation or otherwise not programmed as a result of ap-*  
22 *plication of a provision of law in this or any other Act*  
23 *shall, if reprogrammed, be subject to the regular notification*  
24 *procedures of the Committees on Appropriations.*

1            *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

2            *SEC. 7016. Prior to providing excess Department of*  
3 *Defense articles in accordance with section 516(a) of the*  
4 *Foreign Assistance Act of 1961, the Department of Defense*  
5 *shall notify the Committees on Appropriations to the same*  
6 *extent and under the same conditions as other committees*  
7 *pursuant to subsection (f) of that section: Provided, That*  
8 *before issuing a letter of offer to sell excess defense articles*  
9 *under the Arms Export Control Act, the Department of De-*  
10 *fense shall notify the Committees on Appropriations in ac-*  
11 *cordance with the regular notification procedures of such*  
12 *Committees if such defense articles are significant military*  
13 *equipment (as defined in section 47(9) of the Arms Export*  
14 *Control Act) or are valued (in terms of original acquisition*  
15 *cost) at \$7,000,000 or more, or if notification is required*  
16 *elsewhere in this Act for the use of appropriated funds for*  
17 *specific countries that would receive such excess defense ar-*  
18 *ticles: Provided further, That such Committees shall also be*  
19 *informed of the original acquisition cost of such defense ar-*  
20 *ticles.*

21            *LIMITATION ON AVAILABILITY OF FUNDS FOR*22            *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

23            *SEC. 7017. Subject to the regular notification proce-*  
24 *dures of the Committees on Appropriations, funds appro-*  
25 *priated under titles I and III through V of this Act, which*

1 *are returned or not made available for organizations and*  
2 *programs because of the implementation of section 307(a)*  
3 *of the Foreign Assistance Act of 1961, shall remain avail-*  
4 *able for obligation until September 30, 2019: Provided,*  
5 *That the requirement to withhold funds for programs in*  
6 *Burma under section 307(a) of the Foreign Assistance Act*  
7 *of 1961 shall not apply to funds appropriated by this Act.*

8           *PROHIBITION ON FUNDING FOR ABORTIONS AND*  
9                           *INVOLUNTARY STERILIZATION*

10         *SEC. 7018. None of the funds made available to carry*  
11 *out part I of the Foreign Assistance Act of 1961, as amend-*  
12 *ed, may be used to pay for the performance of abortions*  
13 *as a method of family planning or to motivate or coerce*  
14 *any person to practice abortions. None of the funds made*  
15 *available to carry out part I of the Foreign Assistance Act*  
16 *of 1961, as amended, may be used to pay for the perform-*  
17 *ance of involuntary sterilization as a method of family*  
18 *planning or to coerce or provide any financial incentive*  
19 *to any person to undergo sterilizations. None of the funds*  
20 *made available to carry out part I of the Foreign Assistance*  
21 *Act of 1961, as amended, may be used to pay for any bio-*  
22 *medical research which relates in whole or in part, to meth-*  
23 *ods of, or the performance of, abortions or involuntary steri-*  
24 *lization as a means of family planning. None of the funds*  
25 *made available to carry out part I of the Foreign Assistance*

1 *Act of 1961, as amended, may be obligated or expended for*  
2 *any country or organization if the President certifies that*  
3 *the use of these funds by any such country or organization*  
4 *would violate any of the above provisions related to abor-*  
5 *tions and involuntary sterilizations.*

6 *ALLOCATIONS*

7 *SEC. 7019. (a) ALLOCATION TABLES.—Subject to sub-*  
8 *section (b), funds appropriated by this Act under titles III*  
9 *through V shall be made available in the amounts specifi-*  
10 *cally designated in the respective tables included in the ex-*  
11 *planatory statement described in section 4 (in the matter*  
12 *preceding division A of this Consolidated Act): Provided,*  
13 *That such designated amounts for foreign countries and*  
14 *international organizations shall serve as the amounts for*  
15 *such countries and international organizations transmitted*  
16 *to Congress in the report required by section 653(a) of the*  
17 *Foreign Assistance Act of 1961.*

18 *(b) AUTHORIZED DEVIATIONS.—Unless otherwise pro-*  
19 *vided for by this Act, the Secretary of State and the Admin-*  
20 *istrator of the United States Agency for International De-*  
21 *velopment, as applicable, may only deviate up to 5 percent*  
22 *from the amounts specifically designated in the respective*  
23 *tables included in the explanatory statement described in*  
24 *section 4 (in the matter preceding division A of this Con-*  
25 *solidated Act): Provided, That such percentage may be ex-*

1 *ceeded only to respond to significant, exigent, or unforeseen*  
2 *events, or to address other exceptional circumstances di-*  
3 *rectly related to the national interest: Provided further,*  
4 *That deviations pursuant to the previous proviso shall be*  
5 *subject to prior consultation with, and the regular notifica-*  
6 *tion procedures of, the Committees on Appropriations.*

7       *(c) LIMITATION.—For specifically designated amounts*  
8 *that are included, pursuant to subsection (a), in the report*  
9 *required by section 653(a) of the Foreign Assistance Act of*  
10 *1961, no deviations authorized by subsection (b) may take*  
11 *place until submission of such report.*

12       *(d) EXCEPTIONS.—*

13             *(1) Subsections (a) and (b) shall not apply to—*

14                     *(A) amounts designated for “International*  
15 *Military Education and Training” in the respec-*  
16 *tive tables included in the explanatory statement*  
17 *described in section 4 (in the matter preceding*  
18 *division A of this Consolidated Act); and*

19                     *(B) funds for which the initial period of*  
20 *availability has expired.*

21             *(2) The authority in subsection (b) to deviate*  
22 *below amounts designated in the respective tables in-*  
23 *cluded in the joint explanatory statement described in*  
24 *section 4 (in the matter preceding division A of this*  
25 *Consolidated Act) shall not apply to the table in-*

1 *cluded under the heading “Global Health Programs”*  
2 *in such joint explanatory statement.*

3 *REPRESENTATION AND ENTERTAINMENT EXPENSES*

4 *SEC. 7020. (a) USES OF FUNDS.—Each Federal de-*  
5 *partment, agency, or entity funded in titles I or II of this*  
6 *Act, and the Department of the Treasury and independent*  
7 *agencies funded in titles III or VI of this Act, shall take*  
8 *steps to ensure that domestic and overseas representation*  
9 *and entertainment expenses further official agency business*  
10 *and United States foreign policy interests—*

11 *(1) are primarily for fostering relations outside*  
12 *of the Executive Branch;*

13 *(2) are principally for meals and events of a*  
14 *protocol nature;*

15 *(3) are not for employee-only events; and*

16 *(4) do not include activities that are substan-*  
17 *tially of a recreational character.*

18 *(b) LIMITATIONS.—None of the funds appropriated or*  
19 *otherwise made available by this Act under the headings*  
20 *“International Military Education and Training” or “For-*  
21 *ign Military Financing Program” for Informational Pro-*  
22 *gram activities or under the headings “Global Health Pro-*  
23 *grams”, “Development Assistance”, “Economic Support*  
24 *Fund”, and “Assistance for Europe, Eurasia and Central*  
25 *Asia” may be obligated or expended to pay for—*

1           (1) *alcoholic beverages; or*

2           (2) *entertainment expenses for activities that are*  
3 *substantially of a recreational character, including*  
4 *but not limited to entrance fees at sporting events,*  
5 *theatrical and musical productions, and amusement*  
6 *parks.*

7           *PROHIBITION ON ASSISTANCE TO GOVERNMENTS*

8           *SUPPORTING INTERNATIONAL TERRORISM*

9           *SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-*  
10 *PORTS.—*

11           (1) *PROHIBITION.—None of the funds appro-*  
12 *priated or otherwise made available by titles III*  
13 *through VI of this Act may be made available to any*  
14 *foreign government which provides lethal military*  
15 *equipment to a country the government of which the*  
16 *Secretary of State has determined supports inter-*  
17 *national terrorism for purposes of section 6(j) of the*  
18 *Export Administration Act of 1979 as continued in*  
19 *effect pursuant to the International Emergency Eco-*  
20 *nomics Powers Act: Provided, That the prohibition*  
21 *under this section with respect to a foreign govern-*  
22 *ment shall terminate 12 months after that government*  
23 *ceases to provide such military equipment: Provided*  
24 *further, That this section applies with respect to le-*



1 *that military equipment provided under a contract*  
2 *entered into after October 1, 1997.*

3 (2) *DETERMINATION.*—*Assistance restricted by*  
4 *paragraph (1) or any other similar provision of law,*  
5 *may be furnished if the President determines that to*  
6 *do so is important to the national interest of the*  
7 *United States.*

8 (3) *REPORT.*—*Whenever the President makes a*  
9 *determination pursuant to paragraph (2), the Presi-*  
10 *dent shall submit to the Committees on Appropria-*  
11 *tions a report with respect to the furnishing of such*  
12 *assistance, including a detailed explanation of the as-*  
13 *sistance to be provided, the estimated dollar amount*  
14 *of such assistance, and an explanation of how the as-*  
15 *sistance furthers United States national interest.*

16 (b) *BILATERAL ASSISTANCE.*—

17 (1) *LIMITATIONS.*—*Funds appropriated for bi-*  
18 *lateral assistance in titles III through VI of this Act*  
19 *and funds appropriated under any such title in prior*  
20 *Acts making appropriations for the Department of*  
21 *State, foreign operations, and related programs, shall*  
22 *not be made available to any foreign government*  
23 *which the President determines—*

1           (A) grants sanctuary from prosecution to  
2           any individual or group which has committed  
3           an act of international terrorism;

4           (B) otherwise supports international ter-  
5           rorism; or

6           (C) is controlled by an organization des-  
7           ignated as a terrorist organization under section  
8           219 of the Immigration and Nationality Act (8  
9           U.S.C. 1189).

10           (2) WAIVER.—*The President may waive the ap-*  
11           *plication of paragraph (1) to a government if the*  
12           *President determines that national security or hu-*  
13           *manitarian reasons justify such waiver: Provided,*  
14           *That the President shall publish each such waiver in*  
15           *the Federal Register and, at least 15 days before the*  
16           *waiver takes effect, shall notify the Committees on Ap-*  
17           *propriations of the waiver (including the justification*  
18           *for the waiver) in accordance with the regular notifi-*  
19           *cation procedures of the Committees on Appropria-*  
20           *tions.*

21                                    AUTHORIZATION REQUIREMENTS

22           SEC. 7022. *Funds appropriated by this Act, except*  
23           *funds appropriated under the heading “Trade and Develop-*  
24           *ment Agency”, may be obligated and expended notwith-*  
25           *standing section 10 of Public Law 91–672 (22 U.S.C.*

1 2412), section 15 of the State Department Basic Authorities  
2 Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign  
3 Relations Authorization Act, Fiscal Years 1994 and 1995  
4 (22 U.S.C. 6212), and section 504(a)(1) of the National Se-  
5 curity Act of 1947 (50 U.S.C. 3094(a)(1)).

6       *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

7       *SEC. 7023. For the purpose of titles II through VI of*  
8 *this Act “program, project, and activity” shall be defined*  
9 *at the appropriations Act account level and shall include*  
10 *all appropriations and authorizations Acts funding direc-*  
11 *tives, ceilings, and limitations with the exception that for*  
12 *the following accounts: “Economic Support Fund”, “Assist-*  
13 *ance for Europe, Eurasia and Central Asia”, and “Foreign*  
14 *Military Financing Program”, “program, project, and ac-*  
15 *tivity” shall also be considered to include country, regional,*  
16 *and central program level funding within each such ac-*  
17 *count; and for the development assistance accounts of the*  
18 *United States Agency for International Development, “pro-*  
19 *gram, project, and activity” shall also be considered to in-*  
20 *clude central, country, regional, and program level funding,*  
21 *either as—*

22               *(1) justified to Congress; or*

23               *(2) allocated by the Executive Branch in accord-*  
24 *ance with a report, to be provided to the Committees*  
25 *on Appropriations within 30 days of the enactment*

1       *of this Act, as required by section 653(a) of the For-*  
2       *oreign Assistance Act of 1961 or as modified pursuant*  
3       *to section 7019 of this Act.*

4       *AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN*  
5       *FOUNDATION AND UNITED STATES AFRICAN DEVELOP-*  
6       *MENT FOUNDATION*

7       *SEC. 7024. Unless expressly provided to the contrary,*  
8       *provisions of this or any other Act, including provisions*  
9       *contained in prior Acts authorizing or making appropria-*  
10       *tions for the Department of State, foreign operations, and*  
11       *related programs, shall not be construed to prohibit activi-*  
12       *ties authorized by or conducted under the Peace Corps Act,*  
13       *the Inter-American Foundation Act or the African Develop-*  
14       *ment Foundation Act: Provided, That prior to conducting*  
15       *activities in a country for which assistance is prohibited,*  
16       *the agency shall consult with the Committees on Appropria-*  
17       *tions and report to such Committees within 15 days of tak-*  
18       *ing such action.*

19       *COMMERCE, TRADE AND SURPLUS COMMODITIES*

20       *SEC. 7025. (a) WORLD MARKETS.—None of the funds*  
21       *appropriated or made available pursuant to titles III*  
22       *through VI of this Act for direct assistance and none of the*  
23       *funds otherwise made available to the Export-Import Bank*  
24       *and the Overseas Private Investment Corporation shall be*  
25       *obligated or expended to finance any loan, any assistance,*

1 *or any other financial commitments for establishing or ex-*  
2 *panding production of any commodity for export by any*  
3 *country other than the United States, if the commodity is*  
4 *likely to be in surplus on world markets at the time the*  
5 *resulting productive capacity is expected to become opera-*  
6 *tive and if the assistance will cause substantial injury to*  
7 *United States producers of the same, similar, or competing*  
8 *commodity: Provided, That such prohibition shall not*  
9 *apply to the Export-Import Bank if in the judgment of its*  
10 *Board of Directors the benefits to industry and employment*  
11 *in the United States are likely to outweigh the injury to*  
12 *United States producers of the same, similar, or competing*  
13 *commodity, and the Chairman of the Board so notifies the*  
14 *Committees on Appropriations: Provided further, That this*  
15 *subsection shall not prohibit—*

16           (1) *activities in a country that is eligible for as-*  
17 *sistance from the International Development Associa-*  
18 *tion, is not eligible for assistance from the Inter-*  
19 *national Bank for Reconstruction and Development,*  
20 *and does not export on a consistent basis the agricul-*  
21 *tural commodity with respect to which assistance is*  
22 *furnished; or*

23           (2) *activities in a country the President deter-*  
24 *mines is recovering from widespread conflict, a hu-*  
25 *manitarian crisis, or a complex emergency.*

1           (b) *EXPORTS.*—None of the funds appropriated by this  
2 or any other Act to carry out chapter 1 of part I of the  
3 *Foreign Assistance Act of 1961* shall be available for any  
4 testing or breeding feasibility study, variety improvement  
5 or introduction, consultancy, publication, conference, or  
6 training in connection with the growth or production in  
7 a foreign country of an agricultural commodity for export  
8 which would compete with a similar commodity grown or  
9 produced in the United States: Provided, That this sub-  
10 section shall not prohibit—

11           (1) activities designed to increase food security  
12 in developing countries where such activities will not  
13 have a significant impact on the export of agricul-  
14 tural commodities of the United States;

15           (2) research activities intended primarily to ben-  
16 efit United States producers;

17           (3) activities in a country that is eligible for as-  
18 sistance from the *International Development Associa-*  
19 *tion*, is not eligible for assistance from the *Inter-*  
20 *national Bank for Reconstruction and Development*,  
21 and does not export on a consistent basis the agricul-  
22 tural commodity with respect to which assistance is  
23 furnished; or



1           (A) require that local currencies be depos-  
2           ited in a separate account established by that  
3           government;

4           (B) enter into an agreement with that gov-  
5           ernment which sets forth—

6                   (i) the amount of the local currencies  
7                   to be generated; and

8                   (ii) the terms and conditions under  
9                   which the currencies so deposited may be  
10                  utilized, consistent with this section; and

11          (C) establish by agreement with that gov-  
12          ernment the responsibilities of USAID and that  
13          government to monitor and account for deposits  
14          into and disbursements from the separate ac-  
15          count.

16          (2) *USES OF LOCAL CURRENCIES.*—As may be  
17          agreed upon with the foreign government, local cur-  
18          rencies deposited in a separate account pursuant to  
19          subsection (a), or an equivalent amount of local cur-  
20          rencies, shall be used only—

21                (A) to carry out chapter 1 or 10 of part I  
22                or chapter 4 of part II of the Foreign Assistance  
23                Act of 1961 (as the case may be), for such pur-  
24                poses as—



1                   (i) *project and sector assistance activi-*  
2                   *ties; or*

3                   (ii) *debt and deficit financing; or*

4                   (B) *for the administrative requirements of*  
5                   *the United States Government.*

6                   (3) *PROGRAMMING ACCOUNTABILITY.—USAID*  
7                   *shall take all necessary steps to ensure that the equiv-*  
8                   *alent of the local currencies disbursed pursuant to*  
9                   *subsection (a)(2)(A) from the separate account estab-*  
10                  *lished pursuant to subsection (a)(1) are used for the*  
11                  *purposes agreed upon pursuant to subsection (a)(2).*

12                  (4) *TERMINATION OF ASSISTANCE PROGRAMS.—*  
13                  *Upon termination of assistance to a country under*  
14                  *chapter 1 or 10 of part I or chapter 4 of part II of*  
15                  *the Foreign Assistance Act of 1961 (as the case may*  
16                  *be), any unencumbered balances of funds which re-*  
17                  *main in a separate account established pursuant to*  
18                  *subsection (a) shall be disposed of for such purposes*  
19                  *as may be agreed to by the government of that coun-*  
20                  *try and the United States Government.*

21                  (5) *REPORTING REQUIREMENT.—The USAID*  
22                  *Administrator shall report as part of the congress-*  
23                  *sional budget justification submitted to the Commit-*  
24                  *tees on Appropriations on the use of local currencies*  
25                  *for the administrative requirements of the United*

1 *States Government as authorized in subsection*  
2 *(a)(2)(B), and such report shall include the amount*  
3 *of local currency (and United States dollar equiva-*  
4 *lent) used or to be used for such purpose in each ap-*  
5 *plicable country.*

6 *(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—*

7 *(1) IN GENERAL.—If assistance is made avail-*  
8 *able to the government of a foreign country, under*  
9 *chapter 1 or 10 of part I or chapter 4 of part II of*  
10 *the Foreign Assistance Act of 1961, as cash transfer*  
11 *assistance or as nonproject sector assistance, that*  
12 *country shall be required to maintain such funds in*  
13 *a separate account and not commingle with any other*  
14 *funds.*

15 *(2) APPLICABILITY OF OTHER PROVISIONS OF*  
16 *LAW.—Such funds may be obligated and expended*  
17 *notwithstanding provisions of law which are incon-*  
18 *sistent with the nature of this assistance including*  
19 *provisions which are referenced in the Joint Explana-*  
20 *tory Statement of the Committee of Conference accom-*  
21 *panying House Joint Resolution 648 (House Report*  
22 *No. 98–1159).*

23 *(3) NOTIFICATION.—At least 15 days prior to ob-*  
24 *ligating any such cash transfer or nonproject sector*  
25 *assistance, the President shall submit a notification*

1 *through the regular notification procedures of the*  
2 *Committees on Appropriations, which shall include a*  
3 *detailed description of how the funds proposed to be*  
4 *made available will be used, with a discussion of the*  
5 *United States interests that will be served by such as-*  
6 *sistance (including, as appropriate, a description of*  
7 *the economic policy reforms that will be promoted by*  
8 *such assistance).*

9 (4) *EXEMPTION.—Nonproject sector assistance*  
10 *funds may be exempt from the requirements of para-*  
11 *graph (1) only through the regular notification proce-*  
12 *dures of the Committees on Appropriations.*

13 *ELIGIBILITY FOR ASSISTANCE*

14 *SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-*  
15 *MENTAL ORGANIZATIONS.—Restrictions contained in this*  
16 *or any other Act with respect to assistance for a country*  
17 *shall not be construed to restrict assistance in support of*  
18 *programs of nongovernmental organizations from funds ap-*  
19 *propriated by this Act to carry out the provisions of chap-*  
20 *ters 1, 10, 11, and 12 of part I and chapter 4 of part II*  
21 *of the Foreign Assistance Act of 1961 and from funds ap-*  
22 *propriated under the heading “Assistance for Europe, Eur-*  
23 *asia and Central Asia”:* *Provided, That before using the au-*  
24 *thority of this subsection to furnish assistance in support*  
25 *of programs of nongovernmental organizations, the Presi-*

1 *dent shall notify the Committees on Appropriations pursu-*  
2 *ant to the regular notification procedures, including a de-*  
3 *scription of the program to be assisted, the assistance to*  
4 *be provided, and the reasons for furnishing such assistance:*  
5 *Provided further, That nothing in this subsection shall be*  
6 *construed to alter any existing statutory prohibitions*  
7 *against abortion or involuntary sterilizations contained in*  
8 *this or any other Act.*

9       **(b) PUBLIC LAW 480.**—*During fiscal year 2017, re-*  
10 *strictions contained in this or any other Act with respect*  
11 *to assistance for a country shall not be construed to restrict*  
12 *assistance under the Food for Peace Act (Public Law 83–*  
13 *480): Provided, That none of the funds appropriated to*  
14 *carry out title I of such Act and made available pursuant*  
15 *to this subsection may be obligated or expended except as*  
16 *provided through the regular notification procedures of the*  
17 *Committees on Appropriations.*

18       **(c) EXCEPTION.**—*This section shall not apply—*

19               **(1)** *with respect to section 620A of the Foreign*  
20 *Assistance Act of 1961 or any comparable provision*  
21 *of law prohibiting assistance to countries that support*  
22 *international terrorism; or*

23               **(2)** *with respect to section 116 of the Foreign As-*  
24 *sistance Act of 1961 or any comparable provision of*  
25 *law prohibiting assistance to the government of a*



1           **(b) REPORTING REQUIREMENT.**—*In addition to the re-*  
2 *quirements of subsection (a)(1), the USAID Administrator*  
3 *shall report to the appropriate congressional committees not*  
4 *later than 45 days after the end of fiscal year 2017 on all*  
5 *awards subject to limited or no competition for local enti-*  
6 *ties: Provided, That such report should be posted on the*  
7 *USAID Web site: Provided further, That the requirements*  
8 *of this subsection shall only apply to awards in excess of*  
9 *\$3,000,000 and sole source awards to local entities in excess*  
10 *of \$2,000,000.*

11           **(c) EXTENSION OF PROCUREMENT AUTHORITY.**—*Sec-*  
12 *tion 7077 of the Department of State, Foreign Operations,*  
13 *and Related Programs Appropriations Act, 2012 (division*  
14 *I of Public Law 112–74), as amended, shall continue in*  
15 *effect during fiscal year 2017.*

16           INTERNATIONAL FINANCIAL INSTITUTIONS

17           **SEC. 7029. (a) EVALUATIONS AND REPORT.**—*The Sec-*  
18 *retary of the Treasury shall instruct the United States exec-*  
19 *utive director of each international financial institution to*  
20 *seek to require that such institution adopts and implements*  
21 *a publicly available policy, including the strategic use of*  
22 *peer reviews and external experts, to conduct independent,*  
23 *in-depth evaluations of the effectiveness of at least 25 per-*  
24 *cent of all loans, grants, programs, and significant analyt-*  
25 *ical non-lending activities in advancing the institution’s*

1 *goals of reducing poverty and promoting equitable economic*  
2 *growth, consistent with relevant safeguards, to ensure that*  
3 *decisions to support such loans, grants, programs, and ac-*  
4 *tivities are based on accurate data and objective analysis:*  
5 *Provided, That not later than 45 days after enactment of*  
6 *this Act, the Secretary shall submit a report to the Commit-*  
7 *tees on Appropriations on steps taken by the United States*  
8 *executive directors and the international financial institu-*  
9 *tions consistent with this subsection.*

10 *(b) SAFEGUARDS.—*

11 *(1) The Secretary of the Treasury shall instruct*  
12 *the United States Executive Director of the Inter-*  
13 *national Bank for Reconstruction and Development*  
14 *and the International Development Association to*  
15 *vote against any loan, grant, policy, or strategy if*  
16 *such institution has adopted and is implementing*  
17 *any social or environmental safeguard relevant to*  
18 *such loan, grant, policy, or strategy that provides less*  
19 *protection than World Bank safeguards in effect on*  
20 *September 30, 2015.*

21 *(2) The Secretary of the Treasury should instruct*  
22 *the United States executive director of each inter-*  
23 *national financial institution to vote against loans or*  
24 *other financing for projects unless such projects—*

1           (A) provide for accountability and trans-  
2           parency, including the collection, verification  
3           and publication of beneficial ownership informa-  
4           tion related to extractive industries and on-site  
5           monitoring during the life of the project;

6           (B) will be developed and carried out in ac-  
7           cordance with best practices regarding environ-  
8           mental conservation; cultural protection; and  
9           empowerment of local populations, including  
10          free, prior and informed consent of affected in-  
11          digenous communities;

12          (C) do not provide incentives for, or facili-  
13          tate, forced displacement; and

14          (D) do not partner with or otherwise in-  
15          volve enterprises owned or controlled by the  
16          armed forces.

17          (c) *COMPENSATION.*—None of the funds appropriated  
18          under title V of this Act may be made as payment to any  
19          international financial institution while the United States  
20          executive director to such institution is compensated by the  
21          institution at a rate which, together with whatever com-  
22          pensation such executive director receives from the United  
23          States, is in excess of the rate provided for an individual  
24          occupying a position at level IV of the Executive Schedule  
25          under section 5315 of title 5, United States Code, or while



1 *any alternate United States executive director to such insti-*  
2 *tution is compensated by the institution at a rate in excess*  
3 *of the rate provided for an individual occupying a position*  
4 *at level V of the Executive Schedule under section 5316 of*  
5 *title 5, United States Code.*

6       (d) *HUMAN RIGHTS.*—*The Secretary of the Treasury*  
7 *shall instruct the United States executive director of each*  
8 *international financial institution to seek to require that*  
9 *such institution conducts rigorous human rights due dili-*  
10 *gence and risk management, as appropriate, in connection*  
11 *with any loan, grant, policy, or strategy of such institution:*  
12 *Provided, That prior to voting on any such loan, grant,*  
13 *policy, or strategy the executive director shall consult with*  
14 *the Assistant Secretary for Democracy, Human Rights, and*  
15 *Labor, Department of State, if the executive director has*  
16 *reason to believe that such loan, grant, policy, or strategy*  
17 *could result in forced displacement or other violation of*  
18 *human rights.*

19       (e) *FRAUD AND CORRUPTION.*—*The Secretary of the*  
20 *Treasury shall instruct the United States executive director*  
21 *of each international financial institution to promote in*  
22 *loan, grant, and other financing agreements improvements*  
23 *in borrowing countries' financial management and judicial*  
24 *capacity to investigate, prosecute, and punish fraud and*  
25 *corruption.*

1           (f) *BENEFICIAL OWNERSHIP INFORMATION.*—*The Sec-*  
2 *retary of the Treasury shall instruct the United States exec-*  
3 *utive director of each international financial institution to*  
4 *seek to require that such institution collects, verifies, and*  
5 *publishes, to the maximum extent practicable, beneficial*  
6 *ownership information (excluding proprietary information)*  
7 *for any corporation or limited liability company, other*  
8 *than a publicly listed company, that receives funds from*  
9 *any such financial institution: Provided, That not later*  
10 *than 45 days after enactment of this Act, the Secretary shall*  
11 *submit a report to the Committees on Appropriations on*  
12 *steps taken by the United States executive directors and the*  
13 *international financial institutions consistent with this*  
14 *subsection.*

15           (g) *WHISTLEBLOWER PROTECTIONS.*—*The Secretary*  
16 *of the Treasury shall instruct the United States executive*  
17 *director of each international financial institution to seek*  
18 *to require that each such institution is effectively imple-*  
19 *menting and enforcing policies and procedures which reflect*  
20 *best practices for the protection of whistleblowers from retal-*  
21 *iation, including best practices for—*

22                   (1) *protection against retaliation for internal*  
23                   *and lawful public disclosure;*

24                   (2) *legal burdens of proof;*



1           (A)(i) each implementing agency or min-  
2           istry to receive assistance has been assessed and  
3           is considered to have the systems required to  
4           manage such assistance and any identified  
5           vulnerabilities or weaknesses of such agency or  
6           ministry have been addressed;

7           (ii) the recipient agency or ministry em-  
8           ploys and utilizes staff with the necessary tech-  
9           nical, financial, and management capabilities;

10          (iii) the recipient agency or ministry has  
11          adopted competitive procurement policies and  
12          systems;

13          (iv) effective monitoring and evaluation sys-  
14          tems are in place to ensure that such assistance  
15          is used for its intended purposes;

16          (v) no level of acceptable fraud is assumed;  
17          and

18          (vi) the government of the recipient country  
19          is taking steps to publicly disclose on an annual  
20          basis its national budget, to include income and  
21          expenditures;

22          (B) the recipient government is in compli-  
23          ance with the principles set forth in section 7013  
24          of this Act;

1           (C) the recipient agency or ministry is not  
2           headed or controlled by an organization des-  
3           ignated as a foreign terrorist organization under  
4           section 219 of the Immigration and Nationality  
5           Act (8 U.S.C. 1189);

6           (D) the Government of the United States  
7           and the government of the recipient country have  
8           agreed, in writing, on clear and achievable objec-  
9           tives for the use of such assistance, which should  
10          be made available on a cost-reimbursable basis;  
11          and

12          (E) the recipient government is taking steps  
13          to protect the rights of civil society, including  
14          freedoms of expression, association, and assem-  
15          bly.

16          (2) CONSULTATION AND NOTIFICATION.—In ad-  
17          dition to the requirements in paragraph (1), no funds  
18          may be made available for direct government-to-gov-  
19          ernment assistance without prior consultation with,  
20          and notification of, the Committees on Appropria-  
21          tions: Provided, That such notification shall contain  
22          an explanation of how the proposed activity meets the  
23          requirements of paragraph (1): Provided further, That  
24          the requirements of this paragraph shall only apply  
25          to direct government-to-government assistance in ex-

1 *cess of \$10,000,000 and all funds available for cash*  
2 *transfer, budget support, and cash payments to indi-*  
3 *viduals.*

4 (3) *SUSPENSION OF ASSISTANCE.—The Adminis-*  
5 *trator of the United States Agency for International*  
6 *Development or the Secretary of State, as appro-*  
7 *priate, shall suspend any direct government-to-gov-*  
8 *ernment assistance if the Administrator or the Sec-*  
9 *retary has credible information of material misuse of*  
10 *such assistance, unless the Administrator or the Sec-*  
11 *retary reports to the Committees on Appropriations*  
12 *that it is in the national interest of the United States*  
13 *to continue such assistance, including a justification,*  
14 *or that such misuse has been appropriately addressed.*

15 (4) *SUBMISSION OF INFORMATION.—The Sec-*  
16 *retary of State shall submit to the Committees on Ap-*  
17 *propriations, concurrent with the fiscal year 2018*  
18 *congressional budget justification materials, amounts*  
19 *planned for assistance described in paragraph (1) by*  
20 *country, proposed funding amount, source of funds,*  
21 *and type of assistance.*

22 (5) *REPORT.—Not later than 90 days after the*  
23 *enactment of this Act and 6 months thereafter until*  
24 *September 30, 2018, the USAID Administrator shall*

1       *submit to the Committees on Appropriations a report*  
2       *that—*

3               *(A) details all assistance described in para-*  
4               *graph (1) provided during the previous 6-month*  
5               *period by country, funding amount, source of*  
6               *funds, and type of such assistance; and*

7               *(B) the type of procurement instrument or*  
8               *mechanism utilized and whether the assistance*  
9               *was provided on a reimbursable basis.*

10              (6) *DEBT SERVICE PAYMENT PROHIBITION.—*  
11       *None of the funds made available by this Act may be*  
12       *used by the government of any foreign country for*  
13       *debt service payments owed by any country to any*  
14       *international financial institution: Provided, That for*  
15       *purposes of this paragraph, the term “international*  
16       *financial institution” has the meaning given the term*  
17       *in section 7034(r)(3) of this Act.*

18              (b) *NATIONAL BUDGET AND CONTRACT TRANS-*  
19       *PARENCY.—*

20               (1) *MINIMUM REQUIREMENTS OF FISCAL TRANS-*  
21       *PARENCY.—The Secretary of State shall continue to*  
22       *update and strengthen the “minimum requirements of*  
23       *fiscal transparency” for each government receiving*  
24       *assistance appropriated by this Act, as identified in*  
25       *the report required by section 7031(b) of the Depart-*

1 *ment of State, Foreign Operations, and Related Pro-*  
2 *grams Appropriations Act, 2014 (division K of Public*  
3 *Law 113–76).*

4 (2) *DEFINITION.—For purposes of paragraph*  
5 *(1), “minimum requirements of fiscal transparency”*  
6 *are requirements consistent with those in subsection*  
7 *(a)(1), and the public disclosure of national budget*  
8 *documentation (to include receipts and expenditures*  
9 *by ministry) and government contracts and licenses*  
10 *for natural resource extraction (to include bidding*  
11 *and concession allocation practices).*

12 (3) *DETERMINATION AND REPORT.—For each*  
13 *government identified pursuant to paragraph (1), the*  
14 *Secretary of State, not later than 180 days after en-*  
15 *actment of this Act, shall make or update any deter-*  
16 *mination of “significant progress” or “no significant*  
17 *progress” in meeting the minimum requirements of*  
18 *fiscal transparency, and make such determinations*  
19 *publicly available in an annual “Fiscal Trans-*  
20 *parency Report” to be posted on the Department of*  
21 *State Web site: Provided, That the Secretary shall*  
22 *identify the significant progress made by each such*  
23 *government to publicly disclose national budget docu-*  
24 *mentation, contracts, and licenses which are addi-*  
25 *tional to such information disclosed in previous fiscal*



1        *years, and include specific recommendations of short-*  
2        *and long-term steps such government should take to*  
3        *improve fiscal transparency: Provided further, That*  
4        *the annual report shall include a detailed description*  
5        *of how funds appropriated by this Act are being used*  
6        *to improve fiscal transparency, and identify bench-*  
7        *marks for measuring progress.*

8            (4) *ASSISTANCE.—Funds appropriated under*  
9        *title III of this Act shall be made available for pro-*  
10        *grams and activities to assist governments identified*  
11        *pursuant to paragraph (1) to improve budget trans-*  
12        *parency and to support civil society organizations in*  
13        *such countries that promote budget transparency:*  
14        *Provided, That such sums shall be in addition to*  
15        *funds otherwise available for such purposes: Provided*  
16        *further, That a description of the uses of such funds*  
17        *shall be included in the annual “Fiscal Transparency*  
18        *Report” required by paragraph (3).*

19        (c) *ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—*

20            (1)(A) *INELIGIBILITY.—Officials of foreign gov-*  
21        *ernments and their immediate family members about*  
22        *whom the Secretary of State has credible information*  
23        *have been involved in significant corruption, includ-*  
24        *ing corruption related to the extraction of natural re-*

1 sources, or a gross violation of human rights shall be  
2 ineligible for entry into the United States.

3 (B) The Secretary shall also publicly or pri-  
4 vately designate or identify officials of foreign govern-  
5 ments and their immediate family members about  
6 whom the Secretary has such credible information  
7 without regard to whether the individual has applied  
8 for a visa.

9 (2) EXCEPTION.—Individuals shall not be ineli-  
10 gible if entry into the United States would further  
11 important United States law enforcement objectives or  
12 is necessary to permit the United States to fulfill its  
13 obligations under the United Nations Headquarters  
14 Agreement: Provided, That nothing in paragraph (1)  
15 shall be construed to derogate from United States  
16 Government obligations under applicable inter-  
17 national agreements.

18 (3) WAIVER.—The Secretary may waive the ap-  
19 plication of paragraph (1) if the Secretary determines  
20 that the waiver would serve a compelling national in-  
21 terest or that the circumstances which caused the in-  
22 dividual to be ineligible have changed sufficiently.

23 (4) REPORT.—Not later than 6 months after en-  
24 actment of this Act, the Secretary of State shall sub-  
25 mit a report, including a classified annex if nec-

1        *essary, to the Committees on Appropriations and the*  
2        *Committees on the Judiciary describing the informa-*  
3        *tion related to corruption or violation of human*  
4        *rights concerning each of the individuals found ineli-*  
5        *gible in the previous 12 months pursuant to para-*  
6        *graph (1)(A) as well as the individuals who the Sec-*  
7        *retary designated or identified pursuant to paragraph*  
8        *(1)(B), or who would be ineligible but for the applica-*  
9        *tion of paragraph (2), a list of any waivers provided*  
10       *under paragraph (3), and the justification for each*  
11       *waiver.*

12                (5) *POSTING OF REPORT.*—*Any unclassified por-*  
13        *tion of the report required under paragraph (4) shall*  
14        *be posted on the Department of State Web site.*

15                (6) *CLARIFICATION.*—*For purposes of para-*  
16        *graphs (1)(B), (4), and (5), the records of the Depart-*  
17        *ment of State and of diplomatic and consular offices*  
18        *of the United States pertaining to the issuance or re-*  
19        *fusals of visas or permits to enter the United States*  
20        *shall not be considered confidential.*

21                (d) *NETWORKS OF CORRUPTION.*—*If the Secretary of*  
22        *State has credible information of networks of corruption in-*  
23        *volving the participation of, or support from, a senior offi-*  
24        *cial in a country that receives assistance funded by this*  
25        *Act under titles III or IV, the Secretary shall submit a re-*

1 *port to the Committees on Appropriations describing such*  
2 *networks, which shall include the information required*  
3 *under the heading “Economic Support Fund” in Senate*  
4 *Report 114–290.*

5 *(e) EXTRACTION OF NATURAL RESOURCES.—*

6 *(1) ASSISTANCE.—Funds appropriated by this*  
7 *Act shall be made available to promote and support*  
8 *transparency and accountability of expenditures and*  
9 *revenues related to the extraction of natural resources,*  
10 *including by strengthening implementation and mon-*  
11 *itoring of the Extractive Industries Transparency*  
12 *Initiative, implementing and enforcing section 8204*  
13 *of the Food, Conservation, and Energy Act of 2008*  
14 *(Public Law 110–246; 122 Stat. 2052) and to prevent*  
15 *the sale of conflict diamonds, and provide technical*  
16 *assistance to promote independent audit mechanisms*  
17 *and support civil society participation in natural re-*  
18 *source management.*

19 *(2) UNITED STATES POLICY.—*

20 *(A) The Secretary of the Treasury shall in-*  
21 *form the management of the international finan-*  
22 *cial institutions, and post on the Department of*  
23 *the Treasury Web site, that it is the policy of the*  
24 *United States to vote against any assistance by*  
25 *such institutions (including any loan, credit,*

1           *grant, or guarantee) to any country for the ex-*  
2           *traction and export of a natural resource if the*  
3           *government of such country has in place laws,*  
4           *regulations, or procedures to prevent or limit the*  
5           *public disclosure of company payments as re-*  
6           *quired by United States law, and unless such*  
7           *government has adopted laws, regulations, or*  
8           *procedures in the sector in which assistance is*  
9           *being considered for—*

10                   *(i) accurately accounting for and pub-*  
11                   *lic disclosure of payments to the host gov-*  
12                   *ernment by companies involved in the ex-*  
13                   *traction and export of natural resources;*

14                   *(ii) the independent auditing of ac-*  
15                   *counts receiving such payments and public*  
16                   *disclosure of the findings of such audits;*  
17                   *and*

18                   *(iii) public disclosure of such docu-*  
19                   *ments as Host Government Agreements,*  
20                   *Concession Agreements, and bidding docu-*  
21                   *ments, allowing in any such dissemination*  
22                   *or disclosure for the redaction of, or excep-*  
23                   *tions for, information that is commercially*  
24                   *proprietary or that would create competi-*  
25                   *tive disadvantage.*



1 agencies, shall submit to the appropriate congres-  
2 sional committees a comprehensive, multi-year strat-  
3 egy for the promotion of democracy abroad, to include  
4 the identification of the national interest served by  
5 such activity, and the specific roles and responsibil-  
6 ities of such agencies in implementing the strategy.

7 (b) *AUTHORITY.*—Funds made available by this Act  
8 for democracy programs may be made available notwith-  
9 standing any other provision of law, and with regard to  
10 the National Endowment for Democracy (NED), any regu-  
11 lation.

12 (c) *DEFINITION OF DEMOCRACY PROGRAMS.*—For  
13 purposes of funds appropriated by this Act, the term “de-  
14 mocracy programs” means programs that support good gov-  
15 ernance, credible and competitive elections, freedom of ex-  
16 pression, association, assembly, and religion, human rights,  
17 labor rights, independent media, and the rule of law, and  
18 that otherwise strengthen the capacity of democratic polit-  
19 ical parties, governments, nongovernmental organizations  
20 and institutions, and citizens to support the development  
21 of democratic states, and institutions that are responsive  
22 and accountable to citizens.

23 (d) *PROGRAM PRIORITIZATION.*—Funds made avail-  
24 able pursuant to this section that are made available for  
25 programs to strengthen government institutions shall be

1 *prioritized for those institutions that demonstrate a com-*  
2 *mitment to democracy and the rule of law, as determined*  
3 *by the Secretary of State or the USAID Administrator, as*  
4 *appropriate.*

5       *(e) RESTRICTION ON PRIOR APPROVAL.—With respect*  
6 *to the provision of assistance for democracy programs in*  
7 *this Act, the organizations implementing such assistance,*  
8 *the specific nature of that assistance, and the participants*  
9 *in such programs shall not be subject to the prior approval*  
10 *by the government of any foreign country: Provided, That*  
11 *the Secretary of State, in coordination with the USAID Ad-*  
12 *ministrator, shall report to the Committees on Appropria-*  
13 *tions, not later than 120 days after enactment of this Act,*  
14 *detailing steps taken by the Department of State and*  
15 *USAID to comply with the requirements of this subsection.*

16       *(f) CONTINUATION OF CURRENT PRACTICES.—USAID*  
17 *shall continue to implement civil society and political com-*  
18 *petition and consensus building programs abroad with*  
19 *funds appropriated by this Act in a manner that recognizes*  
20 *the unique benefits of grants and cooperative agreements in*  
21 *implementing such programs: Provided, That nothing in*  
22 *this paragraph shall be construed to affect the ability of*  
23 *any entity, including United States small businesses, from*  
24 *competing for proposals for USAID-funded civil society and*  
25 *political competition and consensus building programs.*



1           (g) *COUNTRY STRATEGY STRATEGIC REVIEWS*.—Prior  
2 to the obligation of funds made available by this Act for  
3 Department of State and USAID democracy programs for  
4 a nondemocratic or democratic transitioning country for  
5 which a country strategy has been concluded after the date  
6 of enactment of this Act, as required by section 2111(c)(1)  
7 of the *ADVANCE Democracy Act of 2007* (title XXI of Pub-  
8 lic Law 110–53; 22 U.S.C. 8211) or similar provision of  
9 law or regulation, the Under Secretary for Civilian Secu-  
10 rity, Democracy and Human Rights, Department of State,  
11 in consultation with the Assistant Secretary for Democracy,  
12 Human Rights, and Labor, Department of State, and the  
13 Assistant Administrator for Democracy, Conflict, and Hu-  
14 manitarian Assistance, USAID, shall review such strategy  
15 to ensure that it includes—

16           (1) *specific goals and objectives for such pro-*  
17 *gram, including a specific plan and timeline to meas-*  
18 *ure impacts;*

19           (2) *an assessment of the risks associated with the*  
20 *conduct of such program to intended beneficiaries and*  
21 *implementers, including steps to support and protect*  
22 *such individuals; and*

23           (3) *the funding requirements to initiate and sus-*  
24 *tain such program in fiscal year 2017 and subsequent*  
25 *fiscal years, as appropriate:*

1 *Provided, That for the purposes of this subsection, the term*  
2 *“nondemocratic or democratic transitioning country” shall*  
3 *have the same meaning as in section 2104(6) of Public Law*  
4 *110–53.*

5 *(h) COMMUNICATION AND REPORTING REQUIRE-*  
6 *MENTS.—*

7 *(1) INFORMING THE NATIONAL ENDOWMENT FOR*  
8 *DEMOCRACY.—The Assistant Secretary for Democ-*  
9 *racy, Human Rights, and Labor, Department of*  
10 *State, and the Assistant Administrator for Democ-*  
11 *racy, Conflict, and Humanitarian Assistance,*  
12 *USAID, shall regularly inform the National Endow-*  
13 *ment for Democracy of democracy programs that are*  
14 *planned and supported by funds made available by*  
15 *this Act and prior Acts making appropriations for*  
16 *the Department of State, foreign operations, and re-*  
17 *lated programs.*

18 *(2) REPORT ON FUNDING INSTRUMENTS.—Not*  
19 *later than September 30, 2017, the Secretary of State*  
20 *and USAID Administrator shall each submit to the*  
21 *Committees on Appropriations a report detailing the*  
22 *use of contracts, grants, and cooperative agreements*  
23 *in the conduct of democracy programs with funds*  
24 *made available by the Department of State, Foreign*  
25 *Operations, and Related Programs Act, 2016 (divi-*

1        *sion K of Public Law 114–113), which shall include*  
2        *funding level, account, program sector and subsector,*  
3        *and a brief summary of purpose.*

4            (3) *REPORT ON PROGRAM CHANGES.—The Sec-*  
5        *retary of State or the USAID Administrator, as ap-*  
6        *propriate, shall report to the Committees on Appro-*  
7        *propriations within 30 days of a decision to signifi-*  
8        *cantly change the objectives or the content of a democ-*  
9        *racy program or to close such a program due to the*  
10       *increasingly repressive nature of the host country gov-*  
11       *ernment: Provided, That the report shall also include*  
12       *a strategy for continuing support for democracy pro-*  
13       *motion, if such programming is feasible, and may be*  
14       *submitted in classified form, if necessary.*

15            *INTERNATIONAL RELIGIOUS FREEDOM*

16        *SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM*  
17       *OFFICE AND SPECIAL ENVOY TO PROMOTE RELIGIOUS*  
18       *FREEDOM.—*

19            (1) *Funds appropriated by this Act under the*  
20        *heading “Diplomatic and Consular Programs” shall*  
21        *be made available for the Office of International Reli-*  
22        *gious Freedom, Bureau of Democracy, Human*  
23        *Rights, and Labor, Department of State, the Office of*  
24        *the Ambassador-at-Large for International Religious*  
25        *Freedom, and the Special Envoy to Promote Religious*

1 *Freedom of Religious Minorities in the Near East and*  
2 *South Central Asia, as authorized in the Near East*  
3 *and South Central Asia Religious Freedom Act of*  
4 *2014 (Public Law 113–161), including for support*  
5 *staff at not less than the amounts specified for such*  
6 *offices in the table under such heading in the explana-*  
7 *tory statement described in section 4 (in the matter*  
8 *preceding division A of this Consolidated Act).*

9 (2) *Funds appropriated under the heading “Dip-*  
10 *lomatic and Consular Programs” and designated for*  
11 *the Office of International Religious Freedom shall be*  
12 *made available for the development and implementa-*  
13 *tion of an international religious freedom curriculum*  
14 *in accordance with the criteria specified under such*  
15 *heading in the explanatory statement described in sec-*  
16 *tion 4 (in the matter preceding division A of this*  
17 *Consolidated Act).*

18 (b) ASSISTANCE.—

19 (1) *INTERNATIONAL RELIGIOUS FREEDOM PRO-*  
20 *GRAMS.—Of the funds appropriated by this Act under*  
21 *the heading “Democracy Fund” and available for the*  
22 *Human Rights and Democracy Fund (HRDF), not*  
23 *less than \$10,000,000 shall be made available for*  
24 *international religious freedom programs: Provided,*  
25 *That the Ambassador-at-Large for International Reli-*

1 *gious Freedom shall consult with the Committees on*  
2 *Appropriations on the uses of such funds.*

3 (2) *PROTECTION AND INVESTIGATION PRO-*  
4 *GRAMS.—Of the funds appropriated by this Act under*  
5 *the heading “Economic Support Fund”, not less than*  
6 *\$10,000,000 shall be made available for programs to*  
7 *protect vulnerable and persecuted religious minorities:*  
8 *Provided, That a portion of such funds shall be made*  
9 *available for programs to investigate the persecution*  
10 *of such minorities by governments and non-state ac-*  
11 *tors and for the public dissemination of information*  
12 *collected on such persecution, including on the De-*  
13 *partment of State Web site.*

14 (3) *HUMANITARIAN PROGRAMS.—Funds appro-*  
15 *priated by this Act under the headings “International*  
16 *Disaster Assistance” and “Migration and Refugee As-*  
17 *sistance” shall be made available for humanitarian*  
18 *assistance for vulnerable and persecuted religious mi-*  
19 *norities, including victims of genocide designated by*  
20 *the Secretary of State and other groups that have suf-*  
21 *fered crimes against humanity and ethnic cleansing,*  
22 *to—*

23 (A) *accelerate the implementation of an im-*  
24 *mediate, coordinated, and sustained response to*  
25 *provide humanitarian assistance;*

1           (B) enhance protection of conflict victims,  
2 including those facing a dire humanitarian cri-  
3 sis and severe persecution because of their faith  
4 or ethnicity; and

5           (C) improve access to secure locations for  
6 obtaining humanitarian and resettlement serv-  
7 ices.

8           (4) *TRANSITIONAL JUSTICE, RECONCILIATION,*  
9 *AND REINTEGRATION PROGRAMS IN THE MIDDLE EAST*  
10 *AND NORTH AFRICA REGIONS.*—

11           (A) Not later than 90 days after enactment  
12 of this Act and after consultation with relevant  
13 central governments in the Middle East and  
14 North Africa regions, the Secretary of State shall  
15 submit to the Committees on Appropriations a  
16 plan for transitional justice, reconciliation, and  
17 reintegration programs for vulnerable and per-  
18 secuted religious minorities in such regions: Pro-  
19 vided, That such plan shall include a description  
20 of actions to be taken by such governments to  
21 safeguard and promote the political and eco-  
22 nomic rights of such minorities, including the re-  
23 turn, rehabilitation, and protection of property  
24 in areas of conflict.

1           (B) *Of the funds appropriated by this Act*  
2           *under the heading “Economic Support Fund”*  
3           *that are made available for assistance for Iraq*  
4           *and Syria, not less than \$5,000,000 shall be*  
5           *made available to support the implementation of*  
6           *the plan required by subparagraph (A): Pro-*  
7           *vided, That such funds shall be matched, to the*  
8           *maximum extent practicable, from sources other*  
9           *than the United States Government.*

10           (5) *RESPONSIBILITY OF FUNDS.—Funds made*  
11           *available by paragraphs (1), (2), and (4) shall be the*  
12           *responsibility of the Ambassador-at-Large for Inter-*  
13           *national Religious Freedom, in consultation with*  
14           *other relevant United States Government officials.*

15           (c) *INTERNATIONAL BROADCASTING.—Funds appro-*  
16           *priated by this Act under the heading “Broadcasting Board*  
17           *of Governors, International Broadcasting Operations” shall*  
18           *be made available for programs related to international re-*  
19           *ligious freedom, including reporting on the condition of vul-*  
20           *nerable and persecuted religious groups.*

21           (d) *ATROCITIES PREVENTION.—Funds appropriated*  
22           *by this Act under the headings “Economic Support Fund”*  
23           *and “International Narcotics Control and Law Enforce-*  
24           *ment” shall be made available for programs to prevent*  
25           *atrocities and to implement the recommendations of the*

1 *Atrocities Prevention Board, including with respect to the*  
2 *evaluation required by section 7033(d) of the Department*  
3 *of State, Foreign Operations, and Related Programs Appro-*  
4 *priations Act, 2016 (division K of Public Law 114–113):*  
5 *Provided, That the Under Secretary for Civilian Security,*  
6 *Democracy, and Human Rights, Department of State, shall*  
7 *be responsible for providing the strategic policy direction*  
8 *for, and policy oversight of, funds made available pursuant*  
9 *to this subsection to the Bureaus of International Narcotics*  
10 *Control and Law Enforcement and Democracy, Human*  
11 *Rights, and Labor, Department of State: Provided further,*  
12 *That such funds shall be subject to the regular notification*  
13 *procedures of the Committees on Appropriations.*

14       *(e) DESIGNATION OF NON-STATE ACTORS.—The Presi-*  
15 *dent shall, concurrent with the annual foreign country re-*  
16 *view required by section 402(b)(1) of the International Reli-*  
17 *gious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)), review*  
18 *and identify any non-state actors in such countries that*  
19 *have engaged in particularly severe violations of religious*  
20 *freedom, and designate, in a manner consistent with such*  
21 *Act, each such group as a non-state actor of particular con-*  
22 *cern for religious freedom operating in such reviewed coun-*  
23 *try or surrounding region: Provided, That whenever the*  
24 *President designates such a non-state actor under this sub-*  
25 *section, the President shall, as soon as practicable after the*



1 *designation is made, submit a report to the appropriate*  
2 *congressional committees detailing the reasons for such des-*  
3 *ignation.*

4 (f) *FUNDING CLARIFICATION.—Funds made available*  
5 *pursuant to subsections (b) and (d) are in addition to*  
6 *amounts otherwise made available for such purposes.*

7 *SPECIAL PROVISIONS*

8 *SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-*  
9 *DREN, AND DISPLACED BURMESE.—Funds appropriated in*  
10 *titles III and VI of this Act that are made available for*  
11 *victims of war, displaced children, displaced Burmese, and*  
12 *to combat trafficking in persons and assist victims of such*  
13 *trafficking, may be made available notwithstanding any*  
14 *other provision of law.*

15 (b) *LAW ENFORCEMENT AND SECURITY.—*

16 (1) *CHILD SOLDIERS.—Funds appropriated by*  
17 *this Act should not be used to support any military*  
18 *training or operations that include child soldiers.*

19 (2) *CROWD CONTROL ITEMS.—Funds appro-*  
20 *priated by this Act should not be used for tear gas,*  
21 *small arms, light weapons, ammunition, or other*  
22 *items for crowd control purposes for foreign security*  
23 *forces that use excessive force to repress peaceful ex-*  
24 *pression, association, or assembly in countries under-*  
25 *going democratic transition.*

1           (3) *DISARMAMENT, DEMOBILIZATION, AND RE-*  
2 *INTEGRATION.*—Section 7034(d) of the Department of  
3 *State, Foreign Operations, and Related Programs Ap-*  
4 *propriations Act, 2015 (division J of Public Law*  
5 *113–235) shall continue in effect during fiscal year*  
6 *2017.*

7           (4) *FORENSIC ASSISTANCE.*—

8           (A) *Of the funds appropriated by this Act*  
9 *under the heading “Economic Support Fund”,*  
10 *not less than \$6,500,000 shall be made available*  
11 *for forensic anthropology assistance related to the*  
12 *exhumation of mass graves and the identification*  
13 *of victims of war crimes, genocide, and crimes*  
14 *against humanity, including in Iraq, Guate-*  
15 *mala, Colombia, El Salvador, Syria, and Sri*  
16 *Lanka, which shall be administered by the As-*  
17 *stant Secretary for Democracy, Human Rights,*  
18 *and Labor, Department of State.*

19           (B) *Of the funds appropriated by this Act*  
20 *under the heading “International Narcotics Con-*  
21 *trol and Law Enforcement”, not less than*  
22 *\$6,000,000 shall be made available for DNA fo-*  
23 *rensic technology programs to combat human*  
24 *trafficking in Central America and Mexico.*

1           (5) *INTERNATIONAL PRISON CONDITIONS.*—*Sec-*  
2           *tion 7065 of the Department of State, Foreign Oper-*  
3           *ations, and Related Programs Appropriations Act,*  
4           *2015 (division J of Public Law 113–235) shall con-*  
5           *tinue in effect during fiscal year 2017.*

6           (6) *RECONSTITUTING CIVILIAN POLICE AUTHOR-*  
7           *ITY.*—*In providing assistance with funds appro-*  
8           *priated by this Act under section 660(b)(6) of the*  
9           *Foreign Assistance Act of 1961, support for a nation*  
10          *emerging from instability may be deemed to mean*  
11          *support for regional, district, municipal, or other sub-*  
12          *national entity emerging from instability, as well as*  
13          *a nation emerging from instability.*

14          (7) *SECURITY ASSISTANCE REPORT.*—*Not later*  
15          *than 120 days after enactment of this Act, the Sec-*  
16          *retary of State shall submit to the Committees on Ap-*  
17          *propriations a report on funds obligated and ex-*  
18          *pended during fiscal year 2016, by country and pur-*  
19          *pose of assistance, under the headings “Peacekeeping*  
20          *Operations”, “International Military Education and*  
21          *Training”, and “Foreign Military Financing Pro-*  
22          *gram”.*

23          (8) *FOREIGN MILITARY SALES AND FOREIGN*  
24          *MILITARY FINANCING PROGRAM.*—

1           (A) *AVAILABILITY.*—*Funds appropriated by*  
2 *this Act under the heading “Foreign Military*  
3 *Financing Program” for the general costs of ad-*  
4 *ministering military assistance and sales shall*  
5 *be made available to increase the efficiency and*  
6 *effectiveness of programs authorized by Chapter*  
7 *2 of the Arms Export Control Act: Provided,*  
8 *That prior to the obligation of funds for such*  
9 *purposes, the Secretary of State shall consult*  
10 *with the Committees on Appropriations.*

11           (B) *REVIEW AND REPORT.*—*The Secretary*  
12 *of State, in coordination with the Secretary of*  
13 *Defense, shall review the resources, personnel,*  
14 *and practices of the Departments of State and*  
15 *Defense that are associated with administering*  
16 *military assistance and sales programs and, not*  
17 *later than 120 days after enactment of this Act,*  
18 *submit to the appropriate congressional commit-*  
19 *tees a report on steps taken or planned to be*  
20 *taken to increase the efficiency and effectiveness*  
21 *of such programs.*

22           (C) *QUARTERLY STATUS REPORT.*—*Fol-*  
23 *lowing the submission of the quarterly report re-*  
24 *quired by section 36 of Public Law 90–629 (22*  
25 *U.S.C. 2776), the Secretary of State, in coordi-*

1            *nation with the Secretary of Defense, shall sub-*  
2            *mit to the Committees on Appropriations a sta-*  
3            *tus report that contains the information de-*  
4            *scribed under this heading in the explanatory*  
5            *statement described in section 4 (in the matter*  
6            *preceding division A of this Consolidated Act).*

7            (D) *FOREIGN MILITARY FINANCING PRO-*  
8            *GRAM LOANS.—Not later than 60 days after en-*  
9            *actment of this Act, the Secretary of State, in co-*  
10           *ordination with the Secretary of Defense, shall*  
11           *submit to the Committees on Appropriations a*  
12           *report assessing the potential impact of*  
13           *transitioning assistance made available by this*  
14           *Act under the heading “Foreign Military Fi-*  
15           *nancing Program” from grants to loans, includ-*  
16           *ing the budgetary and diplomatic impacts, and*  
17           *the extent to which such transition would affect*  
18           *the foreign policy interest of the United States:*  
19           *Provided, That such report shall also include an*  
20           *assessment of the impact of proposals included in*  
21           *the fiscal year 2018 congressional budget jus-*  
22           *tification that would transition such assistance*  
23           *from grants to loans.*

24           (9) *VETTING REPORT.—*

1           (A) Not later than 90 days after enactment  
2 of this Act, the Secretary of State shall submit  
3 a report to the appropriate congressional com-  
4 mittees on foreign assistance cases submitted for  
5 vetting for purposes of section 620M of the For-  
6 eign Assistance Act of 1961 during the preceding  
7 fiscal year, including—

8                   (i) the total number of cases submitted,  
9 approved, suspended, or rejected for human  
10 rights reasons; and

11                   (ii) for cases rejected, a description of  
12 the steps taken to assist the foreign govern-  
13 ment in taking effective measures to bring  
14 the responsible members of the security  
15 forces to justice, in accordance with section  
16 620M(c) of the Foreign Assistance Act of  
17 1961.

18           (B) The report required by this paragraph  
19 shall be submitted in unclassified form, but may  
20 be accompanied by a classified annex.

21           (10) ANNUAL FOREIGN MILITARY TRAINING RE-  
22 PORT.—For the purposes of implementing section 656  
23 of the Foreign Assistance Act of 1961, the term “mili-  
24 tary training provided to foreign military personnel  
25 by the Department of Defense and the Department of

1     *State” shall be deemed to include all military train-*  
2     *ing provided by foreign governments with funds ap-*  
3     *propriated to the Department of Defense or the De-*  
4     *partment of State, except for training provided by the*  
5     *government of a country designated by section 517(b)*  
6     *of such Act as a major non-NATO ally.*

7             (11) *PROLIFERATION SECURITY INITIATIVE.—*  
8     *Funds appropriated by this Act under the heading*  
9     *“Nonproliferation, Anti-terrorism, Demining and Re-*  
10    *lated Programs” shall be made available for programs*  
11    *to increase international participation in the Pro-*  
12    *liferation Security Initiative (PSI) and endorsement*  
13    *of the PSI Statement of Interdiction Principles: Pro-*  
14    *vided, That not later than 45 days after enactment of*  
15    *this Act, the Secretary of State shall submit a report*  
16    *to the Committees on Appropriations detailing steps*  
17    *to be taken to implement the requirements of this*  
18    *paragraph.*

19            (12) *AUTHORITY TO COUNTER EXTREMISM.—*  
20    *Funds made available by this Act under the heading*  
21    *“Economic Support Fund” to counter extremism may*  
22    *be made available notwithstanding any other provi-*  
23    *sion of law restricting assistance to foreign countries,*  
24    *except sections 502B and 620A of the Foreign Assist-*  
25    *ance Act of 1961: Provided, That the Secretary of*

1        *State, or the USAID Administrator, as appropriate,*  
2        *shall consult with the Committees on Appropriations*  
3        *prior to exercising the authority of this paragraph.*

4        *(c) WORLD FOOD PROGRAMME.—Funds managed by*  
5        *the Bureau for Democracy, Conflict, and Humanitarian*  
6        *Assistance, United States Agency for International Develop-*  
7        *ment, from this or any other Act, may be made available*  
8        *as a general contribution to the World Food Programme,*  
9        *notwithstanding any other provision of law.*

10       *(d) DIRECTIVES AND AUTHORITIES.—*

11                *(1) RESEARCH AND TRAINING.—Funds appro-*  
12                *priated by this Act under the heading “Assistance for*  
13                *Europe, Eurasia and Central Asia” shall be made*  
14                *available to carry out the Program for Research and*  
15                *Training on Eastern Europe and the Independent*  
16                *States of the Former Soviet Union as authorized by*  
17                *the Soviet-Eastern European Research and Training*  
18                *Act of 1983 (22 U.S.C. 4501 et seq.).*

19                *(2) GENOCIDE VICTIMS MEMORIAL SITES AND*  
20                *TRIBUNALS.—*

21                        *(A) Funds appropriated by this Act and*  
22                        *prior Acts making appropriations for the De-*  
23                        *partment of State, foreign operations, and re-*  
24                        *lated programs under the headings “Economic*  
25                        *Support Fund” and “Assistance for Europe,*



1           *Eurasia and Central Asia*” may be made avail-  
2           able as contributions to establish and maintain  
3           memorial sites of genocide, subject to the regular  
4           notification procedures of the Committees on Ap-  
5           propriations.

6           (B) Of the funds appropriated by this Act  
7           under the heading “*Economic Support Fund*”,  
8           not less than \$3,500,000 shall be made available,  
9           on a competitive basis, for reimbursement of  
10          costs related to research and documentation in  
11          support of the activities of international tribu-  
12          nals established to try cases of war crimes, geno-  
13          cide, and crimes against humanity.

14          (3) *ADDITIONAL AUTHORITIES*.—Of the amounts  
15          made available by title I of this Act under the head-  
16          ing “*Diplomatic and Consular Programs*”, up to  
17          \$500,000 may be made available for grants pursuant  
18          to section 504 of Public Law 95–426 (22 U.S.C.  
19          2656d), including to facilitate collaboration with in-  
20          digenous communities, and up to \$1,000,000 may be  
21          made available for grants to carry out the activities  
22          of the *Cultural Antiquities Task Force*.

23          (4) *AUTHORITY*.—The *USAID Administrator*  
24          may use funds appropriated by this Act under title  
25          III to make innovation incentive awards: Provided,

1       *That each individual award may not exceed*  
2       *\$100,000: Provided further, That no more than 10*  
3       *such awards may be made during fiscal year 2017:*  
4       *Provided further, That for purposes of this paragraph*  
5       *the term “innovation incentive award” means the*  
6       *provision of funding on a competitive basis that—*

7               *(A) encourages and rewards the develop-*  
8               *ment of solutions for a particular, well-defined*  
9               *problem related to the alleviation of poverty; or*

10              *(B) helps identify and promote a broad*  
11              *range of ideas and practices facilitating further*  
12              *development of an idea or practice by third par-*  
13              *ties.*

14       *(e) PARTNER VETTING.—*

15              *(1) In lieu of the requirements in the second and*  
16              *third provisos of section 7034(e) of the Department of*  
17              *State, Foreign Operations, and Related Programs Ap-*  
18              *propriations Act, 2016 (division K of Public Law*  
19              *114–113), not later than 60 days after enactment of*  
20              *this Act, the Secretary of State and the USAID Ad-*  
21              *ministrator shall jointly submit a report to the Com-*  
22              *mittees on Appropriations, in classified form if nec-*  
23              *essary, detailing the findings, conclusions, and rec-*  
24              *ommendations of the evaluation of the Partner Vet-*  
25              *ting System pilot program and recommendations for*

1        *any new partner vetting program: Provided, That*  
2        *prior to the submission of the report, the Secretary*  
3        *and Administrator shall jointly consult with the*  
4        *Committees on Appropriations, and also consult with*  
5        *representatives of implementing organizations, on*  
6        *such findings, conclusions, and recommendations.*

7            *(2) The Secretary of State and USAID Adminis-*  
8        *trator may initiate a partner vetting program to*  
9        *mitigate the risk of diversion of foreign assistance, or*  
10       *make significant modifications to any existing part-*  
11       *ner vetting program, only following consultation with*  
12       *the Committees on Appropriations: Provided, That*  
13       *the Secretary and Administrator should provide a di-*  
14       *rect vetting option for prime awardees in any partner*  
15       *vetting program initiated after the date of the enact-*  
16       *ment of this Act.*

17       *(f) CONTINGENCIES.—During fiscal year 2017, the*  
18       *President may use up to \$125,000,000 under the authority*  
19       *of section 451 of the Foreign Assistance Act of 1961, not-*  
20       *withstanding any other provision of law.*

21       *(g) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-*  
22       *retary of State should withhold funds appropriated under*  
23       *title III of this Act for assistance for the central government*  
24       *of any country that is not taking appropriate steps to com-*  
25       *ply with the Convention on the Civil Aspects of Inter-*

1 *national Child Abductions, done at the Hague on October*  
2 *25, 1980: Provided, That the Secretary shall report to the*  
3 *Committees on Appropriations within 15 days of with-*  
4 *holding funds under this subsection.*

5       *(h) CULTURAL PRESERVATION PROJECT DETERMINA-*  
6 *TION.—None of the funds appropriated in titles I and III*  
7 *of this Act may be used for the preservation of religious*  
8 *sites unless the Secretary of State or the USAID Adminis-*  
9 *trator, as appropriate, determines and reports to the Com-*  
10 *mittees on Appropriations that such sites are historically,*  
11 *artistically, or culturally significant, that the purpose of*  
12 *the project is neither to advance nor to inhibit the free exer-*  
13 *cise of religion, and that the project is in the national inter-*  
14 *est of the United States.*

15       *(i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-*  
16 *TECTION.—The Secretary of State may transfer to, and*  
17 *merge with, funds under the heading “Protection of Foreign*  
18 *Missions and Officials” unobligated balances of expired*  
19 *funds appropriated under the heading “Diplomatic and*  
20 *Consular Programs” for fiscal year 2017, except for funds*  
21 *designated for Overseas Contingency Operations/Global*  
22 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*  
23 *the Balanced Budget and Emergency Deficit Control Act*  
24 *of 1985, at no later than the end of the fifth fiscal year*  
25 *after the last fiscal year for which such funds are available*

1 *for the purposes for which appropriated: Provided, That not*  
2 *more than \$50,000,000 may be transferred.*

3       (j) *PROTECTIONS AND REMEDIES FOR EMPLOYEES OF*  
4 *DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZA-*  
5 *TIONS.—Section 7034(k) of the Department of State, For-*  
6 *ign Operations, and Related Programs Appropriations*  
7 *Act, 2015 (division J of Public Law 113–235) shall con-*  
8 *tinue in effect during fiscal year 2017.*

9       (k) *EXTENSION OF AUTHORITIES.—*

10           (1) *PASSPORT FEES.—Section 1(b)(2) of the*  
11 *Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))*  
12 *shall be applied by substituting “September 30, 2017”*  
13 *for “September 30, 2010”.*

14           (2) *INCENTIVES FOR CRITICAL POSTS.—The au-*  
15 *thority contained in section 1115(d) of the Supple-*  
16 *mental Appropriations Act, 2009 (Public Law 111–*  
17 *32) shall remain in effect through September 30,*  
18 *2017.*

19           (3) *USAID CIVIL SERVICE ANNUITANT WAIV-*  
20 *ER.—Section 625(j)(1) of the Foreign Assistance Act*  
21 *of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by*  
22 *substituting “September 30, 2017” for “October 1,*  
23 *2010” in subparagraph (B).*

24           (4) *OVERSEAS PAY COMPARABILITY AND LIMITA-*  
25 *TION.—*

1           (A) *Subject to the limitation described in*  
2           *subparagraph (B), the authority provided by sec-*  
3           *tion 1113 of the Supplemental Appropriations*  
4           *Act, 2009 (Public Law 111–32; 123 Stat. 1904)*  
5           *shall remain in effect through September 30,*  
6           *2017.*

7           (B) *The authority described in subpara-*  
8           *graph (A) may not be used to pay an eligible*  
9           *member of the Foreign Service (as defined in sec-*  
10           *tion 1113(b) of the Supplemental Appropriations*  
11           *Act, 2009) a locality-based comparability pay-*  
12           *ment (stated as a percentage) that exceeds two-*  
13           *thirds of the amount of the locality-based com-*  
14           *parability payment (stated as a percentage) that*  
15           *would be payable to such member under section*  
16           *5304 of title 5, United States Code, if such mem-*  
17           *ber’s official duty station were in the District of*  
18           *Columbia.*

19           (5) *CATEGORICAL ELIGIBILITY.—The Foreign*  
20           *Operations, Export Financing, and Related Programs*  
21           *Appropriations Act, 1990 (Public Law 101–167) is*  
22           *amended—*

23           (A) *in section 599D (8 U.S.C. 1157 note)—*

1                   (i) in subsection (b)(3), by striking  
2                   “and 2016” and inserting “2016, and  
3                   2017”; and

4                   (ii) in subsection (e), by striking  
5                   “2016” each place it appears and inserting  
6                   “2017”; and

7                   (B) in section 599E (8 U.S.C. 1255 note) in  
8                   subsection (b)(2), by striking “2016” and insert-  
9                   ing “2017”.

10                  (6) *INSPECTOR GENERAL ANNUITANT WAIVER.*—  
11                  The authorities provided in section 1015(b) of the  
12                  Supplemental Appropriations Act, 2010 (Public Law  
13                  111–212) shall remain in effect through September  
14                  30, 2017.

15                  (7) *EXTENSION OF WAR RESERVES STOCKPILE*  
16                  *AUTHORITY.*—

17                         (A) Section 12001(d) of the Department of  
18                         Defense Appropriations Act, 2005 (Public Law  
19                         108–287; 118 Stat. 1011) is amended by striking  
20                         “2017” and inserting “2018”.

21                         (B) Section 514(b)(2)(A) of the Foreign As-  
22                         sistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A))  
23                         is amended by striking “and 2017” and insert-  
24                         ing “2017, and 2018”.

1           (8) *MODIFICATION OF LIFE INSURANCE SUPPLE-*  
2           *MENT.*—Section 415(a)(1) of the Foreign Service Act  
3           of 1980 (22 U.S.C. 3975(a)(1)) is amended by add-  
4           ing—“The group life insurance supplement employee  
5           benefit paid or scheduled to be paid pursuant to this  
6           section should not be used to reduce any other pay-  
7           ment to which a recipient is otherwise eligible under  
8           Federal law.”.

9           (l) *DEPARTMENT OF STATE AND THE UNITED STATES*  
10          *AGENCY FOR INTERNATIONAL DEVELOPMENT.*—Prior to  
11          implementing any reorganization of the Department of  
12          State or the United States Agency for International Devel-  
13          opment, including any action taken pursuant to the March  
14          31, 2017 Executive Order 13781 on a Comprehensive Plan  
15          for Reorganizing the Executive Branch, the Secretary of  
16          State shall submit a report to the Committees on Appro-  
17          priations on such reorganization: Provided, That such re-  
18          port shall include a detailed justification and analysis con-  
19          taining—

20                 (1) *the impact on personnel, both foreign service*  
21                 *and civil service;*

22                 (2) *the process used to identify the merger, clos-*  
23                 *ing or termination of any operating unit, including*  
24                 *the process used to assess the impact of such action*



1       on programs, projects, and activities funded by this  
2       Act;

3               (3) the impact any such merger, closing or ter-  
4       mination would have on the ability to conduct ade-  
5       quate monitoring and oversight of foreign assistance  
6       programs; and

7               (4) the national security interest served by each  
8       such merger, closing or termination, including a de-  
9       termination that such merger, closing or termination  
10      will not expand the influence of any adversary or  
11      competitor of the United States, including foreign ter-  
12      rorist organizations.

13      (m) *HUMANITARIAN ASSISTANCE*.—Funds appro-  
14      priated by this Act that are available for monitoring and  
15      evaluation of assistance under the headings “International  
16      Disaster Assistance” and “Migration and Refugee Assist-  
17      ance” shall, as appropriate, be made available for the reg-  
18      ular collection of feedback obtained directly from bene-  
19      ficiaries on the quality and relevance of such assistance:  
20      Provided, That the Department of State and USAID shall  
21      conduct regular oversight to ensure that such feedback is  
22      collected and used by implementing partners to maximize  
23      the cost-effectiveness and utility of such assistance, and re-  
24      quire such partners that receive funds under such headings  
25      to establish procedures for collecting and responding to such

1 *feedback and inform the Department of State or USAID,*  
2 *as appropriate, of such procedures.*

3       (n) *HIV/AIDS WORKING CAPITAL FUND.—Funds*  
4 *available in the HIV/AIDS Working Capital Fund estab-*  
5 *lished pursuant to section 525(b)(1) of the Foreign Oper-*  
6 *ations, Export Financing, and Related Programs Appro-*  
7 *priations Act, 2005 (Public Law 108–477) may be made*  
8 *available for pharmaceuticals and other products for child*  
9 *survival, malaria, and tuberculosis to the same extent as*  
10 *HIV/AIDS pharmaceuticals and other products, subject to*  
11 *the terms and conditions in such section: Provided, That*  
12 *the authority in section 525(b)(5) of the Foreign Oper-*  
13 *ations, Export Financing, and Related Programs Appro-*  
14 *priation Act, 2005 (Public Law 108–477) shall be exercised*  
15 *by the Assistant Administrator for Global Health, USAID,*  
16 *with respect to funds deposited for such non-HIV/AIDS*  
17 *pharmaceuticals and other products, and shall be subject*  
18 *to the regular notification procedures of the Committees on*  
19 *Appropriations: Provided further, That the Secretary of*  
20 *State shall include in the congressional budget justification*  
21 *an accounting of budgetary resources, disbursements, bal-*  
22 *ances, and reimbursements related to such fund.*

23       (o) *LOANS AND ENTERPRISE FUNDS.—*

24               (1) *LOAN GUARANTEES.—Funds appropriated*  
25 *under the headings “Economic Support Fund” and*

1       *“Assistance for Europe, Eurasia and Central Asia”*  
2       *by this Act and prior Acts making appropriations for*  
3       *the Department of State, foreign operations, and re-*  
4       *lated programs may be made available for the costs,*  
5       *as defined in section 502 of the Congressional Budget*  
6       *Act of 1974, of loan guarantees for Jordan, Ukraine,*  
7       *Iraq, Egypt, and Tunisia, which are authorized to be*  
8       *provided: Provided, That amounts made available*  
9       *under this paragraph for the costs of such guarantees*  
10       *shall not be considered assistance for the purposes of*  
11       *provisions of law limiting assistance to a country.*

12               (2) *ENTERPRISE FUNDS.—Funds appropriated*  
13       *under the heading “Economic Support Fund” in this*  
14       *Act may be made available to establish and operate*  
15       *one or more enterprise funds for Egypt and Tunisia:*  
16       *Provided, That the first, third and fifth provisos*  
17       *under section 7041(b) of the Department of State,*  
18       *Foreign Operations, and Related Programs Appro-*  
19       *propriations Act, 2012 (division I of Public Law 112–*  
20       *74) shall apply to funds appropriated by this Act*  
21       *under the heading “Economic Support Fund” for an*  
22       *enterprise fund or funds to the same extent and in the*  
23       *same manner as such provision of law applied to*  
24       *funds made available under such section (except that*  
25       *the clause excluding subsection (d)(3) of section 201*

1 *of the SEED Act shall not apply): Provided further,*  
2 *That in addition to the previous proviso, the authori-*  
3 *ties in the matter preceding the first proviso of such*  
4 *section may apply to any such enterprise fund or*  
5 *funds: Provided further, That the authority of any*  
6 *such enterprise fund or funds to provide assistance*  
7 *shall cease to be effective on December 31, 2027.*

8 (3) *DESIGNATION REQUIREMENT.—Funds made*  
9 *available pursuant to paragraph (1) from prior Acts*  
10 *making appropriations for the Department of State,*  
11 *foreign operations, and related programs that were*  
12 *previously designated by the Congress for Overseas*  
13 *Contingency Operations/Global War on Terrorism*  
14 *pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
15 *Budget and Emergency Deficit Control Act of 1985*  
16 *are designated by the Congress for Overseas Contingency*  
17 *Operations/Global War on Terrorism pursuant*  
18 *to section 251(b)(2)(A)(ii) of such Act.*

19 (4) *CONSULTATION AND NOTIFICATION.—Funds*  
20 *made available pursuant to the authorities of this*  
21 *subsection shall be subject to prior consultation with*  
22 *the appropriate congressional committees, and subject*  
23 *to the regular notification procedures of the Commit-*  
24 *tees on Appropriations.*

25 (p) *SMALL GRANTS AND ENTITIES.—*

1           (1) *Of the funds appropriated by this Act under*  
2 *the headings “Development Assistance”, “Economic*  
3 *Support Fund”, and “Assistance for Europe, Eurasia*  
4 *and Central Asia”, not less than \$47,000,000 shall be*  
5 *made available for the Small Grants Program pursu-*  
6 *ant to section 7080 of the Department of State, For-*  
7 *oreign Operations, and Related Programs Appropria-*  
8 *tions Act, 2015 (division J of Public Law 113–235),*  
9 *which may remain available until September 30,*  
10 *2021.*

11           (2) *For the purposes of section 7080 of division*  
12 *J of Public Law 113–235, “eligible entities” shall be*  
13 *defined as small local, international, and United*  
14 *States-based nongovernmental organizations, edu-*  
15 *cational institutions, and other small entities that*  
16 *have received less than a total of \$5,000,000 from*  
17 *USAID over the previous 5 fiscal years: Provided,*  
18 *That departments or centers of such educational insti-*  
19 *tutions may be considered individually in deter-*  
20 *mining such eligibility.*

21           (q) *EXCEPTION.—Notwithstanding section 201 of the*  
22 *Security Assistance Appropriations Act, 2017 (division B*  
23 *of Public Law 114–254), funds appropriated or otherwise*  
24 *made available by title II of such Act are in addition to*  
25 *amounts specifically designated by this Act or in the respec-*

1 *tive tables in the explanatory statement described in section*  
2 *4 (in the matter preceding division A of this Consolidated*  
3 *Act).*

4 *(r) DEFINITIONS.—*

5 *(1) APPROPRIATE CONGRESSIONAL COMMIT-*  
6 *TEES.—Unless otherwise defined in this Act, for pur-*  
7 *poses of this Act the term “appropriate congressional*  
8 *committees” means the Committees on Appropriations*  
9 *and Foreign Relations of the Senate and the Commit-*  
10 *tees on Appropriations and Foreign Affairs of the*  
11 *House of Representatives.*

12 *(2) FUNDS APPROPRIATED BY THIS ACT AND*  
13 *PRIOR ACTS.—Unless otherwise defined in this Act,*  
14 *for purposes of this Act the term “funds appropriated*  
15 *by this Act and prior Acts making appropriations for*  
16 *the Department of State, foreign operations, and re-*  
17 *lated programs” means funds that remain available*  
18 *for obligation, and have not expired.*

19 *(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—*  
20 *In this Act “international financial institutions”*  
21 *means the International Bank for Reconstruction and*  
22 *Development, the International Development Associa-*  
23 *tion, the International Finance Corporation, the*  
24 *Inter-American Development Bank, the International*  
25 *Monetary Fund, the Asian Development Bank, the*

1 *Asian Development Fund, the Inter-American Invest-*  
2 *ment Corporation, the North American Development*  
3 *Bank, the European Bank for Reconstruction and De-*  
4 *velopment, the African Development Bank, the Afri-*  
5 *can Development Fund, and the Multilateral Invest-*  
6 *ment Guarantee Agency.*

7 (4) *SOUTHERN KORDOFAN REFERENCE.*—*Any*  
8 *reference to Southern Kordofan in this or any other*  
9 *Act making appropriations for the Department of*  
10 *State, foreign operations, and related programs shall*  
11 *be deemed to include portions of Western Kordofan*  
12 *that were previously part of Southern Kordofan prior*  
13 *to the 2013 division of Southern Kordofan.*

14 (5) *USAID.*—*In this Act, the term “USAID”*  
15 *means the United States Agency for International De-*  
16 *velopment.*

17 (6) *CLARIFICATION.*—*Unless otherwise provided*  
18 *for in this Act, for the purposes of this Act the terms*  
19 *“under this heading”, “under the heading”, “under*  
20 *the headings”, or similar phrases mean funds appro-*  
21 *propriated or otherwise made available under such head-*  
22 *ing or headings in all titles of this Act: Provided,*  
23 *That the term “under the heading in this title” or*  
24 *similar phrases means funds appropriated or other-*  
25 *wise made available only in such title.*

1           (7) *SPEND PLAN.*—*In this Act, the term “spend*  
2 *plan” means a plan for the uses of funds appro-*  
3 *propriated for a particular entity, country, program,*  
4 *purpose, or account and which shall include, at a*  
5 *minimum, a description of—*

6                   (A) *realistic and sustainable goals, and a*  
7 *timeline for achieving such goals;*

8                   (B) *amounts and sources of funds by ac-*  
9 *count;*

10                  (C) *criteria for measuring progress in*  
11 *achieving such goals;*

12                  (D) *how such funds will complement other*  
13 *ongoing or planned programs; and*

14                  (E) *implementing partners, to the max-*  
15 *imum extent practicable.*

16                   *ARAB LEAGUE BOYCOTT OF ISRAEL*

17           *SEC. 7035. It is the sense of the Congress that—*

18                   (1) *the Arab League boycott of Israel, and the*  
19 *secondary boycott of American firms that have com-*  
20 *mercial ties with Israel, is an impediment to peace*  
21 *in the region and to United States investment and*  
22 *trade in the Middle East and North Africa;*

23                   (2) *the Arab League boycott, which was regret-*  
24 *tably reinstated in 1997, should be immediately and*



1 *publicly terminated, and the Central Office for the*  
2 *Boycott of Israel immediately disbanded;*

3 *(3) all Arab League states should normalize rela-*  
4 *tions with their neighbor Israel;*

5 *(4) the President and the Secretary of State*  
6 *should continue to vigorously oppose the Arab League*  
7 *boycott of Israel and find concrete steps to dem-*  
8 *onstrate that opposition by, for example, taking into*  
9 *consideration the participation of any recipient coun-*  
10 *try in the boycott when determining to sell weapons*  
11 *to said country; and*

12 *(5) the President should report to Congress an-*  
13 *nually on specific steps being taken by the United*  
14 *States to encourage Arab League states to normalize*  
15 *their relations with Israel to bring about the termi-*  
16 *nation of the Arab League boycott of Israel, including*  
17 *those to encourage allies and trading partners of the*  
18 *United States to enact laws prohibiting businesses*  
19 *from complying with the boycott and penalizing busi-*  
20 *nesses that do comply.*

21 *PALESTINIAN STATEHOOD*

22 *SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of*  
23 *the funds appropriated under titles III through VI of this*  
24 *Act may be provided to support a Palestinian state unless*

1 *the Secretary of State determines and certifies to the appro-*  
2 *priate congressional committees that—*

3           (1) *the governing entity of a new Palestinian*  
4 *state—*

5                   (A) *has demonstrated a firm commitment to*  
6 *peaceful co-existence with the State of Israel; and*

7                   (B) *is taking appropriate measures to*  
8 *counter terrorism and terrorist financing in the*  
9 *West Bank and Gaza, including the dismantling*  
10 *of terrorist infrastructures, and is cooperating*  
11 *with appropriate Israeli and other appropriate*  
12 *security organizations; and*

13           (2) *the Palestinian Authority (or the governing*  
14 *entity of a new Palestinian state) is working with*  
15 *other countries in the region to vigorously pursue ef-*  
16 *forts to establish a just, lasting, and comprehensive*  
17 *peace in the Middle East that will enable Israel and*  
18 *an independent Palestinian state to exist within the*  
19 *context of full and normal relationships, which should*  
20 *include—*

21                   (A) *termination of all claims or states of*  
22 *belligerency;*

23                   (B) *respect for and acknowledgment of the*  
24 *sovereignty, territorial integrity, and political*  
25 *independence of every state in the area through*

1           *measures including the establishment of demili-*  
2           *tarized zones;*

3                   *(C) their right to live in peace within secure*  
4           *and recognized boundaries free from threats or*  
5           *acts of force;*

6                   *(D) freedom of navigation through inter-*  
7           *national waterways in the area; and*

8                   *(E) a framework for achieving a just settle-*  
9           *ment of the refugee problem.*

10           *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
11           *that the governing entity should enact a constitution assur-*  
12           *ing the rule of law, an independent judiciary, and respect*  
13           *for human rights for its citizens, and should enact other*  
14           *laws and regulations assuring transparent and accountable*  
15           *governance.*

16           *(c) WAIVER.—The President may waive subsection (a)*  
17           *if the President determines that it is important to the na-*  
18           *tional security interest of the United States to do so.*

19           *(d) EXEMPTION.—The restriction in subsection (a)*  
20           *shall not apply to assistance intended to help reform the*  
21           *Palestinian Authority and affiliated institutions, or the*  
22           *governing entity, in order to help meet the requirements of*  
23           *subsection (a), consistent with the provisions of section 7040*  
24           *of this Act (“Limitation on Assistance for the Palestinian*  
25           *Authority”).*

1 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

2       *SEC. 7037. None of the funds appropriated under titles*  
3 *II through VI of this Act may be obligated or expended to*  
4 *create in any part of Jerusalem a new office of any depart-*  
5 *ment or agency of the United States Government for the*  
6 *purpose of conducting official United States Government*  
7 *business with the Palestinian Authority over Gaza and*  
8 *Jericho or any successor Palestinian governing entity pro-*  
9 *vided for in the Israel-PLO Declaration of Principles: Pro-*  
10 *vided, That this restriction shall not apply to the acquisi-*  
11 *tion of additional space for the existing Consulate General*  
12 *in Jerusalem: Provided further, That meetings between offi-*  
13 *cers and employees of the United States and officials of the*  
14 *Palestinian Authority, or any successor Palestinian gov-*  
15 *erning entity provided for in the Israel-PLO Declaration*  
16 *of Principles, for the purpose of conducting official United*  
17 *States Government business with such authority should con-*  
18 *tinue to take place in locations other than Jerusalem: Pro-*  
19 *vided further, That as has been true in the past, officers*  
20 *and employees of the United States Government may con-*  
21 *tinue to meet in Jerusalem on other subjects with Palestin-*  
22 *ians (including those who now occupy positions in the Pal-*  
23 *estinian Authority), have social contacts, and have inci-*  
24 *dental discussions.*



1 *vocates, plans, sponsors, engages in, or has engaged in, ter-*  
2 *rorist activity nor, with respect to private entities or edu-*  
3 *cational institutions, those that have as a principal officer*  
4 *of the entity's governing board or governing board of trust-*  
5 *ees any individual that has been determined to be involved*  
6 *in, or advocating terrorist activity or determined to be a*  
7 *member of a designated foreign terrorist organization: Pro-*  
8 *vided, That the Secretary of State shall, as appropriate, es-*  
9 *tablish procedures specifying the steps to be taken in car-*  
10 *rying out this subsection and shall terminate assistance to*  
11 *any individual, entity, or educational institution which the*  
12 *Secretary has determined to be involved in or advocating*  
13 *terrorist activity.*

14 *(c) PROHIBITION.—*

15 *(1) RECOGNITION OF ACTS OF TERRORISM.—*

16 *None of the funds appropriated under titles III*  
17 *through VI of this Act for assistance under the West*  
18 *Bank and Gaza Program may be made available for*  
19 *the purpose of recognizing or otherwise honoring indi-*  
20 *viduals who commit, or have committed acts of ter-*  
21 *rorism.*

22 *(2) SECURITY ASSISTANCE AND REPORTING RE-*  
23 *QUIREMENT.—Notwithstanding any other provision of*  
24 *law, none of the funds made available by this or prior*  
25 *appropriations Acts, including funds made available*

1       *by transfer, may be made available for obligation for*  
2       *security assistance for the West Bank and Gaza until*  
3       *the Secretary of State reports to the Committees on*  
4       *Appropriations on the benchmarks that have been es-*  
5       *tablished for security assistance for the West Bank*  
6       *and Gaza and reports on the extent of Palestinian*  
7       *compliance with such benchmarks.*

8       *(d) AUDITS BY THE UNITED STATES AGENCY FOR*  
9       *INTERNATIONAL DEVELOPMENT.—*

10               *(1) The Administrator of the United States*  
11       *Agency for International Development shall ensure*  
12       *that Federal or non-Federal audits of all contractors*  
13       *and grantees, and significant subcontractors and sub-*  
14       *grantees, under the West Bank and Gaza Program,*  
15       *are conducted at least on an annual basis to ensure,*  
16       *among other things, compliance with this section.*

17               *(2) Of the funds appropriated by this Act up to*  
18       *\$500,000 may be used by the Office of Inspector Gen-*  
19       *eral of the United States Agency for International De-*  
20       *velopment for audits, inspections, and other activities*  
21       *in furtherance of the requirements of this subsection:*  
22       *Provided, That such funds are in addition to funds*  
23       *otherwise available for such purposes.*

24       *(e) COMPTROLLER GENERAL OF THE UNITED STATES*  
25       *AUDIT.—Subsequent to the certification specified in sub-*

1 *section (a), the Comptroller General of the United States*  
2 *shall conduct an audit and an investigation of the treat-*  
3 *ment, handling, and uses of all funds for the bilateral West*  
4 *Bank and Gaza Program, including all funds provided as*  
5 *cash transfer assistance, in fiscal year 2017 under the head-*  
6 *ing “Economic Support Fund”, and such audit shall ad-*  
7 *dress—*

8           (1) *the extent to which such Program complies*  
9           *with the requirements of subsections (b) and (c); and*

10           (2) *an examination of all programs, projects,*  
11           *and activities carried out under such Program, in-*  
12           *cluding both obligations and expenditures.*

13           (f) *NOTIFICATION PROCEDURES.—Funds made avail-*  
14 *able in this Act for West Bank and Gaza shall be subject*  
15 *to the regular notification procedures of the Committees on*  
16 *Appropriations.*

17           (g) *REPORT.—Not later than 180 days after enactment*  
18 *of this Act, the Secretary of State shall submit a report to*  
19 *the Committees on Appropriations updating the report con-*  
20 *tained in section 2106 of chapter 2 of title II of the Emer-*  
21 *gency Supplemental Appropriations Act for Defense, the*  
22 *Global War on Terror, and Tsunami Relief, 2005 (Public*  
23 *Law 109–13).*





1 *Authority has taken to arrest terrorists, confiscate weapons*  
2 *and dismantle the terrorist infrastructure.*

3       (e) *CERTIFICATION.—If the President exercises the*  
4 *waiver authority under subsection (b), the Secretary of*  
5 *State must certify and report to the Committees on Appro-*  
6 *priations prior to the obligation of funds that the Pales-*  
7 *tinian Authority has established a single treasury account*  
8 *for all Palestinian Authority financing and all financing*  
9 *mechanisms flow through this account, no parallel financ-*  
10 *ing mechanisms exist outside of the Palestinian Authority*  
11 *treasury account, and there is a single comprehensive civil*  
12 *service roster and payroll, and the Palestinian Authority*  
13 *is acting to counter incitement of violence against Israelis*  
14 *and is supporting activities aimed at promoting peace, co-*  
15 *existence, and security cooperation with Israel.*

16       (f) *PROHIBITION TO HAMAS AND THE PALESTINE LIB-*  
17 *ERATION ORGANIZATION.—*

18           (1) *None of the funds appropriated in titles III*  
19 *through VI of this Act may be obligated for salaries*  
20 *of personnel of the Palestinian Authority located in*  
21 *Gaza or may be obligated or expended for assistance*  
22 *to Hamas or any entity effectively controlled by*  
23 *Hamas, any power-sharing government of which*  
24 *Hamas is a member, or that results from an agree-*

1 *ment with Hamas and over which Hamas exercises*  
2 *undue influence.*

3 *(2) Notwithstanding the limitation of paragraph*  
4 *(1), assistance may be provided to a power-sharing*  
5 *government only if the President certifies and reports*  
6 *to the Committees on Appropriations that such gov-*  
7 *ernment, including all of its ministers or such equiva-*  
8 *lent, has publicly accepted and is complying with the*  
9 *principles contained in section 620K(b)(1) (A) and*  
10 *(B) of the Foreign Assistance Act of 1961, as amend-*  
11 *ed.*

12 *(3) The President may exercise the authority in*  
13 *section 620K(e) of the Foreign Assistance Act of 1961,*  
14 *as added by the Palestinian Anti-Terrorism Act of*  
15 *2006 (Public Law 109–446) with respect to this sub-*  
16 *section.*

17 *(4) Whenever the certification pursuant to para-*  
18 *graph (2) is exercised, the Secretary of State shall*  
19 *submit a report to the Committees on Appropriations*  
20 *within 120 days of the certification and every quarter*  
21 *thereafter on whether such government, including all*  
22 *of its ministers or such equivalent are continuing to*  
23 *comply with the principles contained in section*  
24 *620K(b)(1) (A) and (B) of the Foreign Assistance Act*  
25 *of 1961, as amended: Provided, That the report shall*

1       also detail the amount, purposes and delivery mecha-  
2       nisms for any assistance provided pursuant to the  
3       abovementioned certification and a full accounting of  
4       any direct support of such government.

5               (5) None of the funds appropriated under titles  
6       III through VI of this Act may be obligated for assist-  
7       ance for the Palestine Liberation Organization.

8                       MIDDLE EAST AND NORTH AFRICA

9       SEC. 7041. (a) EGYPT.—

10               (1) CERTIFICATION AND REPORT.—Funds appro-  
11       priated by this Act that are available for assistance  
12       for Egypt may be made available notwithstanding  
13       any other provision of law restricting assistance for  
14       Egypt, except for this subsection and section 620M of  
15       the Foreign Assistance Act of 1961, and may only be  
16       made available for assistance for the Government of  
17       Egypt if the Secretary of State certifies and reports  
18       to the Committees on Appropriations that such gov-  
19       ernment is—

20                       (A) sustaining the strategic relationship  
21       with the United States; and

22                       (B) meeting its obligations under the 1979  
23       Egypt-Israel Peace Treaty.

24               (2) ECONOMIC SUPPORT FUND.—

1           (A) *FUNDING.*—Of the funds appropriated  
2 by this Act under the heading “Economic Sup-  
3 port Fund”, up to \$112,500,000 may be made  
4 available for assistance for Egypt, of which not  
5 less than \$35,000,000 should be made available  
6 for higher education programs including not less  
7 than \$10,000,000 for scholarships for Egyptian  
8 students with high financial need to attend not-  
9 for-profit institutions of higher education: Pro-  
10 vided, That such funds may be made available  
11 for democracy programs and for development  
12 programs in the Sinai: Provided further, That  
13 such funds may not be made available for cash  
14 transfer assistance or budget support unless the  
15 Secretary of State certifies and reports to the ap-  
16 propriate congressional committees that the Gov-  
17 ernment of Egypt is taking consistent and effec-  
18 tive steps to stabilize the economy and imple-  
19 ment market-based economic reforms.

20           (B) *WITHHOLDING.*—The Secretary of State  
21 shall withhold from obligation funds appro-  
22 priated by this Act under the heading “Eco-  
23 nomic Support Fund” for assistance for Egypt,  
24 an amount of such funds that the Secretary de-  
25 termines to be equivalent to that expended by the

1           *United States Government for bail, and by non-*  
2           *governmental organizations for legal and court*  
3           *fees, associated with democracy-related trials in*  
4           *Egypt until the Secretary certifies and reports to*  
5           *the Committees on Appropriations that the Gov-*  
6           *ernment of Egypt has dismissed the convictions*  
7           *issued by the Cairo Criminal Court on June 4,*  
8           *2013, in “Public Prosecution Case No. 1110 for*  
9           *the Year 2012”.*

10           (3) *FOREIGN MILITARY FINANCING PROGRAM.—*

11                   (A) *CERTIFICATION.—Of the funds appro-*  
12                   *priated by this Act under the heading “Foreign*  
13                   *Military Financing Program”, \$1,300,000,000,*  
14                   *to remain available until September 30, 2018,*  
15                   *may be made available for assistance for Egypt:*  
16                   *Provided, That 15 percent of such funds shall be*  
17                   *withheld from obligation until the Secretary of*  
18                   *State certifies and reports to the Committees on*  
19                   *Appropriations that the Government of Egypt is*  
20                   *taking effective steps to—*

21                           (i) *advance democracy and human*  
22                           *rights in Egypt, including to govern demo-*  
23                           *cratically and protect religious minorities*  
24                           *and the rights of women, which are in addi-*

1            *tion to steps taken during the previous cal-*  
2            *endar year for such purposes;*

3            *(ii) implement reforms that protect*  
4            *freedoms of expression, association, and*  
5            *peaceful assembly, including the ability of*  
6            *civil society organizations and the media to*  
7            *function without interference;*

8            *(iii) release political prisoners and*  
9            *provide detainees with due process of law;*

10           *(iv) hold Egyptian security forces ac-*  
11           *countable, including officers credibly alleged*  
12           *to have violated human rights; and*

13           *(v) provide regular access for United*  
14           *States officials to monitor such assistance*  
15           *in areas where the assistance is used:*

16           *Provided further, That such funds may be trans-*  
17           *ferred to an interest bearing account in the Fed-*  
18           *eral Reserve Bank of New York, following con-*  
19           *sultation with the Committees on Appropria-*  
20           *tions: Provided further, That the certification re-*  
21           *quirement of this paragraph shall not apply to*  
22           *funds appropriated by this Act under such head-*  
23           *ing for counterterrorism, border security, and*  
24           *nonproliferation programs for Egypt.*

1           (B) *WAIVER.*—*The Secretary of State may*  
2           *waive the certification requirement in subpara-*  
3           *graph (A) if the Secretary determines and re-*  
4           *ports to the Committees on Appropriations that*  
5           *to do so is important to the national security in-*  
6           *terest of the United States, and submits a report*  
7           *to such Committees containing a detailed jus-*  
8           *tification for the use of such waiver and the rea-*  
9           *sons why any of the requirements of subpara-*  
10          *graph (A) cannot be met.*

11           (4) *OVERSIGHT AND CONSULTATION REQUIRE-*  
12          *MENTS.*—

13           (A) *The Secretary of State shall take all*  
14           *practicable steps to ensure that mechanisms are*  
15           *in place for monitoring, oversight, and control of*  
16           *funds made available by this subsection for as-*  
17           *sistance for Egypt.*

18           (B) *Not later than 90 days after enactment*  
19           *of this Act, the Secretary shall submit a report*  
20           *to the Committees on Appropriations on any*  
21           *plan to restructure military assistance for*  
22           *Egypt, which should include an assessment of the*  
23           *potential benefits of such restructuring on the ca-*  
24           *pabilities of the Egyptian military, and a de-*



1           *scription of any planned modifications regard-*  
2           *ing the procurement of military equipment.*

3       **(b) IRAN.—**

4           **(1) FUNDING.—***Funds appropriated by this Act*  
5           *under the headings “Diplomatic and Consular Pro-*  
6           *grams”, “Economic Support Fund”, and “Non-*  
7           *proliferation, Anti-terrorism, Demining and Related*  
8           *Programs” shall be used by the Secretary of State—*

9                   **(A)** *to support the United States policy to*  
10                  *prevent Iran from achieving the capability to*  
11                  *produce or otherwise obtain a nuclear weapon;*

12                   **(B)** *to support an expeditious response to*  
13                  *any violation of the Joint Comprehensive Plan of*  
14                  *Action or United Nations Security Council Reso-*  
15                  *lution 2231;*

16                   **(C)** *to support the implementation and en-*  
17                  *forcement of sanctions against Iran for support*  
18                  *of terrorism, human rights abuses, and ballistic*  
19                  *missile and weapons proliferation; and*

20                   **(D)** *for democracy programs for Iran, to be*  
21                  *administered by the Assistant Secretary for Near*  
22                  *Eastern Affairs, Department of State, in con-*  
23                  *sultation with the Assistant Secretary for De-*  
24                  *mocracy, Human Rights, and Labor, Depart-*  
25                  *ment of State.*

1           (2) *CONTINUATION OF PROHIBITION.*—*The terms*  
2 *and conditions of paragraph (2) of section 7041(c) in*  
3 *division I of Public Law 112–74 shall continue in ef-*  
4 *fect during fiscal year 2017.*

5           (3) *REPORTS.*—

6           (A) *The Secretary of State shall submit to*  
7 *the Committees on Appropriations the semi-an-*  
8 *annual report required by section 2 of the Iran Nu-*  
9 *clear Agreement Review Act of 2015 (42 U.S.C.*  
10 *2160e(d)(4)).*

11           (B) *Not later than 180 days after the date*  
12 *of enactment of this Act, the Secretary of State,*  
13 *in consultation with the Secretary of the Treas-*  
14 *ury, shall submit to the appropriate congres-*  
15 *sional committees a report on the status of the*  
16 *implementation and enforcement of bilateral*  
17 *United States and multilateral sanctions against*  
18 *Iran and actions taken by the United States and*  
19 *the international community to enforce such*  
20 *sanctions against Iran: Provided, That the re-*  
21 *port shall also include any entities involved in*  
22 *providing significant support for the develop-*  
23 *ment of a ballistic missile by the Government of*  
24 *Iran after October 1, 2015, including shipping*  
25 *and financing, and note whether such entities*

1           *are currently under United States sanctions:*  
2           *Provided further, That such report shall be sub-*  
3           *mitted in an unclassified form, but may contain*  
4           *a classified annex if necessary.*

5           *(C) The Secretary of State, in consultation*  
6           *with the Secretary of the Treasury, shall submit*  
7           *to the appropriate congressional committees the*  
8           *report on Iran contained in section*  
9           *7041(b)(3)(C) of S. 3117, the Department of*  
10          *State, Foreign Operations, and Related Pro-*  
11          *grams Appropriations Act, 2017 (as introduced*  
12          *in the Senate on June 29, 2016), in the manner*  
13          *described.*

14          *(c) IRAQ.—*

15                 *(1) PURPOSES.—Funds appropriated by this Act*  
16                 *shall be made available for assistance for Iraq to pro-*  
17                 *mote governance, security, and internal and regional*  
18                 *stability, including in the Kurdistan Region of Iraq*  
19                 *and other areas impacted by the conflict in Syria,*  
20                 *and among religious and ethnic minority populations*  
21                 *in Iraq.*

22                 *(2) EXPLOSIVE ORDNANCE DISPOSAL PRO-*  
23                 *GRAMS.—Funds appropriated by this Act under the*  
24                 *heading “Nonproliferation, Anti-terrorism, Demining*  
25                 *and Related Programs” shall be made available for*

1 *explosive ordnance disposal programs in areas liber-*  
2 *ated from extremist organizations in Iraq.*

3 (3) *KURDISTAN REGIONAL GOVERNMENT.*—

4 (A) *Funds appropriated by this Act under*  
5 *the headings “International Narcotics Control*  
6 *and Law Enforcement” and “Foreign Military*  
7 *Financing Program” that are available for as-*  
8 *sistance for Iraq shall be made available to en-*  
9 *hance the capacity of Kurdistan Regional Gov-*  
10 *ernment security services and for security pro-*  
11 *grams in the Kurdistan Region of Iraq to ad-*  
12 *dress requirements arising from the violence in*  
13 *Syria and Iraq: Provided, That the Secretary of*  
14 *State shall consult with the Committees on Ap-*  
15 *propriations prior to obligating such funds.*

16 (B) *Funds appropriated by this Act under*  
17 *the headings “International Disaster Assistance”*  
18 *and “Migration and Refugee Assistance” should*  
19 *be made available for assistance for the*  
20 *Kurdistan Region of Iraq to address the needs of*  
21 *internally displaced persons (IDPs) and refugees:*  
22 *Provided, That funds appropriated by this Act*  
23 *under the heading “Economic Support Fund”*  
24 *shall be made available for programs to mitigate*  
25 *the impact of such IDPs and refugees in such*

1           *Region, including for assistance for communities*  
2           *hosting such persons.*

3           (4) *BASING RIGHTS AGREEMENT.*—None of the  
4           *funds appropriated or otherwise made available by*  
5           *this Act may be used by the Government of the United*  
6           *States to enter into a permanent basing rights agree-*  
7           *ment between the United States and Iraq.*

8           (d) *ISRAEL.*—Title II of the Security Assistance Ap-  
9           *propriations Act, 2017 (division B of Public Law 114–254),*  
10          *under the heading “Foreign Military Financing Program”,*  
11          *is amended by inserting after “Middle East” and before the*  
12          *colon the following, “, of which \$75,000,000 shall be made*  
13          *available for grants only for Israel in fiscal year 2017”:*  
14          *Provided, That amounts that were previously designated by*  
15          *the Congress for Overseas Contingency Operations/Global*  
16          *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*  
17          *the Balanced Budget and Emergency Deficit Control Act*  
18          *of 1985 are designated by the Congress for Overseas Contingency*  
19          *Operations/Global War on Terrorism pursuant to sec-*  
20          *tion 251(b)(2)(A)(ii) of such Act.*

21          (e) *JORDAN.*—

22                 (1) *FUNDING LEVELS.*—Of the funds appro-  
23                 *propriated by this Act under titles III and IV, not less*  
24                 *than \$1,279,950,000 shall be made available for as-*  
25                 *sistance for Jordan, of which not less than*

1       \$475,000,000 shall be for budget support for the Gov-  
2       ernment of Jordan.

3           (2) *RESPONSE TO THE SYRIAN CRISIS.*—Funds  
4       appropriated by this Act shall be made available for  
5       programs to implement the Jordan Compact Action  
6       Plan and the Jordan Response Plan for the Syria  
7       Crisis 2016–2018, including assistance for host com-  
8       munities in Jordan.

9       (f) *LEBANON.*—

10           (1) *LIMITATION.*—None of the funds appro-  
11       priated by this Act may be made available for the  
12       Lebanese Internal Security Forces (ISF) or the Leba-  
13       nese Armed Forces (LAF) if the ISF or the LAF is  
14       controlled by a foreign terrorist organization, as des-  
15       ignated pursuant to section 219 of the Immigration  
16       and Nationality Act (8 U.S.C. 1189).

17           (2) *CONSULTATION REQUIREMENT.*—Funds ap-  
18       propriated by this Act under the headings “Inter-  
19       national Narcotics Control and Law Enforcement”  
20       and “Foreign Military Financing Program” that are  
21       available for assistance for Lebanon may be made  
22       available for programs and equipment for the ISF  
23       and the LAF to address security and stability re-  
24       quirements in areas affected by the conflict in Syria,

1     *following consultation with the appropriate congress-*  
2     *sional committees.*

3             (3) *ECONOMIC SUPPORT FUND.*—*Funds appro-*  
4     *propriated by this Act under the heading “Economic*  
5     *Support Fund” that are available for assistance for*  
6     *Lebanon may be made available notwithstanding sec-*  
7     *tion 1224 of the Foreign Relations Authorization Act,*  
8     *Fiscal Year 2003 (Public Law 107–228; 22 U.S.C.*  
9     *2346 note).*

10            (4) *FOREIGN MILITARY FINANCING PROGRAM.*—  
11     *In addition to the activities described in paragraph*  
12     *(2), funds appropriated by this Act under the heading*  
13     *“Foreign Military Financing Program” for assistance*  
14     *for Lebanon may be made available only to profes-*  
15     *sionalize the LAF and to strengthen border security*  
16     *and combat terrorism, including training and equip-*  
17     *ping the LAF to secure Lebanon’s borders, inter-*  
18     *dicting arms shipments, preventing the use of Leb-*  
19     *anon as a safe haven for terrorist groups, and to im-*  
20     *plement United Nations Security Council Resolution*  
21     *1701: Provided, That funds may not be obligated for*  
22     *assistance for the LAF until the Secretary of State*  
23     *submits to the Committees on Appropriations a spend*  
24     *plan, including actions to be taken to ensure equip-*  
25     *ment provided to the LAF is only used for the in-*

1 *tended purposes, except such plan may not be consid-*  
2 *ered as meeting the notification requirements under*  
3 *section 7015 of this Act or under section 634A of the*  
4 *Foreign Assistance Act of 1961, and shall be sub-*  
5 *mitted not later than September 1, 2017: Provided*  
6 *further, That any notification submitted pursuant to*  
7 *such sections shall include any funds specifically in-*  
8 *tended for lethal military equipment.*

9 *(g) LIBYA.—*

10 *(1) FUNDING.—*

11 *(A) Funds appropriated by titles III and*  
12 *IV of this Act shall be made available for assist-*  
13 *ance for Libya for programs to strengthen gov-*  
14 *erning institutions and civil society, improve*  
15 *border security, and promote democracy and sta-*  
16 *bility in Libya, and for activities to address the*  
17 *humanitarian needs of the people of Libya.*

18 *(B) Funds appropriated by this Act under*  
19 *the heading “Nonproliferation, Anti-terrorism,*  
20 *Demining and Related Programs” shall be made*  
21 *available for explosive ordnance disposal pro-*  
22 *grams in areas liberated from extremist organi-*  
23 *zations in Libya.*

24 *(C) The Secretary of State shall promptly*  
25 *inform the appropriate congressional committees*



1           *of each instance in which assistance provided*  
2           *pursuant to this subsection has been diverted or*  
3           *destroyed, to include the type and amount of as-*  
4           *sistance, a description of the incident and par-*  
5           *ties involved, and an explanation of the response*  
6           *of the Department of State.*

7           (2) *LIMITATIONS.—*

8                   (A) *COOPERATION ON THE SEPTEMBER 2012*  
9                   *ATTACK ON UNITED STATES PERSONNEL AND FA-*  
10                   *CILITIES.—None of the funds appropriated by*  
11                   *this Act may be made available for assistance for*  
12                   *the central Government of Libya unless the Sec-*  
13                   *retary of State certifies and reports to the Com-*  
14                   *mittees on Appropriations that such government*  
15                   *is cooperating with United States Government*  
16                   *efforts to investigate and bring to justice those*  
17                   *responsible for the attack on United States per-*  
18                   *sonnel and facilities in Benghazi, Libya in Sep-*  
19                   *tember 2012: Provided, That the limitation in*  
20                   *this paragraph shall not apply to funds made*  
21                   *available for the purpose of protecting United*  
22                   *States Government personnel or facilities.*

23                   (B) *INFRASTRUCTURE PROJECTS.—The lim-*  
24                   *itation on the uses of funds in section 7041(f)(2)*  
25                   *of the Department of State, Foreign Operations,*

1           *and Related Programs Appropriations Act, 2014*  
2           *(division K of Public Law 113–76) shall apply*  
3           *to funds appropriated by this Act that are made*  
4           *available for assistance for Libya.*

5           (3) *CERTIFICATION REQUIREMENT.*—*Prior to the*  
6           *initial obligation of funds made available by this Act*  
7           *for assistance for Libya, the Secretary of State shall*  
8           *certify and report to the Committees on Appropria-*  
9           *tions that all practicable steps have been taken to en-*  
10          *sure that mechanisms are in place for monitoring,*  
11          *oversight, and control of funds made available by this*  
12          *subsection for assistance for Libya.*

13          (h) *MOROCCO.*—

14                 (1) *AVAILABILITY AND CONSULTATION REQUIRE-*  
15                 *MENT.*—*Funds appropriated under title III of this*  
16                 *Act shall be made available for assistance for the*  
17                 *Western Sahara: Provided, That not later than 90*  
18                 *days after enactment of this Act and prior to the obli-*  
19                 *gation of such funds, the Secretary of State, in con-*  
20                 *sultation with the USAID Administrator, shall con-*  
21                 *sult with the Committees on Appropriations on the*  
22                 *proposed uses of such funds.*

23                 (2) *FOREIGN MILITARY FINANCING PROGRAM.*—  
24                 *Funds appropriated by this Act under the heading*  
25                 *“Foreign Military Financing Program” that are*

1        *available for assistance for Morocco may only be used*  
2        *for the purposes requested in the Congressional Budget*  
3        *et Justification, Foreign Operations, Fiscal Year*  
4        *2017.*

5        *(i) REFUGEE ASSISTANCE IN NORTH AFRICA.—Not*  
6        *later than 45 days after enactment of this Act, the Secretary*  
7        *of State, after consultation with the United Nations High*  
8        *Commissioner for Refugees and the Executive Director of*  
9        *the World Food Programme, shall submit a report to the*  
10       *Committees on Appropriations describing steps taken to*  
11       *strengthen monitoring of the delivery of humanitarian as-*  
12       *sistance provided for refugees in North Africa, including*  
13       *any steps taken to ensure that all vulnerable refugees are*  
14       *receiving such assistance.*

15       *(j) SYRIA.—*

16            *(1) NON-LETHAL ASSISTANCE.—Funds appro-*  
17        *priated by this Act under the headings “Economic*  
18        *Support Fund”, “International Narcotics Control and*  
19        *Law Enforcement”, and “Peacekeeping Operations”*  
20        *shall be made available, to the extent practicable and*  
21        *notwithstanding any other provision of law, for non-*  
22        *lethal assistance for programs to address the needs of*  
23        *civilians affected by conflict in Syria, and for pro-*  
24        *grams that seek to—*

1           (A) establish governance in Syria that is  
2           representative, inclusive, and accountable;

3           (B) empower women through political and  
4           economic programs, and address the psychosocial  
5           needs of women and their families in Syria and  
6           neighboring countries;

7           (C) develop and implement political proc-  
8           esses that are democratic, transparent, and  
9           strengthen the rule of law;

10          (D) further the legitimacy and viability of  
11          the Syrian opposition through cross-border pro-  
12          grams;

13          (E) develop and sustain civil society and  
14          independent media in Syria;

15          (F) promote stability and economic develop-  
16          ment in Syria;

17          (G) document, investigate, and prosecute  
18          human rights violations in Syria, including  
19          through transitional justice programs and sup-  
20          port for nongovernmental organizations;

21          (H) expand the role of women in negotia-  
22          tions to end the violence and in any political  
23          transition in Syria;

24          (I) assist Syrian refugees whose education  
25          has been interrupted by the ongoing conflict to

1           *complete higher education requirements at uni-*  
2           *versities and other academic institutions in the*  
3           *region, and through distance learning;*

4           *(J) assist vulnerable populations in Syria*  
5           *and in neighboring countries;*

6           *(K) protect and preserve the cultural iden-*  
7           *tity of the people of Syria as a counterbalance*  
8           *to extremism, particularly those living in neigh-*  
9           *boring countries and among youth;*

10           *(L) protect and preserve cultural heritage*  
11           *sites in Syria, particularly those damaged and*  
12           *destroyed by extremists; and*

13           *(M) counter extremism in Syria.*

14           (2) *EXPLOSIVE ORDNANCE DISPOSAL PRO-*  
15           *GRAMS.—Funds appropriated by this Act under the*  
16           *heading “Nonproliferation, Anti-terrorism, Demining*  
17           *and Related Programs” shall be made available for*  
18           *explosive ordnance disposal programs in areas liber-*  
19           *ated from extremist organizations in Syria.*

20           (3) *SYRIAN ORGANIZATIONS.—Funds appro-*  
21           *priated by this Act that are made available for assist-*  
22           *ance for Syria pursuant to the authority of this sub-*  
23           *section shall be made available, on an open and com-*  
24           *petitive basis, to continue a program to strengthen the*  
25           *capability of Syrian civil society organizations to ad-*

1        *dress the immediate and long-term needs of the Syr-*  
2        *ian people inside Syria in a manner that supports*  
3        *the sustainability of such organizations in imple-*  
4        *menting Syrian-led humanitarian and development*  
5        *programs and the comprehensive strategy required in*  
6        *section 7041(i)(3) of the Department of State, Foreign*  
7        *Operations, and Related Programs Appropriations*  
8        *Act, 2014 (division K of Public Law 113–76): Pro-*  
9        *vided, That funds made available by this paragraph*  
10       *shall be the responsibility of the Assistant Secretary*  
11       *for Democracy, Human Rights, and Labor, Depart-*  
12       *ment of State.*

13            (4) *STRATEGY UPDATE.—Funds appropriated by*  
14        *this Act that are made available for assistance for*  
15        *Syria pursuant to the authority of this subsection*  
16        *may only be made available after the Secretary of*  
17        *State, in consultation with the heads of relevant*  
18        *United States Government agencies, submits, in clas-*  
19        *sified form if necessary, an update to the comprehen-*  
20        *sive strategy required in section 7041(i)(3) of Public*  
21        *Law 113–76.*

22            (5) *MONITORING AND OVERSIGHT.—Prior to the*  
23        *obligation of funds appropriated by this Act and*  
24        *made available for assistance for Syria, the Secretary*  
25        *of State shall take all practicable steps to ensure that*

1 *mechanisms are in place for monitoring, oversight,*  
2 *and control of such assistance inside Syria: Provided,*  
3 *That the Secretary shall promptly inform the appro-*  
4 *propriate congressional committees of each instance in*  
5 *which assistance provided pursuant to this subsection*  
6 *has been diverted or destroyed, to include the type*  
7 *and amount of assistance, a description of the inci-*  
8 *dent and parties involved, and an explanation of the*  
9 *response of the Department of State.*

10 (6) *CONSULTATION AND NOTIFICATION.—Funds*  
11 *made available pursuant to this subsection may only*  
12 *be made available following consultation with the ap-*  
13 *propriate congressional committees, and shall be sub-*  
14 *ject to the regular notification procedures of the Com-*  
15 *mittees on Appropriations.*

16 (k) *TUNISIA.—Of the funds appropriated under titles*  
17 *III and IV of this Act, not less than \$165,400,000 shall be*  
18 *made available for assistance for Tunisia.*

19 (l) *WEST BANK AND GAZA.—*

20 (1) *REPORT ON ASSISTANCE.—Prior to the ini-*  
21 *tial obligation of funds made available by this Act*  
22 *under the heading “Economic Support Fund” for as-*  
23 *sistance for the West Bank and Gaza, the Secretary*  
24 *of State shall report to the Committees on Appropria-*  
25 *tions that the purpose of such assistance is to—*

- 1           (A) *advance Middle East peace;*  
2           (B) *improve security in the region;*  
3           (C) *continue support for transparent and*  
4 *accountable government institutions;*  
5           (D) *promote a private sector economy; or*  
6           (E) *address urgent humanitarian needs.*

7           (2) *LIMITATIONS.—*

8                   (A)(i) *None of the funds appropriated under*  
9 *the heading “Economic Support Fund” in this*  
10 *Act may be made available for assistance for the*  
11 *Palestinian Authority, if after the date of enact-*  
12 *ment of this Act—*

13                           (I) *the Palestinians obtain the same*  
14 *standing as member states or full member-*  
15 *ship as a state in the United Nations or*  
16 *any specialized agency thereof outside an*  
17 *agreement negotiated between Israel and the*  
18 *Palestinians; or*

19                           (II) *the Palestinians initiate an Inter-*  
20 *national Criminal Court (ICC) judicially*  
21 *authorized investigation, or actively support*  
22 *such an investigation, that subjects Israeli*  
23 *nationals to an investigation for alleged*  
24 *crimes against Palestinians.*



1           (ii) *The Secretary of State may waive the*  
2 *restriction in clause (i) of this subparagraph re-*  
3 *sulting from the application of subclause (I) of*  
4 *such clause if the Secretary certifies to the Com-*  
5 *mittees on Appropriations that to do so is in the*  
6 *national security interest of the United States,*  
7 *and submits a report to such Committees detail-*  
8 *ing how the waiver and the continuation of as-*  
9 *sistance would assist in furthering Middle East*  
10 *peace.*

11           (B)(i) *The President may waive the provi-*  
12 *sions of section 1003 of the Foreign Relations*  
13 *Authorization Act, Fiscal Years 1988 and 1989*  
14 *(Public Law 100–204) if the President deter-*  
15 *mines and certifies in writing to the Speaker of*  
16 *the House of Representatives, the President pro*  
17 *tempore of the Senate, and the appropriate con-*  
18 *gressional committees that the Palestinians have*  
19 *not, after the date of enactment of this Act—*

20                   *(I) obtained in the United Nations or*  
21                   *any specialized agency thereof the same*  
22                   *standing as member states or full member-*  
23                   *ship as a state outside an agreement nego-*  
24                   *tiated between Israel and the Palestinians;*  
25                   *and*

1           (ii) taken any action with respect to  
2           the ICC that is intended to influence a de-  
3           termination by the ICC to initiate a judi-  
4           cially authorized investigation, or to ac-  
5           tively support such an investigation, that  
6           subjects Israeli nationals to an investigation  
7           for alleged crimes against Palestinians.

8           (i) Not less than 90 days after the Presi-  
9           dent is unable to make the certification pursuant  
10          to clause (i) of this subparagraph, the President  
11          may waive section 1003 of Public Law 100–204  
12          if the President determines and certifies in writ-  
13          ing to the Speaker of the House of Representa-  
14          tives, the President pro tempore of the Senate,  
15          and the Committees on Appropriations that the  
16          Palestinians have entered into direct and mean-  
17          ingful negotiations with Israel: Provided, That  
18          any waiver of the provisions of section 1003 of  
19          Public Law 100–204 under clause (i) of this sub-  
20          paragraph or under previous provisions of law  
21          must expire before the waiver under the pre-  
22          ceding sentence may be exercised.

23          (iii) Any waiver pursuant to this subpara-  
24          graph shall be effective for no more than a period

1           *of 6 months at a time and shall not apply be-*  
2           *yond 12 months after the enactment of this Act.*

3           (3) *REDUCTION.*—*The Secretary of State shall*  
4           *reduce the amount of assistance made available by*  
5           *this Act under the heading “Economic Support*  
6           *Fund” for the Palestinian Authority by an amount*  
7           *the Secretary determines is equivalent to the amount*  
8           *expended by the Palestinian Authority, the Palestine*  
9           *Liberation Organization, and any successor or affili-*  
10          *ated organizations with such entities as payments for*  
11          *acts of terrorism by individuals who are imprisoned*  
12          *after being fairly tried and convicted for acts of ter-*  
13          *rorism and by individuals who died committing acts*  
14          *of terrorism during the previous calendar year: Pro-*  
15          *vided, That the Secretary shall report to the Commit-*  
16          *tees on Appropriations on the amount reduced for fis-*  
17          *cal year 2017 prior to the obligation of funds for the*  
18          *Palestinian Authority.*

19          (4) *SECURITY REPORT.*—*The reporting require-*  
20          *ments contained in section 1404 of the Supplemental*  
21          *Appropriations Act, 2008 (Public Law 110–252) shall*  
22          *apply to funds made available by this Act, including*  
23          *a description of modifications, if any, to the security*  
24          *strategy of the Palestinian Authority.*



1        *ganization Boko Haram, consistent with the provi-*  
2        *sions of section 7059 of this Act, and for individuals*  
3        *displaced by Boko Haram violence; and*

4                *(2) may be made available for counterterrorism*  
5        *programs to combat Boko Haram.*

6        *(c) CENTRAL AFRICAN REPUBLIC.—Funds made*  
7        *available by this Act for assistance for the Central African*  
8        *Republic shall be made available for reconciliation and*  
9        *peacebuilding programs, including activities to promote*  
10       *inter-faith dialogue at the national and local levels, and*  
11       *for programs to prevent crimes against humanity.*

12       *(d) ETHIOPIA.—*

13                *(1) FORCED EVICTIONS.—*

14                        *(A) Funds appropriated by this Act for as-*  
15                        *sistance for Ethiopia may not be made available*  
16                        *for any activity that supports forced evictions.*

17                        *(B) The Secretary of the Treasury should*  
18                        *instruct the United States executive director of*  
19                        *each international financial institution to use*  
20                        *the voice and vote of the United States to sup-*  
21                        *port projects in Ethiopia only if such projects*  
22                        *are developed and carried out in accordance with*  
23                        *the requirements of section 7029(b)(2) of this*  
24                        *Act.*

1           (2) *CONSULTATION REQUIREMENT.*—*Programs*  
2           *and activities to improve livelihoods shall include*  
3           *prior consultation with, and the participation of, af-*  
4           *ected communities, including in the South Omo and*  
5           *Gambella regions.*

6           (3) *FOREIGN MILITARY FINANCING PROGRAM.*—  
7           *Funds appropriated by this Act under the heading*  
8           *“Foreign Military Financing Program” for assistance*  
9           *for Ethiopia may only be made available for border*  
10          *security and counterterrorism programs, support for*  
11          *international peacekeeping efforts, and assistance for*  
12          *professional military education.*

13          (e) *LAKE CHAD BASIN COUNTRIES.*—*Funds appro-*  
14          *priated by this Act for democracy and other development*  
15          *programs for Cameroon, Chad, Niger, and Nigeria should*  
16          *be made available, following consultation with the Commit-*  
17          *tees on Appropriations, to protect freedoms of expression,*  
18          *association and religion, including support for journalists,*  
19          *civil society, and opposition political parties, and should*  
20          *be used to assist the governments of such countries to*  
21          *strengthen accountability and the rule of law, including*  
22          *within the security forces.*

23          (f) *LORD’S RESISTANCE ARMY.*—*Funds appropriated*  
24          *by this Act shall be made available for programs and activi-*  
25          *ties in areas affected by the Lord’s Resistance Army (LRA)*

1 *consistent with the goals of the Lord's Resistance Army Dis-*  
2 *armament and Northern Uganda Recovery Act (Public Law*  
3 *111–172), including to improve physical access, tele-*  
4 *communications infrastructure, and early-warning mecha-*  
5 *nisms and to support the disarmament, demobilization, and*  
6 *reintegration of former LRA combatants, especially child*  
7 *soldiers.*

8       *(g) MALAWI.—Of the funds appropriated by this Act*  
9 *under the heading “Development Assistance”, not less than*  
10 *\$56,000,000 shall be made available for assistance for Ma-*  
11 *lawi, of which up to \$10,000,000 shall be made available*  
12 *for higher education programs.*

13       *(h) POWER AFRICA INITIATIVE.—Funds appropriated*  
14 *by this Act that are made available for the Power Africa*  
15 *initiative shall be subject to the regular notification proce-*  
16 *dures of the Committees on Appropriations.*

17       *(i) SOUTH SUDAN.—*

18               *(1) STRATEGY REQUIREMENT.—Not later than*  
19 *45 days after enactment of this Act and prior to the*  
20 *initial obligation of funds made available by this Act*  
21 *for assistance for the central Government of South*  
22 *Sudan, the Secretary of State, in consultation with*  
23 *the USAID Administrator, shall submit to the appro-*  
24 *priate congressional committees a United States dip-*  
25 *lomatic and assistance strategy for South Sudan, con-*

1        *sistent with the requirements under this section in the*  
2        *explanatory statement described in section 4 (in the*  
3        *matter preceding division A of this Consolidated Act):*  
4        *Provided, That such strategy shall include a descrip-*  
5        *tion of how the cessation of hostilities and the delivery*  
6        *of humanitarian assistance and essential services will*  
7        *be prioritized: Provided further, That the Secretary of*  
8        *State shall consult with such committees prior to sub-*  
9        *mitting such strategy.*

10            (2) *CERTIFICATION.*—*None of the funds appro-*  
11            *priated by this Act that are available for assistance*  
12            *for the central Government of South Sudan may be*  
13            *made available until the Secretary of State certifies*  
14            *and reports to the Committees on Appropriations that*  
15            *such government is taking effective steps to—*

16                    (A) *end hostilities and pursue good faith ne-*  
17                    *gotiations for a political settlement of the con-*  
18                    *flict;*

19                    (B) *provide access for humanitarian orga-*  
20                    *nizations;*

21                    (C) *end the recruitment and use of child sol-*  
22                    *diers;*

23                    (D) *protect freedoms of expression, associa-*  
24                    *tion, and assembly;*



1           (E) reduce corruption related to the extrac-  
2           tion and sale of oil and gas;

3           (F) establish democratic institutions;

4           (G) establish accountable military and po-  
5           lice forces under civilian authority; and

6           (H) investigate and prosecute individuals  
7           credibly alleged to have committed gross viola-  
8           tions of human rights, including at the Terrain  
9           compound in Juba, South Sudan on July 11,  
10          2016.

11          (3) *EXCLUSIONS.*—The limitation of paragraph  
12          (2) shall not apply to—

13               (A) humanitarian assistance;

14               (B) assistance to support South Sudan  
15               peace negotiations or to advance or implement a  
16               peace agreement; and

17               (C) assistance to support implementation of  
18               outstanding issues of the Comprehensive Peace  
19               Agreement and mutual arrangements related to  
20               such Agreement.

21          (4) *CONSULTATION.*—Prior to the initial obliga-  
22          tion of funds made available for the central Govern-  
23          ment of South Sudan pursuant to paragraphs (3)(B)  
24          and (C), the Secretary of State shall consult with the  
25          Committees on Appropriations on the intended uses of

1 *such funds, steps taken by such government to ad-*  
2 *vance or implement a peace agreement, and progress*  
3 *made by the Government of South Sudan in meeting*  
4 *the requirements in paragraph (2).*

5 (j) *SUDAN.—*

6 (1) *LIMITATION.—Notwithstanding any other*  
7 *provision of law, none of the funds appropriated by*  
8 *this Act may be made available for assistance for the*  
9 *Government of Sudan.*

10 (2) *LIMITATION ON LOANS.—None of the funds*  
11 *appropriated by this Act may be made available for*  
12 *the cost, as defined in section 502 of the Congressional*  
13 *Budget Act of 1974, of modifying loans and loan*  
14 *guarantees held by the Government of Sudan, includ-*  
15 *ing the cost of selling, reducing, or canceling amounts*  
16 *owed to the United States, and modifying*  
17 *concessional loans, guarantees, and credit agreements.*

18 (3) *EXCLUSIONS.—The limitations of para-*  
19 *graphs (1) and (2) shall not apply to—*

20 (A) *humanitarian assistance;*

21 (B) *assistance for democracy programs;*

22 (C) *assistance for the Darfur region, South-*  
23 *ern Kordofan State, Blue Nile State, other*  
24 *marginalized areas and populations in Sudan,*  
25 *and Abyei; and*

1           (D) assistance to support implementation of  
2           outstanding issues of the Comprehensive Peace  
3           Agreement, mutual arrangements related to post-  
4           referendum issues associated with such Agree-  
5           ment, or any other internationally recognized  
6           viable peace agreement in Sudan.

7           (k) ZIMBABWE.—

8           (1) INSTRUCTION.—The Secretary of the Treas-  
9           ury shall instruct the United States executive director  
10          of each international financial institution to vote  
11          against any extension by the respective institution of  
12          any loan or grant to the Government of Zimbabwe,  
13          except to meet basic human needs or to promote de-  
14          mocracy, unless the Secretary of State certifies and  
15          reports to the Committees on Appropriations that the  
16          rule of law has been restored, including respect for  
17          ownership and title to property, and freedoms of ex-  
18          pression, association, and assembly.

19          (2) LIMITATIONS.—None of the funds appro-  
20          priated by this Act shall be made available for assist-  
21          ance for the central Government of Zimbabwe, except  
22          for health and education, unless the Secretary of State  
23          certifies and reports as required in paragraph (1),  
24          and funds may be made available for macroeconomic  
25          growth assistance if the Secretary reports to the Com-



1           for programs to strengthen independent  
2           media;

3           (ii) shall be made available for commu-  
4           nity-based organizations operating in Thai-  
5           land to provide food, medical, and other hu-  
6           manitarian assistance to internally dis-  
7           placed persons in eastern Burma, in addi-  
8           tion to assistance for Burmese refugees from  
9           funds appropriated by this Act under the  
10          heading “Migration and Refugee Assist-  
11          ance”;

12          (iii) shall be made available for pro-  
13          grams to promote ethnic and religious toler-  
14          ance, including in Rakhine and Kachin  
15          states;

16          (iv) shall be made available to promote  
17          rural economic development in Burma, in-  
18          cluding through microfinance and sustain-  
19          able power generation programs;

20          (v) shall be made available to increase  
21          opportunities for foreign direct investment  
22          by strengthening the rule of law, trans-  
23          parency, and accountability;

24          (vi) may not be made available to any  
25          individual or organization if the Secretary

1           *of State has credible information that such*  
2           *individual or organization has committed a*  
3           *gross violation of human rights, including*  
4           *against Rohingya and other minority*  
5           *groups, or that advocates violence against*  
6           *ethnic or religious groups and individuals*  
7           *in Burma;*

8           *(vii) may not be made available to any*  
9           *organization or entity controlled by the*  
10          *military of Burma; and*

11          *(viii) may be made available for pro-*  
12          *grams administered by the Office of Transi-*  
13          *tion Initiatives, United States Agency for*  
14          *International Development, for ethnic*  
15          *groups and civil society in Burma to help*  
16          *sustain ceasefire agreements and further*  
17          *prospects for reconciliation and peace,*  
18          *which may include support to representa-*  
19          *tives of ethnic armed groups for this pur-*  
20          *pose.*

21           (2) *INTERNATIONAL SECURITY ASSISTANCE.—*

22          *None of the funds appropriated by this Act under the*  
23          *headings “International Military Education and*  
24          *Training” and “Foreign Military Financing Pro-*  
25          *gram” may be made available for assistance for*

1 *Burma: Provided, That the Department of State may*  
2 *continue consultations with the armed forces of*  
3 *Burma only on human rights and disaster response*  
4 *in a manner consistent with the prior fiscal year, and*  
5 *following consultation with the appropriate congress-*  
6 *sional committees.*

7 (3) *MULTILATERAL ASSISTANCE.—The Secretary*  
8 *of the Treasury should instruct the United States ex-*  
9 *ecutive director of each international financial insti-*  
10 *tution to use the voice and vote of the United States*  
11 *to support projects in Burma only if such projects are*  
12 *developed and carried out in accordance with the re-*  
13 *quirements of section 7029(b)(2) of this Act.*

14 (4) *PROGRAMS, POSITION, AND RESPONSIBIL-*  
15 *ITIES.—*

16 (A) *Any new program or activity in Burma*  
17 *initiated in fiscal year 2017 shall be subject to*  
18 *prior consultation with the appropriate congress-*  
19 *sional committees.*

20 (B) *Section 7043(b)(7) of the Department of*  
21 *State, Foreign Operations, and Related Pro-*  
22 *grams Appropriations Act, 2015 (division J of*  
23 *Public Law 113–235) shall continue in effect*  
24 *during fiscal year 2017.*

1           (C) *The United States Chief of Mission in*  
2           *Burma, in consultation with the Assistant Sec-*  
3           *retary for Democracy, Human Rights, and*  
4           *Labor, Department of State, shall be responsible*  
5           *for democracy and human rights programs in*  
6           *Burma.*

7           (c) *CAMBODIA.*—

8           (1) *HUMAN RIGHTS CONDITIONS.*—*Of the funds*  
9           *appropriated in title IV of this Act that are made*  
10          *available for assistance for the central Government of*  
11          *Cambodia, 25 percent shall be withheld from obliga-*  
12          *tion until the Secretary of State certifies and reports*  
13          *to the Committees on Appropriations that such gov-*  
14          *ernment—*

15                (A) *is taking effective steps to strengthen re-*  
16                *gional security and stability, particularly re-*  
17                *garding territorial disputes in the South China*  
18                *Sea;*

19                (B) *has ceased efforts to intimidate civil so-*  
20                *cietly and the political opposition in Cambodia,*  
21                *is credibly investigating the murder of social and*  
22                *political activists, and is taking actions to ad-*  
23                *dress the concerns detailed in the September 14,*  
24                *2016 United Nations Human Rights Situation*  
25                *in Cambodia—Joint Statement; and*



1           (C) is establishing conditions for the hold-  
2           ing of free and fair elections in Cambodia in  
3           2017 and 2018 through a non-partisan election  
4           commission; fair election processes; credible post-  
5           election dispute resolution mechanisms; open and  
6           inclusive participation, to include the return of  
7           exiled former opposition leaders; and respect for  
8           freedoms of assembly and speech.

9           (2) *KHMER ROUGE TRIBUNAL*.—Of the funds ap-  
10          propriated by this Act that are made available for as-  
11          sistance for Cambodia under the heading “Economic  
12          Support Fund”, not more than \$1,500,000 may be  
13          made available for a contribution to the Extraor-  
14          dinary Chambers in the Court of Cambodia (ECCC):  
15          Provided, That such funds may only be made avail-  
16          able if the Secretary of State certifies and reports to  
17          the Committees on Appropriations that such contribu-  
18          tion is in the national interest of the United States  
19          and will support the prosecution and punishment of  
20          individuals responsible for genocide in Cambodia in  
21          a credible manner: Provided further, That if the Sec-  
22          retary of State is unable to make the certification re-  
23          quired by the previous proviso, such funds shall be  
24          made available for research and education programs  
25          associated with the Khmer Rouge genocide in Cam-

1        *bodia, which are in addition to funds otherwise made*  
2        *available under paragraph (3): Provided further,*  
3        *That such funds shall be subject to prior consultation*  
4        *with, and the regular notification procedures of, such*  
5        *Committees: Provided further, That the Secretary of*  
6        *State shall seek reimbursements from the Principal*  
7        *Donors Group for the Documentation Center of Cam-*  
8        *bodia for costs incurred in support of the ECCC.*

9            (3) *RESEARCH AND EDUCATION.—Funds made*  
10        *available by this Act for democracy programs in*  
11        *Cambodia shall be made available for research and*  
12        *education programs associated with the Khmer Rouge*  
13        *genocide in Cambodia.*

14        (d) *NORTH KOREA.—*

15            (1) *BROADCASTS.—Funds appropriated by this*  
16        *Act under the heading “International Broadcasting*  
17        *Operations” shall be made available to maintain*  
18        *broadcasting hours into North Korea at levels not less*  
19        *than the prior fiscal year.*

20            (2) *REFUGEES.—Funds appropriated by this*  
21        *Act under the heading “Migration and Refugee Assist-*  
22        *ance” should be made available for assistance for ref-*  
23        *ugees from North Korea, including protection activi-*  
24        *ties in the People’s Republic of China and other coun-*  
25        *tries in Asia.*

1           (3) *DATABASE AND REPORT.*—*Funds appro-*  
2           *priated by this Act under title III shall be made*  
3           *available to maintain a database of prisons and*  
4           *gulags in North Korea, in accordance with section*  
5           *7032(i) of the Department of State, Foreign Oper-*  
6           *ations, and Related Programs Appropriations Act,*  
7           *2014 (division K of Public Law 113–76).*

8           (4) *LIMITATION ON USE OF FUNDS.*—*None of the*  
9           *funds made available by this Act under the heading*  
10          *“Economic Support Fund” may be made available*  
11          *for assistance for the Government of North Korea.*

12          (e) *PEOPLE’S REPUBLIC OF CHINA.*—

13           (1) *LIMITATION ON USE OF FUNDS.*—*None of the*  
14          *funds appropriated under the heading “Diplomatic*  
15          *and Consular Programs” in this Act may be obligated*  
16          *or expended for processing licenses for the export of*  
17          *satellites of United States origin (including commer-*  
18          *cial satellites and satellite components) to the People’s*  
19          *Republic of China (PRC) unless, at least 15 days in*  
20          *advance, the Committees on Appropriations are noti-*  
21          *fied of such proposed action.*

22           (2) *PEOPLE’S LIBERATION ARMY.*—*The terms*  
23          *and requirements of section 620(h) of the Foreign As-*  
24          *sistance Act of 1961 shall apply to foreign assistance*  
25          *projects or activities of the People’s Liberation Army*

1        *(PLA) of the PRC, to include such projects or activi-*  
2        *ties by any entity that is owned or controlled by, or*  
3        *an affiliate of, the PLA: Provided, That none of the*  
4        *funds appropriated or otherwise made available pur-*  
5        *suant to this Act may be used to finance any grant,*  
6        *contract, or cooperative agreement with the PLA, or*  
7        *any entity that the Secretary of State has reason to*  
8        *believe is owned or controlled by, or an affiliate of,*  
9        *the PLA.*

10            *(3) COUNTER INFLUENCE PROGRAMS.—Funds*  
11        *appropriated by this Act for public diplomacy under*  
12        *title I and for assistance under titles III and IV shall*  
13        *be made available to counter the influence of the PRC,*  
14        *in accordance with the strategy required by section*  
15        *7043(e)(3) of the Department of State, Foreign Oper-*  
16        *ations, and Related Programs Appropriations Act,*  
17        *2014 (division K of Public Law 113–76), following*  
18        *consultation with the Committees on Appropriations.*

19            *(4) AUTHORITY AND NOTIFICATION REQUIRE-*  
20        *MENT.—*

21            *(A) The uses of funds made available by*  
22        *this Act for the promotion of democracy in the*  
23        *PRC, except for funds made available under sub-*  
24        *section (g), shall be the responsibility of the As-*

1           *sistant Secretary for Democracy, Human Rights,*  
2           *and Labor, Department of State.*

3           *(B) Funds appropriated by this Act that*  
4           *are made available for trilateral programs con-*  
5           *ducted with the PRC shall be subject to the reg-*  
6           *ular notification procedures of the Committees*  
7           *on Appropriations.*

8           *(f) PHILIPPINES.—Prior to the initial obligation of*  
9           *funds appropriated by this Act for assistance for the Phil-*  
10          *ippines, but not later than 180 days after enactment of this*  
11          *Act, the Secretary of State shall submit a report to the Com-*  
12          *mittees on Appropriations, which shall include the informa-*  
13          *tion required under this section in the explanatory state-*  
14          *ment described in section 4 (in the matter preceding divi-*  
15          *sion A of this Consolidated Act).*

16          *(g) TIBET.—*

17                 *(1) FINANCING OF PROJECTS IN TIBET.—The*  
18                 *Secretary of the Treasury should instruct the United*  
19                 *States executive director of each international finan-*  
20                 *cial institution to use the voice and vote of the United*  
21                 *States to support financing of projects in Tibet if*  
22                 *such projects do not provide incentives for the migra-*  
23                 *tion and settlement of non-Tibetans into Tibet or fa-*  
24                 *cilitate the transfer of ownership of Tibetan land and*  
25                 *natural resources to non-Tibetans, are based on a*

1 *thorough needs-assessment, foster self-sufficiency of the*  
2 *Tibetan people and respect Tibetan culture and tradi-*  
3 *tions, and are subject to effective monitoring.*

4 (2) *PROGRAMS FOR TIBETAN COMMUNITIES.—*

5 (A) *Notwithstanding any other provision of*  
6 *law, funds appropriated by this Act under the*  
7 *heading “Economic Support Fund” shall be*  
8 *made available to nongovernmental organiza-*  
9 *tions to support activities which preserve cul-*  
10 *tural traditions and promote sustainable devel-*  
11 *opment, education, and environmental conserva-*  
12 *tion in Tibetan communities in the Tibetan Au-*  
13 *tonomous Region and in other Tibetan commu-*  
14 *nities in China.*

15 (B) *Funds appropriated by this Act under*  
16 *the heading “Economic Support Fund” shall be*  
17 *made available for programs to promote and*  
18 *preserve Tibetan culture, development, and the*  
19 *resilience of Tibetan communities in India and*  
20 *Nepal, and to assist in the education and devel-*  
21 *opment of the next generation of Tibetan leaders*  
22 *from such communities: Provided, That such*  
23 *funds are in addition to amounts made available*  
24 *in subparagraph (A) for programs inside Tibet.*

25 (h) *VIETNAM.—*

1           (1) *DIOXIN REMEDIATION.*—*Notwithstanding*  
2 *any other provision of law, of the funds appropriated*  
3 *by this Act under the heading “Economic Support*  
4 *Fund”, not less than \$20,000,000 shall be made avail-*  
5 *able for activities related to the remediation of dioxin*  
6 *contaminated sites in Vietnam and may be made*  
7 *available for assistance for the Government of Viet-*  
8 *nam, including the military, for such purposes.*

9           (2) *HEALTH AND DISABILITY PROGRAMS.*—*Of*  
10 *the funds appropriated by this Act under the heading*  
11 *“Development Assistance”, not less than \$10,000,000*  
12 *shall be made available for health and disability pro-*  
13 *grams in areas sprayed with Agent Orange and other-*  
14 *wise contaminated with dioxin, to assist individuals*  
15 *with severe upper or lower body mobility impairment*  
16 *and/or cognitive or developmental disabilities.*

17                                   *SOUTH AND CENTRAL ASIA*

18           *SEC. 7044. (a) AFGHANISTAN.*—

19           (1) *STRATEGY AND PERSONNEL.*—

20           (A) *STRATEGY.*—*Not later than 90 days*  
21 *after enactment of this Act and prior to the ini-*  
22 *tial obligation of funds made available for assist-*  
23 *ance for Afghanistan by this Act under the head-*  
24 *ings “Economic Support Fund” and “Inter-*  
25 *national Narcotics Control and Law Enforce-*

1           *ment”, the Secretary of State, in consultation*  
2           *with the Secretary of Defense, shall submit to the*  
3           *appropriate congressional committees a revised*  
4           *strategy for United States engagement in Af-*  
5           *ghanistan: Provided, That such strategy shall in-*  
6           *clude detailed information on the roles and re-*  
7           *sponsibilities of the Department of State, the*  
8           *United States Agency for International Develop-*  
9           *ment, and other non-defense United States Gov-*  
10          *ernment agencies in Afghanistan, including the*  
11          *anticipated number of government and con-*  
12          *tractor personnel to be assigned in Afghanistan*  
13          *in fiscal years 2018 and 2019: Provided further,*  
14          *That such strategy shall also include detailed in-*  
15          *formation on development programs to be sup-*  
16          *ported by funds made available by this Act and*  
17          *prior Acts making appropriations for the De-*  
18          *partment of State, foreign operations, and re-*  
19          *lated programs, including a description of spe-*  
20          *cific safeguards to ensure that any such funds*  
21          *supporting projects in areas under the control of*  
22          *the Taliban or other extremist organizations do*  
23          *not further the legitimacy of such organizations:*  
24          *Provided further, That such strategy shall also*  
25          *include detailed information, in classified form*



1           *if necessary, on specific steps to be taken to en-*  
2           *courage a negotiated political resolution of the*  
3           *conflict in Afghanistan.*

4           (B) *PERSONNEL REPORT.*—*Not later than*  
5           *30 days after enactment of this Act and every*  
6           *120 days thereafter until September 30, 2018,*  
7           *the Secretary of State shall submit a report, in*  
8           *classified form if necessary, to the appropriate*  
9           *congressional committees detailing by agency the*  
10           *number of personnel present in Afghanistan*  
11           *under Chief of Mission authority per section*  
12           *3927 of title 22, United States Code, at the end*  
13           *of the 120 day period preceding the submission*  
14           *of such report: Provided, That such report shall*  
15           *also include the number of locally employed staff*  
16           *and contractors supporting United States Em-*  
17           *bassy operations in Afghanistan during the re-*  
18           *porting period.*

19           (2) *ASSISTANCE AND CONDITIONS.*—

20           (A) *FUNDING AND LIMITATIONS.*—*Funds*  
21           *appropriated by this Act under the headings*  
22           *“Economic Support Fund” and “International*  
23           *Narcotics Control and Law Enforcement” may*  
24           *be made available for assistance for Afghanistan:*

1           *Provided, That such funds may not be obligated*  
2           *for any project or activity that—*

3                     *(i) includes the participation of any*  
4                     *Afghan individual or organization, includ-*  
5                     *ing government entity, that the Secretary of*  
6                     *State determines to be involved in corrupt*  
7                     *practices, illicit narcotics production or*  
8                     *trafficking, or a violation of human rights;*

9                     *(ii) cannot be sustained, as appro-*  
10                    *priate, by the Government of Afghanistan or*  
11                    *another Afghan entity;*

12                    *(iii) is not regularly accessible for the*  
13                    *purposes of conducting effective oversight in*  
14                    *accordance with applicable Federal statutes*  
15                    *and regulations;*

16                    *(iv) initiates any new, major infra-*  
17                    *structure development; or*

18                    *(v) legitimizes the Taliban or other ex-*  
19                    *tremist organizations in areas not under*  
20                    *the control of the Government of Afghani-*  
21                    *stan.*

22                    *(B) CERTIFICATION AND REPORT.—Prior to*  
23                    *the initial obligation of funds made available by*  
24                    *this Act under the headings “Economic Support*  
25                    *Fund” and “International Narcotics Control and*

1           *Law Enforcement*” for assistance for the central  
2           *Government of Afghanistan, the Secretary of*  
3           *State shall certify and report to the Committees*  
4           *on Appropriations, after consultation with the*  
5           *Government of Afghanistan, that—*

6                     *(i) goals and benchmarks for the spe-*  
7                     *cific uses of such funds have been established*  
8                     *by the Governments of the United States*  
9                     *and Afghanistan;*

10                    *(ii) conditions are in place that in-*  
11                    *crease the transparency and accountability*  
12                    *of the Government of Afghanistan for funds*  
13                    *obligated under the New Development Part-*  
14                    *nership;*

15                    *(iii) the Government of Afghanistan is*  
16                    *implementing laws and policies to govern*  
17                    *democratically and protect the rights of in-*  
18                    *dividuals, civil society, and the media;*

19                    *(iv) the Government of Afghanistan is*  
20                    *taking consistent steps to protect and ad-*  
21                    *vance the rights of women and girls in Af-*  
22                    *ghanistan;*

23                    *(v) the Government of Afghanistan is*  
24                    *effectively implementing a whole-of-govern-*  
25                    *ment, anti-corruption strategy that has been*

1 *endorsed by the High Council on Rule of*  
2 *Law and Anti-Corruption, as agreed to at*  
3 *the Brussels Conference on Afghanistan in*  
4 *October 2016, and is prosecuting individ-*  
5 *uals alleged to be involved in corrupt or il-*  
6 *legal activities in Afghanistan;*

7 *(vi) monitoring and oversight frame-*  
8 *works for programs implemented with such*  
9 *funds are in accordance with all applicable*  
10 *audit policies of the Department of State*  
11 *and USAID, including in areas under the*  
12 *control of the Taliban or other extremist or-*  
13 *ganizations;*

14 *(vii) the necessary policies and proce-*  
15 *dures are in place to ensure Government of*  
16 *Afghanistan compliance with section 7013*  
17 *of this Act, “Prohibition on Taxation of*  
18 *United States Assistance”;* and

19 *(viii) the Government of Afghanistan*  
20 *is publicly reporting its national budget,*  
21 *including revenues and expenditures.*

22 *(C) WAIVER.—The Secretary of State may*  
23 *waive the certification requirement of subpara-*  
24 *graph (B) if the Secretary determines that to do*  
25 *so is important to the national security interest*

1           *of the United States and the Secretary submits*  
2           *a report to the Committees on Appropriations,*  
3           *in classified form if necessary, on the justifica-*  
4           *tion for the waiver and the reasons why any of*  
5           *the requirements of subparagraph (B) cannot be*  
6           *met.*

7           (D) *PROGRAMS.—Funds appropriated by*  
8           *this Act that are made available for assistance*  
9           *for Afghanistan shall be made available in the*  
10          *following manner—*

11           (i) *for programs that protect and*  
12           *strengthen the rights of women and girls*  
13           *and promote the political and economic em-*  
14           *powerment of women, including their mean-*  
15           *ingful inclusion in political processes: Pro-*  
16           *vided, That such assistance to promote eco-*  
17           *nomical empowerment of women shall be*  
18           *made available as grants to Afghan and*  
19           *international organizations, to the max-*  
20           *imum extent practicable;*

21           (ii) *for programs in South and Central*  
22           *Asia to expand linkages between Afghani-*  
23           *stan and countries in the region, subject to*  
24           *the regular notification procedures of the*  
25           *Committees on Appropriations; and*

1                   (iii) to assist the Government of Af-  
2                   ghanistan to increase revenue collection and  
3                   expenditure.

4                   (E) TAXATION.—None of the funds appro-  
5                   priated by this Act for assistance for Afghani-  
6                   stan may be made available for direct govern-  
7                   ment-to-government assistance unless the Sec-  
8                   retary of State certifies and reports to the Com-  
9                   mittees on Appropriations that United States  
10                  companies and organizations that are imple-  
11                  menting United States foreign assistance pro-  
12                  grams in Afghanistan in a manner consistent  
13                  with United States laws and regulations are not  
14                  subjected by such government to taxes or other  
15                  fees in contravention of diplomatic and other  
16                  agreements between the Governments of the  
17                  United States and Afghanistan, or to retaliation  
18                  for the nonpayment of taxes or fees imposed in  
19                  the past: Provided, That not later than 90 days  
20                  after enactment of this Act, the Secretary of  
21                  State shall submit to the Committees on Appro-  
22                  priations an assessment of the dollar value of  
23                  improper taxes or fees levied by such government  
24                  against such companies and organizations in fis-  
25                  cal years 2014, 2015, and 2016.

1           (3) *GOALS AND BENCHMARKS.*—*Not later than*  
2 *90 days after enactment of this Act, the Secretary of*  
3 *State shall submit to the appropriate congressional*  
4 *committees a report describing the goals and bench-*  
5 *marks required in paragraph (2)(B)(i): Provided,*  
6 *That not later than 6 months after the submission of*  
7 *such report and every 6 months thereafter until Sep-*  
8 *tember 30, 2018, the Secretary of State shall submit*  
9 *a report to such committees on the status of achieving*  
10 *such goals and benchmarks: Provided further, That*  
11 *the Secretary of State should suspend assistance for*  
12 *the Government of Afghanistan if any report required*  
13 *by this paragraph indicates that such government is*  
14 *failing to make measurable progress in meeting such*  
15 *goals and benchmarks.*

16           (4) *AUTHORITIES.*—

17           (A) *Funds appropriated by this Act under*  
18 *title III through VI that are made available for*  
19 *assistance for Afghanistan may be made avail-*  
20 *able—*

21           (i) *notwithstanding section 7012 of*  
22 *this Act or any similar provision of law*  
23 *and section 660 of the Foreign Assistance*  
24 *Act of 1961;*

1           (ii) for reconciliation programs and  
2           disarmament, demobilization, and re-  
3           integration activities for former combatants  
4           who have renounced violence against the  
5           Government of Afghanistan, in accordance  
6           with section 7046(a)(2)(B)(ii) of the De-  
7           partment of State, Foreign Operations, and  
8           Related Programs Appropriations Act, 2012  
9           

(division I of Public Law 112-74); and

10           (iii) for an endowment to empower  
11           women and girls.

12           (B) Section 7046(a)(2)(A) of division I of  
13           Public Law 112-74 shall apply to funds appro-  
14           priated by this Act for assistance for Afghani-  
15           stan.

16           (C) Section 1102(c) of the Supplemental  
17           Appropriations Act, 2009 (title XI of Public  
18           Law 111-32) shall continue in effect during fis-  
19           cal year 2017.

20           (5) *BASING RIGHTS AGREEMENT.*—None of the  
21           funds made available by this Act may be used by the  
22           United States Government to enter into a permanent  
23           basing rights agreement between the United States  
24           and Afghanistan.

25           (b) *NEPAL.*—



1           (1) *ASSISTANCE.*—Not less than \$112,500,000 of  
2     the funds appropriated by this Act under the headings  
3     “Global Health Programs”, “Economic Support  
4     Fund”, “International Narcotics Control and Law  
5     Enforcement”, and “Nonproliferation, Anti-terrorism,  
6     Demining and Related Programs” shall be made  
7     available for assistance for Nepal, including for earth-  
8     quake recovery and reconstruction programs.

9           (2) *FOREIGN MILITARY FINANCING PROGRAM.*—  
10    Funds appropriated by this Act under the heading  
11    “Foreign Military Financing Program” shall only be  
12    made available for humanitarian and disaster relief  
13    and reconstruction activities in Nepal, and in sup-  
14    port of international peacekeeping operations: Pro-  
15    vided, That such funds may only be made available  
16    for any additional uses if the Secretary of State cer-  
17    tifies and reports to the Committees on Appropria-  
18    tions that the Government of Nepal is investigating  
19    and prosecuting violations of human rights and the  
20    laws of war, and the Nepal Army is cooperating fully  
21    with civilian judicial authorities in such cases.

22    (c) *PAKISTAN.*—

23           (1) *CERTIFICATION REQUIREMENT.*—None of the  
24    funds appropriated or otherwise made available by  
25    this Act under the headings “Economic Support

1       *Fund*”, “*International Narcotics Control and Law*  
2       *Enforcement*”, and “*Foreign Military Financing Pro-*  
3       *gram*” for assistance for the Government of Pakistan  
4       may be made available unless the Secretary of State  
5       certifies and reports to the Committees on Appropria-  
6       tions that the Government of Pakistan is—

7               (A) cooperating with the United States in  
8               counterterrorism efforts against the Haqqani  
9               Network, the Quetta Shura Taliban, Lashkar e-  
10              Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and  
11              other domestic and foreign terrorist organiza-  
12              tions, including taking effective steps to end sup-  
13              port for such groups and prevent them from bas-  
14              ing and operating in Pakistan and carrying out  
15              cross border attacks into neighboring countries;

16             (B) not supporting terrorist activities  
17             against United States or coalition forces in Af-  
18             ghanistan, and Pakistan’s military and intel-  
19             ligence agencies are not intervening extra-judi-  
20             cially into political and judicial processes in  
21             Pakistan;

22             (C) not financing or otherwise supporting  
23             schools supported by, affiliated with, or run by  
24             the Taliban or any designated foreign terrorist  
25             organization;

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

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

6           (F) issuing visas in a timely manner for  
7           United States visitors engaged in counterter-  
8           rorism efforts and assistance programs in Paki-  
9           stan; and

10          (G) providing humanitarian organizations  
11          access to detainees, internally displaced persons,  
12          and other Pakistani civilians affected by the con-  
13          flict.

14          (2) WAIVER AND REPORTS.—

15           (A) The Secretary of State may waive the  
16           certification requirement of paragraph (1) with  
17           respect to funds appropriated or otherwise made  
18           available by this Act under the headings “Eco-  
19           nomic Support Fund” and “International Nar-  
20           cotics Control and Law Enforcement” for assist-  
21           ance for the Government of Pakistan if the Sec-  
22           retary determines that to do so is important to  
23           the national security interest of the United  
24           States.

1           (B) *The Secretary of State may waive the*  
2 *certification requirement of paragraph (1) with*  
3 *respect to 95 percent of the funds appropriated*  
4 *or otherwise made available by this Act under*  
5 *the heading “Foreign Military Financing Pro-*  
6 *gram” for assistance for the Government of Paki-*  
7 *stan if the Secretary determines that to do so is*  
8 *important to the national security interest of the*  
9 *United States: Provided, That funds withheld by*  
10 *application of this subparagraph shall be with-*  
11 *held from obligation until the Secretary submits*  
12 *to the Committees on Appropriations the certifi-*  
13 *cation required by paragraph (1).*

14           (C) *In exercising the authority of this para-*  
15 *graph, the Secretary of State shall submit a re-*  
16 *port to the Committees on Appropriations, in*  
17 *classified form if necessary, on the justification*  
18 *for any waivers in subparagraphs (A) and (B)*  
19 *and the reasons why any of the requirements of*  
20 *paragraph (1) cannot be met.*

21           (3) *ASSISTANCE.—*

22           (A) *Funds appropriated by this Act under*  
23 *the heading “Foreign Military Financing Pro-*  
24 *gram” for assistance for Pakistan may be made*

1           *available only to support counterterrorism and*  
2           *counterinsurgency capabilities in Pakistan.*

3           *(B) Funds appropriated by this Act under*  
4           *the headings “Economic Support Fund” and*  
5           *“Nonproliferation, Anti-terrorism, Demining*  
6           *and Related Programs” that are available for as-*  
7           *stance for Pakistan shall be made available to*  
8           *interdict precursor materials from Pakistan to*  
9           *Afghanistan that are used to manufacture IEDs,*  
10          *including calcium ammonium nitrate; to sup-*  
11          *port programs to train border and customs offi-*  
12          *cial in Pakistan and Afghanistan; and for agri-*  
13          *cultural extension programs that encourage al-*  
14          *ternative fertilizer use among Pakistani farmers.*

15          *(C) Funds appropriated by this Act under*  
16          *the heading “Economic Support Fund” that are*  
17          *made available for assistance for infrastructure*  
18          *projects in Pakistan shall be implemented in a*  
19          *manner consistent with section 507(6) of the*  
20          *Trade Act of 1974 (19 U.S.C. 2467(6)).*

21          *(D) Funds appropriated by this Act under*  
22          *titles III and IV for assistance for Pakistan may*  
23          *be made available notwithstanding any other*  
24          *provision of law, except for section 620M of the*  
25          *Foreign Assistance Act of 1961.*

1           (E) *Of the funds appropriated under titles*  
2           *III and IV of this Act that are made available*  
3           *for assistance for Pakistan, \$33,000,000 shall be*  
4           *withheld from obligation until the Secretary of*  
5           *State reports to the Committees on Appropria-*  
6           *tions that Dr. Shakil Afridi has been released*  
7           *from prison and cleared of all charges relating to*  
8           *the assistance provided to the United States in*  
9           *locating Osama bin Laden.*

10           (4) *SCHOLARSHIPS FOR WOMEN.—The authority*  
11           *and directives of section 7044(d)(4) of the Department*  
12           *of State, Foreign Operations, and Related Programs*  
13           *Appropriations Act, 2015 (division J of Public Law*  
14           *113–235) shall apply to funds appropriated by this*  
15           *Act that are made available for assistance for Paki-*  
16           *stan: Provided, That prior to the obligation of funds*  
17           *for such purposes, the USAID Administrator shall*  
18           *consult with the Committees on Appropriations.*

19           (5) *REPORTS.—*

20           (A)(i) *The spend plan required by section*  
21           *7076 of this Act for assistance for Pakistan shall*  
22           *include achievable and sustainable goals, bench-*  
23           *marks for measuring progress, and expected re-*  
24           *sults regarding combating poverty and fur-*  
25           *thering development in Pakistan, countering ter-*

1 *rorism and extremism, and establishing condi-*  
2 *tions conducive to the rule of law and trans-*  
3 *parent and accountable governance: Provided,*  
4 *That not later than 6 months after submission of*  
5 *such spend plan, and each 6 months thereafter*  
6 *until September 30, 2018, the Secretary of State*  
7 *shall submit a report to the Committees on Ap-*  
8 *propriations on the status of achieving the goals*  
9 *and benchmarks in such plan.*

10 *(ii) The Secretary of State should suspend*  
11 *assistance for the Government of Pakistan if any*  
12 *report required by clause (i) indicates that Paki-*  
13 *stan is failing to make measurable progress in*  
14 *meeting such goals or benchmarks.*

15 *(B) Not later than 90 days after enactment*  
16 *of this Act, the Secretary of State shall submit*  
17 *a report to the Committees on Appropriations*  
18 *detailing the costs and objectives associated with*  
19 *significant infrastructure projects supported by*  
20 *the United States in Pakistan, and an assess-*  
21 *ment of the extent to which such projects achieve*  
22 *such objectives.*

23 *(6) OVERSIGHT.—The Secretary of State shall*  
24 *take all practicable steps to ensure that mechanisms*  
25 *are in place for monitoring, oversight, and control of*

1 *funds made available by this subsection for assistance*  
2 *for Pakistan.*

3 *(d) SRI LANKA.—*

4 *(1) BILATERAL ECONOMIC ASSISTANCE.—Funds*  
5 *appropriated by this Act under the heading “Eco-*  
6 *nomie Support Fund” shall be made available for as-*  
7 *sistance for Sri Lanka for democracy and economic*  
8 *development programs, particularly in areas recov-*  
9 *ering from ethnic and religious conflict: Provided,*  
10 *That such funds shall be made available for programs*  
11 *to assist in the identification and resolution of cases*  
12 *of missing persons.*

13 *(2) CERTIFICATION.—Funds appropriated by*  
14 *this Act for assistance for the central Government of*  
15 *Sri Lanka may be made available only if the Sec-*  
16 *retary of State certifies and reports to the Committees*  
17 *on Appropriations that the Government of Sri Lanka*  
18 *is taking steps to—*

19 *(A) repeal laws that do not comply with*  
20 *international standards for arrest and detention,*  
21 *and to ensure that any successor legislation*  
22 *meets such standards;*

23 *(B) increase accountability and trans-*  
24 *parency in governance;*



1           (C) support a credible justice mechanism in  
2 compliance with United Nations Human Rights  
3 Council Resolution (A/HCR/30/L.29) of October,  
4 2015; and

5           (D) return land in former conflict zones to  
6 former owners or to compensate those whose land  
7 was confiscated without due process, which are  
8 in addition to steps taken during the previous  
9 calendar year.

10       (3) *INTERNATIONAL SECURITY ASSISTANCE.*—  
11 Funds appropriated under title IV of this Act that  
12 are available for assistance for Sri Lanka shall be  
13 subject to the following conditions—

14           (A) not to exceed \$500,000 under the head-  
15 ing “Foreign Military Financing Program” may  
16 only be made available for programs to support  
17 humanitarian and disaster response efforts; to  
18 redeploy out of former conflict zones; and to re-  
19 structure and reduce the size of the Sri Lankan  
20 armed forces; and

21           (B) funds under the heading “Peacekeeping  
22 Operations” may only be made available for  
23 training and equipment related to international  
24 peacekeeping operations.

25       (e) *REGIONAL PROGRAMS.*—

1           (1) *CROSS BORDER PROGRAMS.*—*Funds appro-*  
2           *propriated by this Act under the heading “Economic*  
3           *Support Fund” for assistance for Afghanistan and*  
4           *Pakistan may be provided, notwithstanding any other*  
5           *provision of law that restricts assistance to foreign*  
6           *countries, for cross border stabilization and develop-*  
7           *ment programs between Afghanistan and Pakistan, or*  
8           *between either country and the Central Asian coun-*  
9           *tries.*

10           (2) *SECURITY AND JUSTICE PROGRAMS.*—*Funds*  
11           *appropriated by this Act under the headings “Eco-*  
12           *nomic Support Fund”, “International Narcotics Con-*  
13           *trol and Law Enforcement”, and “Assistance for Eu-*  
14           *rope, Eurasia and Central Asia” that are available*  
15           *for assistance for countries in South and Central Asia*  
16           *shall be made available to enhance the recruitment,*  
17           *retention, and professionalism of women in the judici-*  
18           *ary, police, and other security forces.*

19                           *LATIN AMERICA AND THE CARIBBEAN*

20           *SEC. 7045. (a) CENTRAL AMERICA.*—

21           (1) *STRATEGY REVIEW AND UPDATE.*—*The Sec-*  
22           *retary of State, in consultation with the heads of*  
23           *other relevant United States Government agencies,*  
24           *shall review the United States Strategy for Engage-*  
25           *ment in Central America (the Strategy) and submit*

1        *an updated Strategy to the appropriate congressional*  
2        *committees not later than 90 days after enactment of*  
3        *this Act: Provided, That such Strategy shall address*  
4        *the key factors in countries in Central America that*  
5        *contribute to the migration of undocumented Central*  
6        *Americans to the United States: Provided further,*  
7        *That such Strategy should support regional security*  
8        *and economic initiatives, including the Plan of the*  
9        *Alliance for Prosperity in the Northern Triangle in*  
10       *Central America (the Plan), to the extent the Sec-*  
11       *retary of State determines such initiatives are con-*  
12       *sistent with the national interest of the United States.*

13            (2) *FUNDING.*—*Subject to the requirements of*  
14        *this subsection, of the funds appropriated under titles*  
15        *III and IV of this Act, \$655,000,000 should be made*  
16        *available for assistance for countries in Central*  
17        *America to implement the United States Strategy for*  
18        *Engagement in Central America: Provided further,*  
19        *That such funds shall be made available to the max-*  
20        *imum extent practicable on a cost-matching basis.*

21            (3) *PRE-OBLIGATION REQUIREMENTS.*—*Prior to*  
22        *the obligation of funds made available pursuant to*  
23        *paragraph (2) and following the submission of the*  
24        *Strategy as required in paragraph (1), the Secretary*  
25        *of State shall submit to the Committees on Appro-*

1        *priations a multi-year spend plan as described under*  
2        *this section in the explanatory statement described in*  
3        *section 4 (in the matter preceding division A of this*  
4        *Consolidated Act), including a description of how*  
5        *such funds shall prioritize addressing the key factors*  
6        *in countries in Central America that contribute to the*  
7        *migration of undocumented Central Americans to the*  
8        *United States.*

9                (4) *ASSISTANCE FOR THE CENTRAL GOVERN-*  
10                *MENTS OF EL SALVADOR, GUATEMALA, AND HON-*  
11                *DURAS.—Of the funds made available pursuant to*  
12                *paragraph (2) that are available for assistance for*  
13                *each of the central governments of El Salvador, Gua-*  
14                *temala, and Honduras, the following amounts shall be*  
15                *withheld from obligation and may only be made*  
16                *available as follows:*

17                        (A) *25 percent may only be obligated after*  
18                        *the Secretary of State certifies and reports to the*  
19                        *appropriate congressional committees that such*  
20                        *government is taking effective steps, which are in*  
21                        *addition to those steps taken since the certifi-*  
22                        *cation and report submitted during the prior*  
23                        *year, if applicable, to—*

1           (i) inform its citizens of the dangers of  
2           the journey to the southwest border of the  
3           United States;

4           (ii) combat human smuggling and  
5           trafficking;

6           (iii) improve border security, including  
7           to prevent illegal migration, human smug-  
8           gling and trafficking, and trafficking of il-  
9           licit drugs and other contraband; and

10          (iv) cooperate with United States Gov-  
11          ernment agencies and other governments in  
12          the region to facilitate the return, repatri-  
13          ation, and reintegration of illegal migrants  
14          arriving at the southwest border of the  
15          United States who do not qualify for asy-  
16          lum, consistent with international law.

17          (B) An additional 50 percent may only be  
18          obligated after the Secretary of State certifies  
19          and reports to the appropriate congressional  
20          committees that such government is taking effec-  
21          tive steps, which are in addition to those steps  
22          taken since the certification and report sub-  
23          mitted during the prior year, if applicable, to—

1           (i) *work cooperatively with an autono-*  
2           *mous, publicly accountable entity to provide*  
3           *oversight of the Plan;*

4           (ii) *combat corruption, including in-*  
5           *vestigating and prosecuting current and*  
6           *former government officials credibly alleged*  
7           *to be corrupt;*

8           (iii) *implement reforms, policies, and*  
9           *programs to improve transparency and*  
10          *strengthen public institutions, including in-*  
11          *creasing the capacity and independence of*  
12          *the judiciary and the Office of the Attorney*  
13          *General;*

14          (iv) *implement a policy to ensure that*  
15          *local communities, civil society organiza-*  
16          *tions (including indigenous and other*  
17          *marginalized groups), and local govern-*  
18          *ments are consulted in the design, and par-*  
19          *ticipate in the implementation and evalua-*  
20          *tion of, activities of the Plan that affect*  
21          *such communities, organizations, and gov-*  
22          *ernments;*

23          (v) *counter the activities of criminal*  
24          *gangs, drug traffickers, and organized*  
25          *crime;*

1           (vi) investigate and prosecute in the ci-  
2           vilian justice system government personnel,  
3           including military and police personnel,  
4           who are credibly alleged to have violated  
5           human rights, and ensure that such per-  
6           sonnel are cooperating in such cases;

7           (vii) cooperate with commissions  
8           against corruption and impunity and with  
9           regional human rights entities;

10          (viii) support programs to reduce pov-  
11          erty, expand education and vocational  
12          training for at-risk youth, create jobs, and  
13          promote equitable economic growth particu-  
14          larly in areas contributing to large numbers  
15          of migrants;

16          (ix) implement a plan that includes  
17          goals, benchmarks and timelines to create a  
18          professional, accountable civilian police  
19          force and end the role of the military in in-  
20          ternal policing, and make such plan avail-  
21          able to the Department of State;

22          (x) protect the right of political opposi-  
23          tion parties, journalists, trade unionists,  
24          human rights defenders, and other civil so-

1            *ciety activists to operate without inter-*  
2            *ference;*

3            *(xi) increase government revenues, in-*  
4            *cluding by implementing tax reforms and*  
5            *strengthening customs agencies; and*

6            *(xii) resolve commercial disputes, in-*  
7            *cluding the confiscation of real property, be-*  
8            *tween United States entities and such gov-*  
9            *ernment.*

10            *(5) SUSPENSION OF ASSISTANCE AND PERIODIC*

11            *REVIEW.—*

12            *(A) The Secretary of State shall periodi-*  
13            *cally review the progress of each of the central*  
14            *governments of El Salvador, Guatemala, and*  
15            *Honduras in meeting the requirements of para-*  
16            *graphs (4)(A) and (4)(B): Provided, That if the*  
17            *Secretary determines that sufficient progress has*  
18            *not been made by a central government, the Sec-*  
19            *retary shall suspend, in whole or in part, assist-*  
20            *ance for such government for programs sup-*  
21            *porting such requirement, and shall notify the*  
22            *appropriate congressional committees in writing*  
23            *of such action: Provided further, That the Sec-*  
24            *retary may resume funding for such programs*



1           *only after the Secretary certifies to such commit-*  
2           *tees that corrective measures have been taken.*

3           *(B) The Secretary of State shall, following*  
4           *a change of national government in El Salvador,*  
5           *Guatemala, or Honduras, determine and report*  
6           *to the appropriate congressional committees that*  
7           *any new government has committed to take the*  
8           *steps to meet the requirements of paragraphs*  
9           *(4)(A) and (4)(B): Provided, That if the Sec-*  
10          *retary is unable to make such a determination*  
11          *in a timely manner, assistance made available*  
12          *under this subsection for such central government*  
13          *shall be suspended, in whole or in part, until*  
14          *such time as such determination and report can*  
15          *be made.*

16          *(6) TRANSFER OF FUNDS.—The Department of*  
17          *State and USAID may, following consultation with*  
18          *the Committees on Appropriations, transfer funds*  
19          *made available by this Act under the heading “Devel-*  
20          *opment Assistance” to the Inter-American Develop-*  
21          *ment Bank and the Inter-American Foundation to*  
22          *support the Strategy.*

23          *(b) COLOMBIA.—*

24                 *(1) ASSISTANCE.—Of the funds appropriated by*  
25                 *this Act under titles III and IV, not less than*

1       *\$391,253,000 shall be made available for assistance*  
2       *for Colombia, including to support the efforts of the*  
3       *Government of Colombia to—*

4               *(A) conduct a unified campaign against*  
5               *narcotics trafficking, organizations designated as*  
6               *foreign terrorist organizations pursuant to sec-*  
7               *tion 219 of the Immigration and Nationality Act*  
8               *(8 U.S.C. 1189), and other criminal or illegal*  
9               *armed groups: Provided, That aircraft supported*  
10              *by funds made available by this Act and prior*  
11              *Acts making appropriations for the Department*  
12              *of State, foreign operations, and related pro-*  
13              *grams may be used to transport personnel and*  
14              *supplies involved in drug eradication and inter-*  
15              *diction, including security for such activities,*  
16              *and to provide transport in support of alter-*  
17              *native development programs and investigations*  
18              *by civilian judicial authorities;*

19              *(B) enhance security and stability in Co-*  
20              *lombia and the region;*

21              *(C) strengthen and expand governance, the*  
22              *rule of law, and access to justice throughout Co-*  
23              *lombia;*

24              *(D) promote economic and social develop-*  
25              *ment, including by improving access to areas*

1           *impacted by conflict through demining pro-*  
2           *grams; and*

3           *(E) implement a peace agreement between*  
4           *the Government of Colombia and illegal armed*  
5           *groups, in accordance with constitutional and*  
6           *legal requirements in Colombia:*

7           *Provided, That such funds shall be subject to prior*  
8           *consultation with, and the regular notification proce-*  
9           *dures of, the Committees on Appropriations.*

10           *(2) LIMITATION.—None of the funds appro-*  
11           *priated by this Act or prior Acts making appropria-*  
12           *tions for the Department of State, foreign operations,*  
13           *and related programs that are made available for as-*  
14           *sistance for Colombia may be made available for pay-*  
15           *ment of reparations to conflict victims or compensa-*  
16           *tion to demobilized combatants associated with a*  
17           *peace agreement between the Government of Colombia*  
18           *and illegal armed groups.*

19           *(3) PRE-OBLIGATION REQUIREMENTS.—Prior to*  
20           *the initial obligation of funds made available pursu-*  
21           *ant to paragraph (1), the Secretary of State, in con-*  
22           *sultation with the USAID Administrator, shall sub-*  
23           *mit to the Committees on Appropriations a multi-*  
24           *year spend plan as described under section 7045 in*  
25           *the explanatory statement described in section 4 (in*

1 *the matter preceding division A of this Consolidated*  
2 *Act).*

3 (4) *REFUGEES.*—*Funds made available by this*  
4 *Act under the heading “Economic Support Fund” for*  
5 *assistance for Colombia shall be apportioned directly*  
6 *to USAID, except that not less than \$7,000,000 of*  
7 *such funds shall be transferred to, and merged with,*  
8 *funds appropriated by this Act under the heading*  
9 *“Migration and Refugee Assistance” for assistance for*  
10 *Colombian refugees in neighboring countries.*

11 (5) *COUNTERNARCOTICS.*—*Of the funds made*  
12 *available by this Act under the heading “Inter-*  
13 *national Narcotics Control and Law Enforcement”*  
14 *for assistance for Colombia, 20 percent may be obli-*  
15 *gated only in accordance with the conditions set forth*  
16 *under section 7045 in the explanatory statement de-*  
17 *scribed in section 4 (in the matter preceding division*  
18 *A of this Consolidated Act).*

19 (6) *HUMAN RIGHTS.*—*Of the funds made avail-*  
20 *able by this Act under the heading “Foreign Military*  
21 *Financing Program” for assistance for Colombia, 20*  
22 *percent may be obligated only in accordance with the*  
23 *conditions set forth under section 7045 in the explan-*  
24 *atory statement described in section 4 (in the matter*  
25 *preceding division A of this Consolidated Act).*

1           (7) *EXCEPTIONS.*—*The limitations of para-*  
2 *graphs (5) and (6) shall not apply to funds made*  
3 *available for aviation instruction and maintenance,*  
4 *and maritime and riverine security programs.*

5           *(c) HAITI.*—

6           (1) *FUNDING.*—*Of the funds appropriated by*  
7 *this Act under the headings “Development Assistance”*  
8 *and “Economic Support Fund”, not more than*  
9 *\$45,000,000 may be made available for assistance for*  
10 *Haiti: Provided, That the funding limitation of this*  
11 *paragraph may be exceeded for food security and*  
12 *global health programs.*

13           (2) *CERTIFICATION.*—*Funds appropriated by*  
14 *this Act under the headings “Development Assistance”*  
15 *and “Economic Support Fund” that are made avail-*  
16 *able for assistance for Haiti may not be made avail-*  
17 *able for assistance for the central Government of*  
18 *Haiti unless the Secretary of State certifies and re-*  
19 *ports to the Committees on Appropriations that such*  
20 *government is taking effective steps, which are in ad-*  
21 *dition to steps taken since the certification and report*  
22 *submitted during the prior year, if applicable, to—*

23                   (A) *strengthen the rule of law in Haiti, in-*  
24 *cluding by—*



1 *less than \$410,465,000 shall be made available for assist-*  
2 *ance for Ukraine.*

3       **(b) LIMITATION.**—*None of the funds appropriated by*  
4 *this Act may be made available for assistance for a govern-*  
5 *ment of an Independent State of the former Soviet Union*  
6 *if such government directs any action in violation of the*  
7 *territorial integrity or national sovereignty of any other*  
8 *Independent State of the former Soviet Union, such as those*  
9 *violations included in the Helsinki Final Act: Provided,*  
10 *That except as otherwise provided in section 7070(a) of this*  
11 *Act, funds may be made available without regard to the*  
12 *restriction in this subsection if the President determines*  
13 *that to do so is in the national security interest of the*  
14 *United States: Provided further, That prior to executing the*  
15 *authority contained in the previous proviso the Secretary*  
16 *of State shall consult with the Committees on Appropria-*  
17 *tions on how such assistance supports the national security*  
18 *interest of the United States.*

19       **(c) SECTION 907 OF THE FREEDOM SUPPORT ACT.**—  
20 *Section 907 of the FREEDOM Support Act shall not apply*  
21 *to—*

22               **(1) activities to support democracy or assistance**  
23               *under title V of the FREEDOM Support Act and sec-*  
24               *tion 1424 of the Defense Against Weapons of Mass*





1 *or such other tribunals or commissions as the Council may*  
2 *establish or authorize to deal with such violations, without*  
3 *regard to the ceiling limitation contained in paragraph (2)*  
4 *thereof: Provided, That the determination required under*  
5 *this section shall be in lieu of any determinations otherwise*  
6 *required under section 552(c): Provided further, That funds*  
7 *made available pursuant to this section shall be made avail-*  
8 *able subject to the regular notification procedures of the*  
9 *Committees on Appropriations.*

10

## UNITED NATIONS

11 *SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-*  
12 *ABILITY.—*

13 *(1) Of the funds appropriated under title I and*  
14 *under the heading “International Organizations and*  
15 *Programs” in title V of this Act that are available for*  
16 *contributions to the United Nations (including the*  
17 *Department of Peacekeeping Operations), any United*  
18 *Nations agency, or the Organization of American*  
19 *States, 15 percent may not be obligated for such orga-*  
20 *nization, department, or agency until the Secretary of*  
21 *State reports to the Committees on Appropriations*  
22 *that the organization, department, or agency is—*

23 *(A) posting on a publicly available Web*  
24 *site, consistent with privacy regulations and due*  
25 *process, regular financial and programmatic au-*

1            *dits of such organization, department, or agency,*  
2            *and providing the United States Government*  
3            *with necessary access to such financial and per-*  
4            *formance audits; and*

5            *(B) effectively implementing and enforcing*  
6            *policies and procedures which reflect best prac-*  
7            *tices for the protection of whistleblowers from re-*  
8            *taliation, including best practices for—*

9            *(i) protection against retaliation for*  
10           *internal and lawful public disclosures;*

11           *(ii) legal burdens of proof;*

12           *(iii) statutes of limitation for reporting*  
13           *retaliation;*

14           *(iv) access to independent adjudicative*  
15           *bodies, including external arbitration; and*

16           *(v) results that eliminate the effects of*  
17           *proven retaliation.*

18           *(2) The restrictions imposed by or pursuant to*  
19           *paragraph (1) may be waived on a case-by-case basis*  
20           *if the Secretary of State determines and reports to the*  
21           *Committees on Appropriations that such waiver is*  
22           *necessary to avert or respond to a humanitarian cri-*  
23           *sis.*

24           *(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS*

25           *AND ORGANIZATIONS.—*

1           (1) *None of the funds made available by this Act*  
2           *may be used to pay expenses for any United States*  
3           *delegation to any specialized agency, body, or com-*  
4           *mission of the United Nations if such agency, body,*  
5           *or commission is chaired or presided over by a coun-*  
6           *try, the government of which the Secretary of State*  
7           *has determined, for purposes of section 6(j)(1) of the*  
8           *Export Administration Act of 1979 as continued in*  
9           *effect pursuant to the International Emergency Eco-*  
10          *nomics Powers Act (50 U.S.C. App. 2405(j)(1)), sup-*  
11          *ports international terrorism.*

12          (2) *None of the funds made available by this Act*  
13          *may be used by the Secretary of State as a contribu-*  
14          *tion to any organization, agency, commission, or pro-*  
15          *gram within the United Nations system if such orga-*  
16          *nization, agency, commission, or program is chaired*  
17          *or presided over by a country the government of*  
18          *which the Secretary of State has determined, for pur-*  
19          *poses of section 620A of the Foreign Assistance Act of*  
20          *1961, section 40 of the Arms Export Control Act, sec-*  
21          *tion 6(j)(1) of the Export Administration Act of 1979,*  
22          *or any other provision of law, is a government that*  
23          *has repeatedly provided support for acts of inter-*  
24          *national terrorism.*

1           (3) *The Secretary of State may waive the restric-*  
2           *tion in this subsection if the Secretary determines and*  
3           *reports to the Committees on Appropriations that to*  
4           *do so is in the national interest of the United States,*  
5           *including a description of the national interest served.*

6           (c) *UNITED NATIONS HUMAN RIGHTS COUNCIL.—*  
7           *None of the funds appropriated by this Act may be made*  
8           *available in support of the United Nations Human Rights*  
9           *Council unless the Secretary of State determines and re-*  
10          *ports to the Committees on Appropriations that participa-*  
11          *tion in the Council is important to the national interest*  
12          *of the United States and that the Council is taking signifi-*  
13          *cant steps to remove Israel as a permanent agenda item:*  
14          *Provided, That such report shall include a description of*  
15          *the national interest served and the steps taken to remove*  
16          *Israel as a permanent agenda item: Provided further, That*  
17          *the Secretary of State shall report to the Committees on*  
18          *Appropriations not later than September 30, 2017, on the*  
19          *resolutions considered in the United Nations Human Rights*  
20          *Council during the previous 12 months, and on steps taken*  
21          *to remove Israel as a permanent agenda item.*

22          (d) *UNITED NATIONS RELIEF AND WORKS AGENCY.—*  
23          *Prior to the initial obligation of funds for the United Na-*  
24          *tions Relief and Works Agency (UNRWA), and not later*  
25          *than 45 days after enactment of this Act, the Secretary of*

1 *State shall submit a report in writing to the Committees*  
2 *on Appropriations on whether UNRWA is—*

3 *(1) utilizing Operations Support Officers in the*  
4 *West Bank, Gaza, and other fields of operation to in-*  
5 *spect UNRWA installations and reporting any inap-*  
6 *propriate use;*

7 *(2) acting promptly to address any staff or bene-*  
8 *ficiary violation of its own policies (including the*  
9 *policies on neutrality and impartiality of employees)*  
10 *and the legal requirements under section 301(c) of the*  
11 *Foreign Assistance Act of 1961;*

12 *(3) implementing procedures to maintain the*  
13 *neutrality of its facilities, including implementing a*  
14 *no-weapons policy, and conducting regular inspec-*  
15 *tions of its installations, to ensure they are only used*  
16 *for humanitarian or other appropriate purposes;*

17 *(4) taking necessary and appropriate measures*  
18 *to ensure it is operating in compliance with the con-*  
19 *ditions of section 301(c) of the Foreign Assistance Act*  
20 *of 1961 and continuing regular reporting to the De-*  
21 *partment of State on actions it has taken to ensure*  
22 *conformance with such conditions;*

23 *(5) taking steps to ensure the content of all edu-*  
24 *cational materials currently taught in UNRWA-ad-*  
25 *ministered schools and summer camps is consistent*

1       *with the values of human rights, dignity, and toler-*  
2       *ance and does not induce incitement;*

3               *(6) not engaging in operations with financial in-*  
4       *stitutions or related entities in violation of relevant*  
5       *United States law, and is taking steps to improve the*  
6       *financial transparency of the organization; and*

7               *(7) in compliance with the United Nations*  
8       *Board of Auditors' biennial audit requirements and*  
9       *is implementing in a timely fashion the Board's rec-*  
10       *ommendations.*

11       *(e) PROHIBITION OF PAYMENTS TO UNITED NATIONS*  
12       *MEMBERS.—None of the funds appropriated or made avail-*  
13       *able pursuant to titles III through VI of this Act for car-*  
14       *rying out the Foreign Assistance Act of 1961, may be used*  
15       *to pay in whole or in part any assessments, arrearages,*  
16       *or dues of any member of the United Nations or, from funds*  
17       *appropriated by this Act to carry out chapter 1 of part*  
18       *I of the Foreign Assistance Act of 1961, the costs for partici-*  
19       *pation of another country's delegation at international con-*  
20       *ferences held under the auspices of multilateral or inter-*  
21       *national organizations.*

22               *(f) UNITED NATIONS CAPITAL PROJECTS.—None of the*  
23       *funds made available by this Act may be used for the design,*  
24       *renovation, or construction of the United Nations Head-*  
25       *quarters in New York: Provided, That any operating plan*

1 submitted pursuant to this Act for funds made available  
2 under the heading “Contributions to International Organi-  
3 zations” shall include information on capital projects, as  
4 described under this section in the explanatory statement  
5 described in section 4 (in the matter preceding division A  
6 of this Consolidated Act).

7 (g) *WITHHOLDING REPORT.*—Not later than 45 days  
8 after enactment of this Act, the Secretary of State shall sub-  
9 mit a report to the Committees on Appropriations detailing  
10 the amount of funds available for obligation or expenditure  
11 in fiscal year 2017 for contributions to any organization,  
12 department, agency, or program within the United Nations  
13 system or any international program that are withheld  
14 from obligation or expenditure due to any provision of law:  
15 Provided, That the Secretary of State shall update such re-  
16 port each time additional funds are withheld by operation  
17 of any provision of law: Provided further, That the re-  
18 programming of any withheld funds identified in such re-  
19 port, including updates thereof, shall be subject to prior con-  
20 sultation with, and the regular notification procedures of,  
21 the Committees on Appropriations.

22 (h) *SEXUAL EXPLOITATION AND ABUSE IN PEACE-*  
23 *KEEPING OPERATIONS.*—

24 (1) *Funds appropriated by this Act shall be*  
25 *made available to implement section 301 of the De-*

1 *partment of State Authorities Act, Fiscal Year 2017*  
2 *(Public Law 114–323): Provided, That the elements*  
3 *and objectives of subsection (c) of such section shall*  
4 *include the adoption of a United Nations policy re-*  
5 *quiring the mandatory repatriation from a United*  
6 *Nations peacekeeping operation of any personnel*  
7 *credibly alleged to have engaged in sexual exploitation*  
8 *or abuse, and a prohibition on the participation in*  
9 *such peacekeeping operations of personnel from any*  
10 *country the government of which is unwilling or un-*  
11 *able to carry out its criminal or disciplinary respon-*  
12 *sibilities with respect to personnel credibly alleged to*  
13 *have engaged in sexual exploitation or abuse.*

14 *(2) The Secretary of State should withhold as-*  
15 *sistance to any unit of the security forces of a foreign*  
16 *country if the Secretary has credible information that*  
17 *such unit has engaged in sexual exploitation or abuse,*  
18 *including while serving in a United Nations peace-*  
19 *keeping operation, until the Secretary determines that*  
20 *the government of such country is taking effective*  
21 *steps to bring the responsible members of such unit to*  
22 *justice and to prevent future incidents: Provided,*  
23 *That the Secretary shall promptly notify the govern-*  
24 *ment of each country subject to any withholding of*  
25 *assistance pursuant to this paragraph, and shall no-*



1        *tify the appropriate congressional committees of such*  
2        *withholding not later than 10 days after a determina-*  
3        *tion to withhold such assistance is made: Provided*  
4        *further, That the Secretary shall, to the maximum ex-*  
5        *tent practicable, assist such government in bringing*  
6        *the responsible members of such unit to justice.*

7        *(i) ADDITIONAL AVAILABILITY.—Funds appropriated*  
8        *under title I of this Act which are returned or not made*  
9        *available due to the implementation of subsection (a) or the*  
10       *second proviso under the heading “Contributions for Inter-*  
11       *national Peacekeeping Activities” of such title shall remain*  
12       *available for obligation until September 30, 2018.*

13       *(j) REPORT ON ARREARS.—Not later than 30 days*  
14       *after enactment of this Act, and updated every 90 days*  
15       *thereafter until September 30, 2018, the Secretary of State*  
16       *shall submit a report to the appropriate congressional com-*  
17       *mittees detailing—*

18                *(1) a description of the treaty or other obligation*  
19                *of the United States to pay assessed contributions at*  
20                *specified rates for the United Nations and other inter-*  
21                *national organizations by organization or entity;*

22                *(2) a description of relevant United States laws*  
23                *regarding such assessed rates and contributions;*

24                *(3) a description of, and justification for, any*  
25                *deviation from payment of such assessed rates and*

1        *contributions, to include the cumulative amount of*  
2        *arrears owed, or anticipated to be owed, by the*  
3        *United States to any organization or entity as a re-*  
4        *sult of such deviation;*

5            *(4) a specific plan for payment of such arrears;*

6            *(5) an analysis of when the amount of arrears*  
7        *owed by the United States may trigger Article 19 of*  
8        *the United Nations Charter or similar provision in a*  
9        *treaty, convention or charter governing participation*  
10       *in an international organization, resulting in the loss*  
11       *of a vote by the United States in the United Nations*  
12       *General Assembly or other governing body of an inter-*  
13       *national organization; and*

14           *(6) an analysis of the impact to the national in-*  
15       *terest of the United States in international organiza-*  
16       *tions, including the United Nations, as a result of ar-*  
17       *rears owed, if any, including with respect to the loss*  
18       *of influence within such organizations.*

19                    *COMMUNITY-BASED POLICE ASSISTANCE*

20        *SEC. 7049. (a) AUTHORITY.—Funds made available by*  
21        *titles III and IV of this Act to carry out the provisions*  
22        *of chapter 1 of part I and chapters 4 and 6 of part II of*  
23        *the Foreign Assistance Act of 1961, may be used, notwith-*  
24        *standing section 660 of that Act, to enhance the effectiveness*  
25        *and accountability of civilian police authority through*

1 *training and technical assistance in human rights, the rule*  
2 *of law, anti-corruption, strategic planning, and through as-*  
3 *sistance to foster civilian police roles that support demo-*  
4 *cratic governance, including assistance for programs to pre-*  
5 *vent conflict, respond to disasters, address gender-based vio-*  
6 *lence, and foster improved police relations with the commu-*  
7 *nities they serve.*

8 (b) NOTIFICATION.—Assistance provided under sub-  
9 section (a) shall be subject to the regular notification pro-  
10 cedures of the Committees on Appropriations.

11 DISABILITY PROGRAMS

12 SEC. 7050. (a) ASSISTANCE.—Funds appropriated by  
13 this Act under the heading “Economic Support Fund”  
14 shall be made available for programs and activities admin-  
15 istered by the United States Agency for International De-  
16 velopment to address the needs and protect and promote  
17 the rights of people with disabilities in developing coun-  
18 tries, including initiatives that focus on independent living,  
19 economic self-sufficiency, advocacy, education, employ-  
20 ment, transportation, sports, and integration of individ-  
21 uals with disabilities, including for the cost of translation.

22 (b) MANAGEMENT, OVERSIGHT, AND TECHNICAL  
23 SUPPORT.—Of the funds made available pursuant to this  
24 section, 5 percent may be used for USAID for manage-  
25 ment, oversight, and technical support.

## 1 INTERNATIONAL CONFERENCES

2 SEC. 7051. None of the funds made available in this  
3 Act may be used to send or otherwise pay for the attend-  
4 ance of more than 50 employees of agencies or depart-  
5 ments of the United States Government who are stationed  
6 in the United States, at any single international con-  
7 ference occurring outside the United States, unless the  
8 Secretary of State reports to the Committees on Appro-  
9 priations at least 5 days in advance that such attendance  
10 is important to the national interest: *Provided*, That for  
11 purposes of this section the term “international con-  
12 ference” shall mean a conference attended by representa-  
13 tives of the United States Government and of foreign gov-  
14 ernments, international organizations, or nongovern-  
15 mental organizations.

## 16 AIRCRAFT TRANSFER, COORDINATION, AND USE

17 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-  
18 standing any other provision of law or regulation, aircraft  
19 procured with funds appropriated by this Act and prior  
20 Acts making appropriations for the Department of State,  
21 foreign operations, and related programs under the head-  
22 ings “Diplomatic and Consular Programs”, “International  
23 Narcotics Control and Law Enforcement”, “Andean  
24 Counterdrug Initiative”, and “Andean Counterdrug Pro-  
25 grams” may be used for any other program and in any

1 region, including for the transportation of active and  
2 standby Civilian Response Corps personnel and equipment  
3 during a deployment: *Provided*, That the responsibility for  
4 policy decisions and justification for the use of such trans-  
5 fer authority shall be the responsibility of the Secretary  
6 of State and the Deputy Secretary of State and this re-  
7 sponsibility shall not be delegated.

8       **(b) PROPERTY DISPOSAL.**—*The authority provided in*  
9 *subsection (a) shall apply only after the Secretary of State*  
10 *determines and reports to the Committees on Appropria-*  
11 *tions that the equipment is no longer required to meet pro-*  
12 *grammatic purposes in the designated country or region:*  
13 *Provided*, That any such transfer shall be subject to prior  
14 consultation with, and the regular notification procedures  
15 of, the Committees on Appropriations.

16       **(c) AIRCRAFT COORDINATION.**—

17           **(1)** *The uses of aircraft purchased or leased by*  
18 *the Department of State and the United States Agen-*  
19 *cy for International Development with funds made*  
20 *available in this Act or prior Acts making appropria-*  
21 *tions for the Department of State, foreign operations,*  
22 *and related programs shall be coordinated under the*  
23 *authority of the appropriate Chief of Mission: Pro-*  
24 *vided*, That such aircraft may be used to transport,  
25 *on a reimbursable or non-reimbursable basis, Federal*

1       *and non-Federal personnel supporting Department of*  
2       *State and USAID programs and activities: Provided*  
3       *further, That official travel for other agencies for*  
4       *other purposes may be supported on a reimbursable*  
5       *basis, or without reimbursement when traveling on a*  
6       *space available basis: Provided further, That funds re-*  
7       *ceived by the Department of State for the use of air-*  
8       *craft owned, leased, or chartered by the Department*  
9       *of State may be credited to the Working Capital Fund*  
10       *of the Department and shall be available for expenses*  
11       *related to the purchase, lease, maintenance, char-*  
12       *tering, or operation of such aircraft.*

13               *(2) The requirement and authorities of this sub-*  
14       *section shall only apply to aircraft, the primary pur-*  
15       *pose of which is the transportation of personnel.*

16       *(d) AIRCRAFT OPERATIONS AND MAINTENANCE.—To*  
17       *the maximum extent practicable, the costs of operations and*  
18       *maintenance, including fuel, of aircraft funded by this Act*  
19       *shall be borne by the recipient country.*

20       *PARKING FINES AND REAL PROPERTY TAXES OWED BY*  
21                       *FOREIGN GOVERNMENTS*

22       *SEC. 7053. The terms and conditions of section 7055*  
23       *of the Department of State, Foreign Operations, and Re-*  
24       *lated Programs Appropriations Act, 2011 (division F of*  
25       *Public Law 111–117) shall apply to this Act: Provided,*

1 *That the date “September 30, 2009” in subsection (f)(2)(B)*  
2 *of such section shall be deemed to be “September 30, 2016”.*

3 *LANDMINES AND CLUSTER MUNITIONS*

4 *SEC. 7054. (a) LANDMINES.—Notwithstanding any*  
5 *other provision of law, demining equipment available to the*  
6 *United States Agency for International Development and*  
7 *the Department of State and used in support of the clear-*  
8 *ance of landmines and unexploded ordnance for humani-*  
9 *tarian purposes may be disposed of on a grant basis in*  
10 *foreign countries, subject to such terms and conditions as*  
11 *the Secretary of State may prescribe.*

12 *(b) CLUSTER MUNITIONS.—No military assistance*  
13 *shall be furnished for cluster munitions, no defense export*  
14 *license for cluster munitions may be issued, and no cluster*  
15 *munitions or cluster munitions technology shall be sold or*  
16 *transferred, unless—*

17 *(1) the submunitions of the cluster munitions,*  
18 *after arming, do not result in more than 1 percent*  
19 *unexploded ordnance across the range of intended*  
20 *operational environments, and the agreement applica-*  
21 *ble to the assistance, transfer, or sale of such cluster*  
22 *munitions or cluster munitions technology specifies*  
23 *that the cluster munitions will only be used against*  
24 *clearly defined military targets and will not be used*

1        *where civilians are known to be present or in areas*  
2        *normally inhabited by civilians; or*

3                *(2) such assistance, license, sale, or transfer is*  
4        *for the purpose of demilitarizing or permanently dis-*  
5        *posing of such cluster munitions.*

6                *PROHIBITION ON PUBLICITY OR PROPAGANDA*

7        *SEC. 7055. No part of any appropriation contained*  
8        *in this Act shall be used for publicity or propaganda pur-*  
9        *poses within the United States not authorized before the*  
10       *date of the enactment of this Act by Congress: Provided,*  
11       *That not to exceed \$25,000 may be made available to carry*  
12       *out the provisions of section 316 of the International Secu-*  
13       *rity and Development Cooperation Act of 1980 (Public Law*  
14       *96-533).*

15       *CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF*  
16                *ECONOMIC AND MILITARY ASSISTANCE*

17        *SEC. 7056. (a) Under the direction of the President,*  
18        *the Secretary of State shall be responsible for the continuous*  
19        *supervision and general direction of economic assistance,*  
20        *law enforcement and justice sector assistance, military as-*  
21        *sistance, and military education and training programs,*  
22        *including but not limited to determining whether there shall*  
23        *be a military assistance (including civic action) or a mili-*  
24        *tary education and training program for a country and*  
25        *the value thereof, to the end that such programs are effec-*



1 *tively integrated both at home and abroad and the foreign*  
2 *policy of the United States is best served thereby.*

3       **(b)** *Consistent with section 481(b) of the Foreign As-*  
4 *istance Act of 1961, the Secretary of State shall be respon-*  
5 *sible for coordinating all assistance provided by the United*  
6 *States Government to support international efforts to com-*  
7 *bat illicit narcotics production or trafficking: Provided,*  
8 *That the provision of assistance by the Department of De-*  
9 *fense which is comparable to assistance that may be made*  
10 *available by this Act under the heading “International Nar-*  
11 *cotics Control and Law Enforcement” shall be provided in*  
12 *a manner consistent with the requirements of section 333(b)*  
13 *of title 10, United States Code, as added by section 1241*  
14 *of the National Defense Authorization Act for Fiscal Year*  
15 *2017 (Public Law 114–328).*

16           *UNITED STATES AGENCY FOR INTERNATIONAL*  
17                           *DEVELOPMENT MANAGEMENT*

18       **SEC. 7057. (a) AUTHORITY.**—*Up to \$93,000,000 of the*  
19 *funds made available in title III of this Act pursuant to*  
20 *or to carry out the provisions of part I of the Foreign Assist-*  
21 *ance Act of 1961, including funds appropriated under the*  
22 *heading “Assistance for Europe, Eurasia and Central*  
23 *Asia”, may be used by the United States Agency for Inter-*  
24 *national Development to hire and employ individuals in*  
25 *the United States and overseas on a limited appointment*

1 *basis pursuant to the authority of sections 308 and 309 of*  
2 *the Foreign Service Act of 1980.*

3 (b) *RESTRICTIONS.—*

4 (1) *The number of individuals hired in any fis-*  
5 *cal year pursuant to the authority contained in sub-*  
6 *section (a) may not exceed 175.*

7 (2) *The authority to hire individuals contained*  
8 *in subsection (a) shall expire on September 30, 2018.*

9 (c) *CONDITIONS.—The authority of subsection (a)*  
10 *should only be used to the extent that an equivalent number*  
11 *of positions that are filled by personal services contractors*  
12 *or other non-direct hire employees of USAID, who are com-*  
13 *pensated with funds appropriated to carry out part I of*  
14 *the Foreign Assistance Act of 1961, including funds appro-*  
15 *riated under the heading “Assistance for Europe, Eurasia*  
16 *and Central Asia”, are eliminated.*

17 (d) *PROGRAM ACCOUNT CHARGED.—The account*  
18 *charged for the cost of an individual hired and employed*  
19 *under the authority of this section shall be the account to*  
20 *which the responsibilities of such individual primarily re-*  
21 *late: Provided, That funds made available to carry out this*  
22 *section may be transferred to, and merged with, funds ap-*  
23 *propriated by this Act in title II under the heading “Oper-*  
24 *ating Expenses”.*

1           (e) *FOREIGN SERVICE LIMITED EXTENSIONS.*—*Indi-*  
2 *viduals hired and employed by USAID, with funds made*  
3 *available in this Act or prior Acts making appropriations*  
4 *for the Department of State, foreign operations, and related*  
5 *programs, pursuant to the authority of section 309 of the*  
6 *Foreign Service Act of 1980, may be extended for a period*  
7 *of up to 4 years notwithstanding the limitation set forth*  
8 *in such section.*

9           (f) *DISASTER SURGE CAPACITY.*—*Funds appropriated*  
10 *under title III of this Act to carry out part I of the Foreign*  
11 *Assistance Act of 1961, including funds appropriated under*  
12 *the heading “Assistance for Europe, Eurasia and Central*  
13 *Asia”, may be used, in addition to funds otherwise avail-*  
14 *able for such purposes, for the cost (including the support*  
15 *costs) of individuals detailed to or employed by USAID*  
16 *whose primary responsibility is to carry out programs in*  
17 *response to natural disasters, or man-made disasters subject*  
18 *to the regular notification procedures of the Committees on*  
19 *Appropriations.*

20           (g) *PERSONAL SERVICES CONTRACTORS.*—*Funds ap-*  
21 *propriated by this Act to carry out chapter 1 of part I,*  
22 *chapter 4 of part II, and section 667 of the Foreign Assist-*  
23 *ance Act of 1961, and title II of the Food for Peace Act*  
24 *(Public Law 83–480), may be used by USAID to employ*  
25 *up to 40 personal services contractors in the United States,*

1 *notwithstanding any other provision of law, for the purpose*  
2 *of providing direct, interim support for new or expanded*  
3 *overseas programs and activities managed by the agency*  
4 *until permanent direct hire personnel are hired and*  
5 *trained: Provided, That not more than 15 of such contrac-*  
6 *tors shall be assigned to any bureau or office: Provided fur-*  
7 *ther, That such funds appropriated to carry out title II of*  
8 *the Food for Peace Act (Public Law 83-480), may be made*  
9 *available only for personal services contractors assigned to*  
10 *the Office of Food for Peace.*

11 *(h) SMALL BUSINESS.—In entering into multiple*  
12 *award indefinite-quantity contracts with funds appro-*  
13 *priated by this Act, USAID may provide an exception to*  
14 *the fair opportunity process for placing task orders under*  
15 *such contracts when the order is placed with any category*  
16 *of small or small disadvantaged business.*

17 *(i) SENIOR FOREIGN SERVICE LIMITED APPOINT-*  
18 *MENTS.—Individuals hired pursuant to the authority pro-*  
19 *vided by section 7059(o) of the Department of State, For-*  
20 *ign Operations, and Related Programs Appropriations*  
21 *Act, 2011 (division F of Public Law 111-117) may be as-*  
22 *signed to or support programs in Afghanistan or Pakistan*  
23 *with funds made available in this Act and prior Acts mak-*  
24 *ing appropriations for the Department of State, foreign op-*  
25 *erations, and related programs.*

## 1 GLOBAL HEALTH ACTIVITIES

2 SEC. 7058. (a) IN GENERAL.—Funds appropriated by  
3 titles III and IV of this Act that are made available for  
4 bilateral assistance for child survival activities or disease  
5 programs including activities relating to research on, and  
6 the prevention, treatment and control of, HIV/AIDS may  
7 be made available notwithstanding any other provision of  
8 law except for provisions under the heading “Global Health  
9 Programs” and the United States Leadership Against HIV/  
10 AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat.  
11 711; 22 U.S.C. 7601 et seq.), as amended: Provided, That  
12 of the funds appropriated under title III of this Act, not  
13 less than \$575,000,000 should be made available for family  
14 planning/reproductive health, including in areas where  
15 population growth threatens biodiversity or endangered spe-  
16 cies.

17 (b) GLOBAL FUND.—Of the funds appropriated by this  
18 Act that are available for a contribution to the Global Fund  
19 to Fight AIDS, Tuberculosis and Malaria (Global Fund),  
20 10 percent should be withheld from obligation until the Sec-  
21 retary of State determines and reports to the Committees  
22 on Appropriations that the Global Fund is—

23 (1) maintaining and implementing a policy of  
24 transparency, including the authority of the Global

1 *Fund Office of the Inspector General (OIG) to publish*  
2 *OIG reports on a public Web site;*

3 *(2) providing sufficient resources to maintain an*  
4 *independent OIG that—*

5 *(A) reports directly to the Board of the*  
6 *Global Fund;*

7 *(B) maintains a mandate to conduct thor-*  
8 *ough investigations and programmatic audits,*  
9 *free from undue interference; and*

10 *(C) compiles regular, publicly published au-*  
11 *dits and investigations of financial, pro-*  
12 *grammatic, and reporting aspects of the Global*  
13 *Fund, its grantees, recipients, sub-recipients, and*  
14 *Local Fund Agents;*

15 *(3) effectively implementing and enforcing poli-*  
16 *cies and procedures which reflect best practices for the*  
17 *protection of whistleblowers from retaliation, includ-*  
18 *ing best practices for—*

19 *(A) protection against retaliation for inter-*  
20 *nal and lawful public disclosures;*

21 *(B) legal burdens of proof;*

22 *(C) statutes of limitation for reporting re-*  
23 *taliation;*

24 *(D) access to independent adjudicative bod-*  
25 *ies, including external arbitration; and*

1           (E) results that eliminate the effects of prov-  
2           en retaliation; and

3           (4) implementing the recommendations con-  
4           tained in the Consolidated Transformation Plan ap-  
5           proved by the Board of the Global Fund on November  
6           21, 2011:

7           *Provided, That such withholding shall not be in addition*  
8           *to funds that are withheld from the Global Fund in fiscal*  
9           *year 2017 pursuant to the application of any other provi-*  
10          *sion contained in this or any other Act.*

11          (c) *CONTAGIOUS INFECTIOUS DISEASE OUTBREAKS.—*

12           (1) *EMERGENCY RESERVE FUND.—Of the funds*  
13           *appropriated by this Act under the heading “Global*  
14           *Health Programs”, \$70,000,000 shall be made avail-*  
15           *able for an Emergency Reserve Fund to address*  
16           *emerging health threats, and shall remain available*  
17           *until expended: Provided, That such funds shall be in*  
18           *addition to funds otherwise available for such pur-*  
19           *poses, and may be transferred to, and merged with,*  
20           *funds appropriated by this Act under the heading*  
21           *“International Disaster Assistance” for the purposes*  
22           *of this paragraph: Provided further, That such funds*  
23           *may only be made available if the Secretary of State*  
24           *determines and reports to the Committees on Appro-*  
25           *propriations that it is in the national interest to respond*

1       to an emerging health threat that poses severe threats  
2       to human health.

3               (2) *EXTRAORDINARY MEASURES.*—If the Sec-  
4       retary of State determines and reports to the Commit-  
5       tees on Appropriations that an international infec-  
6       tious disease outbreak is sustained, severe, and is  
7       spreading internationally, or that it is in the na-  
8       tional interest to respond to a Public Health Emer-  
9       gency of International Concern, funds appropriated  
10      by this Act under the headings “Global Health Pro-  
11      grams”, “Development Assistance”, “International  
12      Disaster Assistance”, “Complex Crises Fund”, “Eco-  
13      nomic Support Fund”, “Democracy Fund”, “Assist-  
14      ance for Europe, Eurasia and Central Asia”, “Migra-  
15      tion and Refugee Assistance”, and “Millennium Chal-  
16      lenge Corporation” may be made available to combat  
17      such infectious disease or public health emergency,  
18      and may be transferred to, and merged with, funds  
19      appropriated under such headings for the purposes of  
20      this paragraph.

21              (3) *OVERSIGHT OF FUNDS.*—Funds made avail-  
22      able by this subsection shall be subject to prior con-  
23      sultation with, and the regular notification proce-  
24      dures of, the Committees on Appropriations.



1 *GENDER EQUALITY*

2 *SEC. 7059. (a) GENDER EQUALITY.—Funds appro-*  
3 *priated by this Act shall be made available to promote gen-*  
4 *der equality in United States Government diplomatic and*  
5 *development efforts by raising the status, increasing the*  
6 *participation, and protecting the rights of women and girls*  
7 *worldwide.*

8 *(b) WOMEN’S LEADERSHIP.—Of the funds appro-*  
9 *priated by title III of this Act, not less than \$50,000,000*  
10 *shall be made available to increase leadership opportunities*  
11 *for women in countries where women and girls suffer dis-*  
12 *crimination due to law, policy, or practice, by strength-*  
13 *ening protections for women’s political status, expanding*  
14 *women’s participation in political parties and elections,*  
15 *and increasing women’s opportunities for leadership posi-*  
16 *tions in the public and private sectors at the local, provin-*  
17 *cial, and national levels.*

18 *(c) GENDER-BASED VIOLENCE.—*

19 *(1)(A) Of the funds appropriated by titles III*  
20 *and IV of this Act, not less than \$150,000,000 shall*  
21 *be made available to implement a multi-year strategy*  
22 *to prevent and respond to gender-based violence in*  
23 *countries where it is common in conflict and non-con-*  
24 *flict settings.*

1           (B) *Funds appropriated by titles III and IV of*  
2           *this Act that are available to train foreign police, ju-*  
3           *dicial, and military personnel, including for inter-*  
4           *national peacekeeping operations, shall address, where*  
5           *appropriate, prevention and response to gender-based*  
6           *violence and trafficking in persons, and shall promote*  
7           *the integration of women into the police and other se-*  
8           *curity forces.*

9           (2) *Department of State and United States*  
10          *Agency for International Development gender pro-*  
11          *grams shall incorporate coordinated efforts to combat*  
12          *a variety of forms of gender-based violence, including*  
13          *child marriage, rape, female genital cutting and mu-*  
14          *tilation, and domestic violence, among other forms of*  
15          *gender-based violence in conflict and non-conflict set-*  
16          *tings.*

17          (d) *WOMEN, PEACE, AND SECURITY.—Funds appro-*  
18          *priated by this Act under the headings “Development As-*  
19          *sistance”, “Economic Support Fund”, “Assistance for Eu-*  
20          *rope, Eurasia and Central Asia”, and “International Nar-*  
21          *cotics Control and Law Enforcement” should be made*  
22          *available to support a multi-year strategy to expand, and*  
23          *improve coordination of, United States Government efforts*  
24          *to empower women as equal partners in conflict prevention,*  
25          *peace building, transitional processes, and reconstruction*

1 *efforts in countries affected by conflict or in political transi-*  
2 *tion, and to ensure the equitable provision of relief and re-*  
3 *covery assistance to women and girls.*

4 *(e) WOMEN AND GIRLS AT RISK FROM EXTREMISM.—*

5 *(1) ASSISTANCE.—Of the funds appropriated by*  
6 *this Act under the heading “Economic Support*  
7 *Fund”, not less than \$15,000,000 shall be made avail-*  
8 *able to support women and girls who are at risk from*  
9 *extremism and conflict, and for activities to—*

10 *(A) empower women and girls to counter*  
11 *extremism;*

12 *(B) address the needs of women and girls*  
13 *adversely impacted by extremism and conflict;*

14 *(C) document crimes committed by extrem-*  
15 *ists against women and girls, and support inves-*  
16 *tigations and prosecutions of such crimes, as ap-*  
17 *propriate;*

18 *(D) increase the participation and influence*  
19 *of women in formal and informal political proc-*  
20 *esses and institutions at the local level and with-*  
21 *in traditional governing structures;*

22 *(E) support reconciliation programs be-*  
23 *tween impacted minority, religious, and ethnic*  
24 *groups and the broader community;*

1           (F) develop and implement legal reforms  
2           and protections for women and girls at the na-  
3           tional and local government levels; and

4           (G) create and sustain networks for women  
5           and girls to collectively safeguard their rights on  
6           a regional basis.

7           (2) *STRATEGY REQUIREMENT.*—Not later than  
8           90 days after enactment of this Act, the Secretary of  
9           State, in consultation with the USAID Adminis-  
10          trator, shall submit a comprehensive, inter-agency  
11          strategy to support women and girls who are at risk  
12          from extremism and conflict, including a description  
13          of monitoring and evaluation protocols.

14          (3) *CLARIFICATION AND NOTIFICATION.*—Funds  
15          made available pursuant to paragraph (1)—

16                 (A) are in addition to amounts otherwise  
17                 available by this Act for such purposes; and

18                 (B) shall be made available following con-  
19                 sultation with, and subject to the regular notifi-  
20                 cation procedures of, the Committees on Appro-  
21                 priations.

22   SECTOR ALLOCATIONS

23          SEC. 7060. (a) *BASIC EDUCATION AND HIGHER EDU-*  
24          *CATION.*—

25                 (1) *BASIC EDUCATION.*—

1           (A) *Of the funds appropriated under title*  
2           *III of this Act, not less than \$800,000,000 shall*  
3           *be made available for assistance for basic edu-*  
4           *cation, and such funds may be made available*  
5           *notwithstanding any other provision of law that*  
6           *restricts assistance to foreign countries: Pro-*  
7           *vided, That such funds should be used to imple-*  
8           *ment the objectives of basic education programs*  
9           *for each Country Development Cooperation*  
10           *Strategy or similar strategy regarding basic edu-*  
11           *cation established by the United States Agency*  
12           *for International Development: Provided further,*  
13           *That such funds may also be used for secondary*  
14           *education activities: Provided further, That the*  
15           *USAID Administrator, following consultation*  
16           *with the Committees on Appropriations, may re-*  
17           *program such funds between countries.*

18           (B) *Not later than 30 days after enactment*  
19           *of this Act, the USAID Administrator shall re-*  
20           *port to the Committees on Appropriations on the*  
21           *status of cumulative unobligated balances and*  
22           *obligated, but unexpended, balances in each*  
23           *country where USAID provides basic education*  
24           *assistance and such report shall also include de-*  
25           *tails on the types of contracts and grants pro-*

1            *vided and the goals and objectives of such assist-*  
2            *ance: Provided, That the USAID Administrator*  
3            *shall update such report on a quarterly basis*  
4            *until September 30, 2018: Provided further, That*  
5            *if the USAID Administrator determines that*  
6            *any unobligated balances of funds specifically*  
7            *designated for assistance for basic education in*  
8            *prior Acts making appropriations for the De-*  
9            *partment of State, foreign operations, and re-*  
10           *lated programs are in excess of the absorptive ca-*  
11           *capacity of recipient countries, such funds may be*  
12           *made available for other programs authorized*  
13           *under chapter 1 of part I of the Foreign Assist-*  
14           *ance Act of 1961, notwithstanding such funding*  
15           *designation: Provided further, That the authority*  
16           *of the previous proviso shall be subject to prior*  
17           *consultation with, and the regular notification*  
18           *procedures of, the Committees on Appropria-*  
19           *tions.*

20            *(C) Of the funds appropriated under title*  
21            *III of this Act for assistance for basic education*  
22            *programs, not less than \$75,000,000 shall be*  
23            *made available for a contribution to multilateral*  
24            *partnerships that support education.*

1           (2) *HIGHER EDUCATION.*—Of the funds appro-  
2           priated by title III of this Act, not less than  
3           \$235,000,000 shall be made available for assistance  
4           for higher education, including not less than  
5           \$35,000,000 for new and ongoing partnerships for  
6           human and institutional capacity building between  
7           higher education institutions in the United States  
8           and developing countries: Provided, That such funds  
9           may be made available notwithstanding any other  
10          provision of law that restricts assistance to foreign  
11          countries, and shall be subject to the regular notifica-  
12          tion procedures of the Committees on Appropriations.

13          (b) *DEVELOPMENT PROGRAMS.*—Of the funds appro-  
14          priated by this Act under the heading “Development Assist-  
15          ance”, not less than \$26,000,000 shall be made available  
16          for the American Schools and Hospitals Abroad program,  
17          and not less than \$12,000,000 shall be made available for  
18          cooperative development programs of USAID.

19          (c) *ENVIRONMENT PROGRAMS.*—

20                  (1) *AUTHORITY AND NOTIFICATION REQUIRE-*  
21                  *MENT.*—

22                          (A) Funds appropriated by this Act to  
23                          carry out the provisions of sections 103 through  
24                          106, and chapter 4 of part II, of the Foreign As-  
25                          sistance Act of 1961 may be used, notwith-

1           *standing any other provision of law, except for*  
2           *the provisions of this subsection, to support envi-*  
3           *ronment programs.*

4           *(B) No funds are appropriated or otherwise*  
5           *made available by this Act for a contribution,*  
6           *grant, or other payment to the Green Climate*  
7           *Fund.*

8           *(C) Funds made available pursuant to this*  
9           *subsection shall be subject to the regular notifica-*  
10          *tion procedures of the Committees on Appropria-*  
11          *tions.*

12          (2) *CONSERVATION PROGRAMS AND LIMITA-*  
13          *TIONS.—*

14           *(A) Of the funds appropriated under title*  
15           *III of this Act, not less than \$265,000,000 shall*  
16           *be made available for biodiversity conservation*  
17           *programs.*

18           *(B) Not less than \$90,664,000 of the funds*  
19           *appropriated under titles III and IV of this Act*  
20           *shall be made available to combat the*  
21           *transnational threat of wildlife poaching and*  
22           *trafficking.*

23           *(C) None of the funds appropriated under*  
24           *title IV of this Act may be made available for*  
25           *training or other assistance for any military*



1           unit or personnel that the Secretary of State de-  
2           termines has been credibly alleged to have par-  
3           ticipated in wildlife poaching or trafficking, un-  
4           less the Secretary reports to the Committees on  
5           Appropriations that to do so is in the national  
6           security interest of the United States.

7           (D) Funds appropriated by this Act for bio-  
8           diversity programs shall not be used to support  
9           the expansion of industrial scale logging or any  
10          other industrial scale extractive activity into  
11          areas that were primary/intact tropical forests  
12          as of December 30, 2013, and the Secretary of  
13          the Treasury shall instruct the United States ex-  
14          ecutive directors of each international financial  
15          institutions (IFI) to vote against any financing  
16          of any such activity.

17          (3) *LARGE DAMS.*—The Secretary of the Treas-  
18          ury shall instruct the United States executive director  
19          of each IFI that it is the policy of the United States  
20          to vote in relation to any loan, grant, strategy, or  
21          policy of such institution to support the construction  
22          of any large dam consistent with the criteria set forth  
23          in Senate Report 114–79, while also considering  
24          whether the project involves important foreign policy  
25          objectives.

1           (4) *SUSTAINABLE LANDSCAPES*.—Of the funds  
2           appropriated under title III of this Act, not less than  
3           \$123,500,000 shall be made available for sustainable  
4           landscapes programs.

5           (d) *FOOD SECURITY AND AGRICULTURAL DEVELOP-*  
6 *MENT*.—Of the funds appropriated by title III of this Act,  
7           not less than \$1,000,600,000 should be made available for  
8           food security and agricultural development programs, of  
9           which not less than \$50,000,000 shall be made available for  
10          the *Feed the Future Innovation Labs*: Provided, That such  
11          funds may be made available for a United States contribu-  
12          tion to the endowment of the *Global Crop Diversity Trust*.

13          (e) *MICROENTERPRISE AND MICROFINANCE*.—Of the  
14          funds appropriated by this Act, not less than \$265,000,000  
15          should be made available for microenterprise and micro-  
16          finance development programs for the poor, especially  
17          women.

18          (f) *PROGRAMS TO COMBAT TRAFFICKING IN PERSONS*  
19 *AND MODERN SLAVERY*.—

20                 (1) *TRAFFICKING IN PERSONS*.—Of the funds ap-  
21                 propriated by this Act under the headings “*Develop-*  
22                 *ment Assistance*”, “*Economic Support Fund*”, “*As-*  
23                 *istance for Europe, Eurasia and Central Asia*”, and  
24                 “*International Narcotics Control and Law Enforce-*  
25                 *ment*”, not less than \$64,800,000 shall be made avail-

1     *able for activities to combat trafficking in persons*  
2     *internationally, of which not less than \$40,000,000*  
3     *shall be from funds made available under the heading*  
4     *“International Narcotics Control and Law Enforce-*  
5     *ment”*: *Provided, That funds made available pursuant*  
6     *to this paragraph shall be made available to support*  
7     *a multifaceted approach to combat human trafficking*  
8     *in Guatemala: Provided further, That not later than*  
9     *120 days after enactment of this Act, the Secretary of*  
10    *State shall submit a report to the Committees on Ap-*  
11    *propriations on the requirements enumerated under*  
12    *this section in House Report 114–693.*

13           (2) *MODERN SLAVERY.—Funds appropriated by*  
14    *this Act under the heading “International Narcotics*  
15    *Control and Law Enforcement” shall be made avail-*  
16    *able for the purposes authorized by section 1298 of the*  
17    *National Defense Authorization Act for Fiscal Year*  
18    *2017 (Public Law 114–328): Provided, That such*  
19    *funds are in addition to funds made available pursu-*  
20    *ant to paragraph (1), and shall be made available on*  
21    *an open and competitive basis: Provided further, That*  
22    *funds made available pursuant to this paragraph*  
23    *shall be made available subject to the regular notifica-*  
24    *tion procedures of the Committees on Appropriations.*

1           (3) *COORDINATION.*—*The Secretary of State and*  
2           *the USAID Administrator, as appropriate, shall es-*  
3           *tablish and implement guidelines to ensure that pro-*  
4           *grams funded by paragraphs (1) and (2) to combat*  
5           *trafficking in persons and modern slavery are coordi-*  
6           *nated and complementary, and not duplicative.*

7           (g) *RECONCILIATION PROGRAMS.*—*Of the funds appro-*  
8           *priated by this Act under the headings “Economic Support*  
9           *Fund”, “Assistance for Europe, Eurasia and Central Asia”,*  
10          *and “Development Assistance”, not less than \$26,000,000*  
11          *shall be made available to support people-to-people rec-*  
12          *onciliation programs which bring together individuals of*  
13          *different ethnic, religious, and political backgrounds from*  
14          *areas of civil strife and war: Provided, That the USAID*  
15          *Administrator shall consult with the Committees on Appro-*  
16          *priations, prior to the initial obligation of funds, on the*  
17          *uses of such funds, and such funds shall be subject to the*  
18          *regular notification procedures of the Committees on Appro-*  
19          *priations: Provided further, That to the maximum extent*  
20          *practicable, such funds shall be matched by sources other*  
21          *than the United States Government.*

22          (h) *WATER AND SANITATION.*—*Of the funds appro-*  
23          *priated by this Act, not less than \$400,000,000 shall be*  
24          *made available for water supply and sanitation projects*  
25          *pursuant to the Senator Paul Simon Water for the Poor*

1 *Act of 2005 (Public Law 109–121), of which not less than*  
2 *\$145,000,000 shall be for programs in sub-Saharan Africa,*  
3 *and of which not less than \$14,000,000 shall be made avail-*  
4 *able for programs to design and build safe, public latrines*  
5 *in Africa and Asia.*

6 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

7 *SEC. 7061. (a) TRANSFER OF FUNDS.—Whenever the*  
8 *President determines that it is in furtherance of the pur-*  
9 *poses of the Foreign Assistance Act of 1961, up to a total*  
10 *of \$20,000,000 of the funds appropriated under title III of*  
11 *this Act may be transferred to, and merged with, funds ap-*  
12 *propriated by this Act for the Overseas Private Investment*  
13 *Corporation Program Account, to be subject to the terms*  
14 *and conditions of that account: Provided, That such funds*  
15 *shall not be available for administrative expenses of the*  
16 *Overseas Private Investment Corporation: Provided further,*  
17 *That designated funding levels in this Act shall not be*  
18 *transferred pursuant to this section: Provided further, That*  
19 *the exercise of such authority shall be subject to the regular*  
20 *notification procedures of the Committees on Appropria-*  
21 *tions.*

22 *(b) AUTHORITY.—Notwithstanding section 235(a)(2)*  
23 *of the Foreign Assistance Act of 1961, the authority of sub-*  
24 *sections (a) through (c) of section 234 of such Act shall re-*  
25 *main in effect until September 30, 2017.*

1 *ARMS TRADE TREATY*

2 *SEC. 7062. None of the funds appropriated by this Act*  
3 *may be obligated or expended to implement the Arms Trade*  
4 *Treaty until the Senate approves a resolution of ratification*  
5 *for the Treaty.*

6 *INSPECTORS GENERAL*

7 *SEC. 7063. (a) PROHIBITION ON USE OF FUNDS.—*  
8 *None of the funds appropriated by this Act may be used*  
9 *to deny an Inspector General funded under this Act timely*  
10 *access to any records, documents, or other materials avail-*  
11 *able to the department or agency of the United States Gov-*  
12 *ernment over which such Inspector General has responsibil-*  
13 *ities under the Inspector General Act of 1978 (5 U.S.C.*  
14 *App.), or to prevent or impede the access of such Inspector*  
15 *General to such records, documents, or other materials,*  
16 *under any provision of law, except a provision of law that*  
17 *expressly refers to such Inspector General and expressly lim-*  
18 *its the right of access of such Inspector General.*

19 *(b) TIMELY ACCESS.—A department or agency of the*  
20 *United States Government covered by this section shall pro-*  
21 *vide its Inspector General access to all records, documents,*  
22 *and other materials in a timely manner.*

23 *(c) COMPLIANCE.—Each Inspector General covered by*  
24 *this section shall ensure compliance with statutory limita-*  
25 *tions on disclosure relevant to the information provided by*

1 *the department or agency over which that Inspector General*  
2 *has responsibilities under the Inspector General Act of 1978*  
3 *(5 U.S.C. App.).*

4 *(d) REPORT REQUIREMENT.—Each Inspector General*  
5 *covered by this section shall report to the Committees on*  
6 *Appropriations within 5 calendar days of any failure by*  
7 *any department or agency of the United States Government*  
8 *to provide its Inspector General access to all requested*  
9 *records, documents, and other materials.*

10 *REPORTING REQUIREMENTS CONCERNING INDIVIDUALS*

11 *DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA*

12 *SEC. 7064. Not later than 5 days after the conclusion*  
13 *of an agreement with a country, including a state with a*  
14 *compact of free association with the United States, to re-*  
15 *ceive by transfer or release individuals detained at United*  
16 *States Naval Station, Guantánamo Bay, Cuba, the Sec-*  
17 *retary of State shall notify the Committees on Appropria-*  
18 *tions in writing of the terms of the agreement, including*  
19 *whether funds appropriated by this Act or prior Acts mak-*  
20 *ing appropriations for the Department of State, foreign op-*  
21 *erations, and related programs will be made available for*  
22 *assistance for such country pursuant to such agreement.*

23 *MULTI-YEAR PLEDGES*

24 *SEC. 7065. None of the funds appropriated by this Act*  
25 *may be used to make any pledge for future year funding*

1 *for any multilateral or bilateral program funded in titles*  
2 *III through VI of this Act unless such pledge was—*

3 *(1) previously justified, including the projected*  
4 *future year costs, in a congressional budget justifica-*  
5 *tion;*

6 *(2) included in an Act making appropriations*  
7 *for the Department of State, foreign operations, and*  
8 *related programs or previously authorized by an Act*  
9 *of Congress;*

10 *(3) notified in accordance with the regular noti-*  
11 *fication procedures of the Committees on Appropria-*  
12 *tions, including the projected future year costs; or*

13 *(4) the subject of prior consultation with the*  
14 *Committees on Appropriations and such consultation*  
15 *was conducted at least 7 days in advance of the*  
16 *pledge.*

17 *PROHIBITION ON USE OF TORTURE*

18 *SEC. 7066. (a) LIMITATION.—None of the funds made*  
19 *available in this Act may be used to support or justify the*  
20 *use of torture, cruel, or inhumane treatment by any official*  
21 *or contract employee of the United States Government.*

22 *(b) ASSISTANCE TO ELIMINATE TORTURE.—Funds ap-*  
23 *propriated under titles III and IV of this Act shall be made*  
24 *available, notwithstanding section 660 of the Foreign As-*  
25 *sistance Act of 1961 and following consultation with the*



1 *Committees on Appropriations, for assistance to eliminate*  
2 *torture by foreign police, military or other security forces*  
3 *in countries receiving assistance from funds appropriated*  
4 *by this Act.*

5 *EXTRADITION*

6 *SEC. 7067. (a) LIMITATION.—None of the funds appro-*  
7 *priated in this Act may be used to provide assistance (other*  
8 *than funds provided under the headings “International Dis-*  
9 *aster Assistance”, “Complex Crises Fund”, “International*  
10 *Narcotics Control and Law Enforcement”, “Migration and*  
11 *Refugee Assistance”, “United States Emergency Refugee*  
12 *and Migration Assistance Fund”, and “Nonproliferation,*  
13 *Anti-terrorism, Demining and Related Assistance”) for the*  
14 *central government of a country which has notified the De-*  
15 *partment of State of its refusal to extradite to the United*  
16 *States any individual indicted for a criminal offense for*  
17 *which the maximum penalty is life imprisonment without*  
18 *the possibility of parole or for killing a law enforcement*  
19 *officer, as specified in a United States extradition request.*

20 *(b) CLARIFICATION.—Subsection (a) shall only apply*  
21 *to the central government of a country with which the*  
22 *United States maintains diplomatic relations and with*  
23 *which the United States has an extradition treaty and the*  
24 *government of that country is in violation of the terms and*  
25 *conditions of the treaty.*

1           (c) *WAIVER.*—*The Secretary of State may waive the*  
2 *restriction in subsection (a) on a case-by-case basis if the*  
3 *Secretary certifies to the Committees on Appropriations*  
4 *that such waiver is important to the national interests of*  
5 *the United States.*

6           *COMMERCIAL LEASING OF DEFENSE ARTICLES*

7           *SEC. 7068. Notwithstanding any other provision of*  
8 *law, and subject to the regular notification procedures of*  
9 *the Committees on Appropriations, the authority of section*  
10 *23(a) of the Arms Export Control Act may be used to pro-*  
11 *vide financing to Israel, Egypt, and the North Atlantic*  
12 *Treaty Organization (NATO), and major non-NATO allies*  
13 *for the procurement by leasing (including leasing with an*  
14 *option to purchase) of defense articles from United States*  
15 *commercial suppliers, not including Major Defense Equip-*  
16 *ment (other than helicopters and other types of aircraft hav-*  
17 *ing possible civilian application), if the President deter-*  
18 *mines that there are compelling foreign policy or national*  
19 *security reasons for those defense articles being provided by*  
20 *commercial lease rather than by government-to-government*  
21 *sale under such Act.*

22           *COUNTRY TRANSITION PLAN*

23           *SEC. 7069. Any bilateral country assistance strategy*  
24 *developed after the date of enactment of this Act for the pro-*  
25 *vision of assistance for a foreign country in this fiscal year*

1 *shall include a transition plan identifying end goals and*  
2 *options for winding down, within a targeted period of*  
3 *years, such bilateral assistance: Provided, That such transi-*  
4 *tion plan shall be developed by the Secretary of State, in*  
5 *consultation with the Administrator of the United States*  
6 *Agency for International Development, the heads of other*  
7 *relevant Federal agencies, and officials of such foreign gov-*  
8 *ernment and representatives of civil society, as appropriate.*

9 *COUNTERING RUSSIAN INFLUENCE AND AGGRESSION*

10 *SEC. 7070. (a) LIMITATION.—None of the funds appro-*  
11 *priated by this Act may be made available for assistance*  
12 *for the central Government of the Russian Federation.*

13 *(b) ANNEXATION OF CRIMEA.—*

14 *(1) None of the funds appropriated by this Act*  
15 *may be made available for assistance for the central*  
16 *government of a country that the Secretary of State*  
17 *determines and reports to the Committees on Appro-*  
18 *priations has taken affirmative steps intended to sup-*  
19 *port or be supportive of the Russian Federation an-*  
20 *nexation of Crimea: Provided, That except as other-*  
21 *wise provided in subsection (a), the Secretary may*  
22 *waive the restriction on assistance required by this*  
23 *paragraph if the Secretary determines and reports to*  
24 *such Committees that to do so is in the national in-*

1 *terest of the United States, and includes a justifica-*  
2 *tion for such interest.*

3 (2) *None of the funds appropriated by this Act*  
4 *may be made available for—*

5 (A) *the implementation of any action or*  
6 *policy that recognizes the sovereignty of the Rus-*  
7 *sian Federation over Crimea;*

8 (B) *the facilitation, financing, or guarantee*  
9 *of United States Government investments in Cri-*  
10 *mea, if such activity includes the participation*  
11 *of Russian Government officials, or other Rus-*  
12 *sian owned or controlled financial entities; or*

13 (C) *assistance for Crimea, if such assistance*  
14 *includes the participation of Russian Govern-*  
15 *ment officials, or other Russian owned or con-*  
16 *trolled financial entities.*

17 (3) *The Secretary of the Treasury shall instruct*  
18 *the United States executive directors of each inter-*  
19 *national financial institution to vote against any as-*  
20 *sistance by such institution (including any loan,*  
21 *credit, or guarantee) for any program that violates*  
22 *the sovereignty or territorial integrity of Ukraine.*

23 (4) *The requirements and limitations of this sub-*  
24 *section shall cease to be in effect if the Secretary of*  
25 *State determines and reports to the Committees on*

1       *Appropriations that the Government of Ukraine has*  
2       *reestablished sovereignty over Crimea.*

3       (c) *OCCUPATION OF THE GEORGIAN TERRITORIES OF*  
4       *ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—*

5               (1) *None of the funds appropriated by this Act*  
6       *may be made available for assistance for the central*  
7       *government of a country that the Secretary of State*  
8       *determines and reports to the Committees on Approp-*  
9       *riations has recognized the independence of, or has*  
10       *established diplomatic relations with, the Russian oc-*  
11       *cupied Georgian territories of Abkhazia and*  
12       *Tskhinvali Region/South Ossetia: Provided, That the*  
13       *Secretary shall publish on the Department of State*  
14       *Web site a list of any such central governments in a*  
15       *timely manner: Provided further, That the Secretary*  
16       *may waive the restriction on assistance required by*  
17       *this paragraph if the Secretary determines and re-*  
18       *ports to the Committees on Appropriations that to do*  
19       *so is in the national interest of the United States, and*  
20       *includes a justification for such interest.*

21               (2) *None of the funds appropriated by this Act*  
22       *may be made available to support the Russian occu-*  
23       *pation of the Georgian territories of Abkhazia and*  
24       *Tskhinvali Region/South Ossetia.*

1           (3) *The Secretary of the Treasury shall instruct*  
2 *the United States executive directors of each inter-*  
3 *national financial institution to vote against any as-*  
4 *sistance by such institution (including any loan,*  
5 *credit, or guarantee) for any program that violates*  
6 *the sovereignty and territorial integrity of Georgia.*

7           (4) *Not later than 90 days after enactment of*  
8 *this Act, the Secretary of State shall submit to the ap-*  
9 *propriate congressional committees a report on ac-*  
10 *tions taken by the Russian Federation to further con-*  
11 *solidate the occupation of the Georgian territories of*  
12 *Abkhazia and Tskhinvali Region/South Ossetia, in-*  
13 *cluding the estimated annual costs of such occupation.*

14       (d) *ASSISTANCE TO COUNTER INFLUENCE AND AG-*  
15 *GRESSION.—*

16           (1) *Of the funds appropriated by this Act under*  
17 *the headings “Assistance for Europe, Eurasia and*  
18 *Central Asia”, “International Narcotics Control and*  
19 *Law Enforcement”, and “Foreign Military Financing*  
20 *Program”, not less than \$100,000,000 shall be made*  
21 *available for assistance to counter Russian influence*  
22 *and aggression in countries in Europe and Eurasia:*  
23 *Provided, That such funds shall be referred to as the*  
24 *Countering Russian Influence Fund (the Fund), and*  
25 *be made available to civil society organizations and*

1        *other entities in such countries for rule of law, media,*  
2        *cyber, and other programs that strengthen democratic*  
3        *institutions and processes, and counter Russian influ-*  
4        *ence and aggression: Provided further, That not later*  
5        *than 45 days after enactment of this Act, the Sec-*  
6        *retary of State, in consultation with the USAID Ad-*  
7        *ministrator, shall submit a spend plan to the Com-*  
8        *mittees on Appropriations detailing the proposed uses*  
9        *of the Fund on a country-by-country basis: Provided*  
10       *further, That such funds shall be in addition to*  
11       *amounts made available for bilateral assistance for*  
12       *such countries.*

13                *(2) Funds appropriated by this Act and made*  
14        *available for assistance for the Eastern Partnership*  
15        *countries shall be made available to advance the im-*  
16        *plementation of Association Agreements and trade*  
17        *agreements with the European Union, and to reduce*  
18        *their vulnerability to external economic and political*  
19        *pressure from the Russian Federation.*

20                *(e) DEMOCRACY PROGRAMS.—Funds appropriated by*  
21        *this Act shall be made available to support democracy pro-*  
22        *grams in the Russian Federation, including to promote*  
23        *Internet freedom, and shall also be made available to sup-*  
24        *port the democracy and rule of law strategy required by*  
25        *section 7071(d) of the Department of State, Foreign Oper-*

1 *tions, and Related Programs Appropriations Act, 2014*  
2 *(division K of Public Law 113–76).*

3 *(f) REPORTS.—Not later than 45 days after enactment*  
4 *of this Act, the Secretary of State shall update the reports*  
5 *required by section 7071(b)(2), (c), and (e) of the Depart-*  
6 *ment of State, Foreign Operations, and Related Programs*  
7 *Appropriations Act, 2014 (division K of Public Law 113–*  
8 *76).*

9 *INTERNATIONAL MONETARY FUND*

10 *SEC. 7071. (a) EXTENSIONS.—The terms and condi-*  
11 *tions of sections 7086(b) (1) and (2) and 7090(a) of the*  
12 *Department of State, Foreign Operations, and Related Pro-*  
13 *grams Appropriations Act, 2010 (division F of Public Law*  
14 *111–117) shall apply to this Act.*

15 *(b) REPAYMENT.—The Secretary of the Treasury shall*  
16 *instruct the United States Executive Director of the Inter-*  
17 *national Monetary Fund (IMF) to seek to ensure that any*  
18 *loan will be repaid to the IMF before other private creditors.*

19 *SPECIAL DEFENSE ACQUISITION FUND*

20 *SEC. 7072. Not to exceed \$900,000,000 may be obli-*  
21 *gated pursuant to section 51(c)(2) of the Arms Export Con-*  
22 *trol Act for the purposes of the Special Defense Acquisition*  
23 *Fund (the Fund), to remain available for obligation until*  
24 *September 30, 2019: Provided, That the provision of defense*  
25 *articles and defense services to foreign countries or inter-*



1 *national organizations from the Fund shall be subject to*  
2 *the concurrence of the Secretary of State.*

3 *STABILITY AND DEVELOPMENT IN REGIONS IMPACTED BY*  
4 *EXTREMISM AND CONFLICT*

5 *SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS AND*  
6 *EXTREMIST ORGANIZATIONS, AND STRENGTHENING THE*  
7 *STATE SYSTEM.—*

8 *(1) Not later than 30 days after enactment of*  
9 *this Act and prior to the initial obligation of funds*  
10 *made available by this Act for the purposes of this*  
11 *subsection, the Secretary of State, in consultation*  
12 *with the Administrator of the United States Agency*  
13 *for International Development and the heads of rel-*  
14 *evant United States Government agencies, shall sub-*  
15 *mit to the appropriate congressional committees a*  
16 *joint strategy to counter and defeat violent extremism*  
17 *and foreign fighters abroad, which shall include com-*  
18 *ponents to—*

19 *(A) counter the recruitment, radicalization,*  
20 *movement, and financing of such extremists and*  
21 *foreign fighters;*

22 *(B) secure borders of countries impacted by*  
23 *extremism;*

24 *(C) assist countries impacted by extremism*  
25 *to implement and establish criminal laws and*

1           *policies to counter extremists and foreign fight-*  
2           *ers; and*

3                   *(D) promote and strengthen democratic in-*  
4           *stitutions and practices in countries impacted by*  
5           *extremism:*

6           *Provided, That such strategy shall include a detailed*  
7           *description of proposed monitoring, oversight, and*  
8           *vetting procedures.*

9                   *(2) Funds appropriated under titles III and IV*  
10          *of this Act shall be made available for programs and*  
11          *activities to implement the strategy required in para-*  
12          *graph (1) in a manner consistent with all applicable*  
13          *laws, regulations, and policies regarding the use of*  
14          *foreign assistance funds: Provided, That the Secretary*  
15          *of State shall promptly inform the appropriate con-*  
16          *gressional committees of each instance in which as-*  
17          *stance provided pursuant to this subsection has been*  
18          *diverted or destroyed, to include the type and amount*  
19          *of assistance, a description of the incident and parties*  
20          *involved, and an explanation of the response of the*  
21          *Department of State or USAID, as appropriate: Pro-*  
22          *vided further, That the Secretary of State shall ensure*  
23          *such programs are coordinated with and complement*  
24          *the efforts of other United States Government agencies*  
25          *and international partners: Provided further, That*

1        *the Secretary shall also ensure that information*  
2        *gained through the conduct of such programs is*  
3        *shared in a timely manner with relevant United*  
4        *States Government agencies and other international*  
5        *partners, as appropriate.*

6                *(3) Funds made available pursuant to this sub-*  
7        *section are subject to the regular notification proce-*  
8        *dures of the Committees on Appropriations.*

9                *(b) COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE*  
10        *POPULATIONS OR INTERNALLY DISPLACED PERSONS.—*  
11        *Funds appropriated by this Act under the headings “Devel-*  
12        *opment Assistance” and “Economic Support Fund” shall*  
13        *be made available for programs in countries affected by sig-*  
14        *nificant populations of internally displaced persons or refu-*  
15        *gees to—*

16                *(1) expand and improve host government social*  
17        *services and basic infrastructure to accommodate the*  
18        *needs of such populations and persons;*

19                *(2) alleviate the social and economic strains*  
20        *placed on host communities, including through pro-*  
21        *grams to promote livelihoods, vocational training,*  
22        *and formal and informal education;*

23                *(3) improve coordination of such assistance in a*  
24        *more effective and sustainable manner; and*

1           (4) *leverage increased assistance from donors*  
 2           *other than the United States Government for central*  
 3           *governments and local communities in such countries:*  
 4 *Provided, That the Secretary of State shall periodically in-*  
 5 *form the Committees on Appropriations of the amount and*  
 6 *specific uses of funds made available for the purposes of*  
 7 *this subsection.*

8                                 *ENTERPRISE FUNDS*

9           *SEC. 7074. (a) NOTIFICATION REQUIREMENT.—None*  
 10 *of the funds made available under titles III through VI of*  
 11 *this Act may be made available for Enterprise Funds unless*  
 12 *the appropriate congressional committees are notified at*  
 13 *least 15 days in advance.*

14           *(b) DISTRIBUTION OF ASSETS PLAN.—Prior to the dis-*  
 15 *tribution of any assets resulting from any liquidation, dis-*  
 16 *solution, or winding up of an Enterprise Fund, in whole*  
 17 *or in part, the President shall submit to the appropriate*  
 18 *congressional committees a plan for the distribution of the*  
 19 *assets of the Enterprise Fund.*

20           *(c) TRANSITION OR OPERATING PLAN.—Prior to a*  
 21 *transition to and operation of any private equity fund or*  
 22 *other parallel investment fund under an existing Enterprise*  
 23 *Fund, the President shall submit such transition or oper-*  
 24 *ating plan to the appropriate congressional committees.*

1           *USE OF FUNDS IN CONTRAVENTION OF THIS ACT*

2           *SEC. 7075. If the President makes a determination not*  
3 *to comply with any provision of this Act on constitutional*  
4 *grounds, the head of the relevant Federal agency shall notify*  
5 *the Committees on Appropriations in writing within 5 days*  
6 *of such determination, the basis for such determination and*  
7 *any resulting changes to program and policy.*

8   *BUDGET DOCUMENTS*

9           *SEC. 7076. (a) OPERATING AND REORGANIZATION*  
10 *PLANS.—*

11                   (1) *Not later than 45 days after the date of en-*  
12 *actment of this Act, each department, agency, or orga-*  
13 *nization funded in titles I, II, and VI of this Act, and*  
14 *the Department of the Treasury and Independent*  
15 *Agencies funded in title III of this Act, including the*  
16 *Inter-American Foundation and the United States*  
17 *African Development Foundation, shall submit to the*  
18 *Committees on Appropriations an operating plan for*  
19 *funds appropriated to such department, agency, or*  
20 *organization in such titles of this Act, or funds other-*  
21 *wise available for obligation in fiscal year 2017, that*  
22 *provides details of the uses of such funds at the pro-*  
23 *gram, project, and activity level: Provided, That such*  
24 *plans shall include, as applicable, a comparison be-*  
25 *tween the congressional budget justification funding*

1        *levels, the most recent congressional directives or ap-*  
2        *proved funding levels, and the funding levels proposed*  
3        *by the department or agency; and a clear, concise,*  
4        *and informative description/justification: Provided*  
5        *further, That if such department, agency, or organiza-*  
6        *tion receives an additional amount under the same*  
7        *heading in title VIII of this Act, operating plans re-*  
8        *quired by this subsection shall include consolidated*  
9        *information on all such funds: Provided further, That*  
10       *operating plans that include changes in levels of fund-*  
11       *ing for programs, projects, and activities specified in*  
12       *the congressional budget justification, in this Act, or*  
13       *amounts specifically designated in the respective ta-*  
14       *bles included in the explanatory statement described*  
15       *in section 4 (in the matter preceding division A of*  
16       *this Consolidated Act), as applicable, shall be subject*  
17       *to the notification and reprogramming requirements*  
18       *of section 7015 of this Act.*

19                *(2) Concurrent with the submission of an oper-*  
20        *ating plan pursuant to paragraph (1), each covered*  
21        *department, agency, or organization shall submit to*  
22        *the Committees on Appropriations a report detailing*  
23        *any planned reorganization of such department,*  
24        *agency, or organization, including any action*  
25        *planned pursuant to the March 31, 2017 Executive*

1       *Order 13781 on a Comprehensive Plan for Reorga-*  
2       *nizing the Executive Branch, including—*

3               *(A) a detailed organization chart, including*  
4               *a brief description of each operating unit;*

5               *(B) the number of employees for each oper-*  
6               *ating unit;*

7               *(C) the current policy for supporting the*  
8               *operations of the National Security Council*  
9               *(NSC) through the detail of agency staff, includ-*  
10              *ing staff projected to be detailed to the NSC dur-*  
11              *ing fiscal year 2018, if applicable; and*

12              *(D) a detailed explanation of the policies*  
13              *and procedures currently or expected to be used*  
14              *to comply with Executive Order 13781, includ-*  
15              *ing an assessment of how national security inter-*  
16              *ests will be served by any proposed reorganiza-*  
17              *tions.*

18       ***(b) SPEND PLANS.—***

19              *(1) Prior to the initial obligation of funds, the*  
20              *Secretary of State or Administrator of the United*  
21              *States Agency for International Development, as ap-*  
22              *propriate, shall submit to the Committees on Appro-*  
23              *priations a spend plan for funds made available by*  
24              *this Act, for—*

1           (A) assistance for Afghanistan, Iraq, Leb-  
2           anon, Pakistan, and the West Bank and Gaza;

3           (B) Power Africa and the regional security  
4           initiatives listed under this section in House Re-  
5           port 114–693: Provided, That the spend plan for  
6           such initiatives shall include the amount of as-  
7           sistance planned for each country by account, to  
8           the maximum extent practicable; and

9           (C) democracy programs, programs to sup-  
10          port section 7073(a) of this Act, and sectors enu-  
11          merated in subsections (a), (c)(2), (d), (e), (f),  
12          (g), and (h) of section 7060 of this Act.

13          (2) Not later than 45 days after enactment of  
14          this Act, the Secretary of the Treasury shall submit  
15          to the Committees on Appropriations a detailed spend  
16          plan for funds made available by this Act under the  
17          heading “Department of the Treasury, International  
18          Affairs Technical Assistance” in title III.

19          (c) SPENDING REPORT.—Not later than 45 days after  
20          enactment of this Act, the USAID Administrator shall sub-  
21          mit to the Committees on Appropriations a detailed report  
22          on spending of funds made available during fiscal year  
23          2016 under the heading “Development Credit Authority”.

24          (d) NOTIFICATIONS.—The spend plans referenced in  
25          subsection (b) shall not be considered as meeting the notifi-



1 cation requirements in this Act or under section 634A of  
2 the Foreign Assistance Act of 1961.

3 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

4 (1) The congressional budget justification for De-  
5 partment of State operations and foreign operations  
6 shall be provided to the Committees on Appropria-  
7 tions concurrent with the date of submission of the  
8 President's budget for fiscal year 2018: Provided,  
9 That the appendices for such justification shall be  
10 provided to the Committees on Appropriations not  
11 later than 10 calendar days thereafter.

12 (2) The Secretary of State and the USAID Ad-  
13 ministrator shall include in the congressional budget  
14 justification a detailed justification for multi-year  
15 availability for any funds requested under the head-  
16 ings "Diplomatic and Consular Programs" and "Op-  
17 erating Expenses".

18 REPORTS AND RECORDS MANAGEMENT

19 SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

20 (1) REQUIREMENT.—Any agency receiving funds  
21 made available by this Act shall, subject to para-  
22 graphs (2) and (3), post on the publicly available Web  
23 site of such agency any report required by this Act to  
24 be submitted to the Committees on Appropriations,

1       upon a determination by the head of such agency that  
2       to do so is in the national interest.

3               (2) *EXCEPTIONS.*—Paragraph (1) shall not  
4       apply to a report if—

5                       (A) the public posting of such report would  
6                       compromise national security, including the con-  
7                       duct of diplomacy; or

8                       (B) the report contains proprietary, privi-  
9                       leged, or sensitive information.

10               (3) *TIMING AND INTENTION.*—The head of the  
11       agency posting such report shall, unless otherwise pro-  
12       vided for in this Act, do so only after such report has  
13       been made available to the Committees on Appropria-  
14       tions for not less than 45 days: Provided, That any  
15       report required by this Act to be submitted to the  
16       Committees on Appropriations shall include informa-  
17       tion from the submitting agency on whether such re-  
18       port will be publicly posted.

19               (b) *REQUESTS FOR DOCUMENTS.*—None of the funds  
20       appropriated or made available pursuant to titles III  
21       through VI of this Act shall be available to a nongovern-  
22       mental organization, including any contractor, which fails  
23       to provide upon timely request any document, file, or record  
24       necessary to the auditing requirements of the Department

1 *of State and the United States Agency for International*  
2 *Development.*

3 (c) *RECORDS MANAGEMENT.*—

4 (1) *LIMITATION.*—None of the funds appro-  
5 priated by this Act under the headings “Diplomatic  
6 and Consular Programs” and “Capital Investment  
7 Fund” in title I, and “Operating Expenses” and  
8 “Capital Investment Fund” in title II that are made  
9 available to the Department of State and USAID  
10 may be made available to support the use or estab-  
11 lishment of email accounts or email servers created  
12 outside the .gov domain or not fitted for automated  
13 records management as part of a Federal government  
14 records management program in contravention of the  
15 Presidential and Federal Records Act Amendments of  
16 2014 (Public Law 113–187).

17 (2) *DIRECTIVES.*—The Secretary of State and  
18 USAID Administrator shall—

19 (A) update the policies, directives, and over-  
20 sight necessary to comply with Federal statutes,  
21 regulations, and presidential executive orders  
22 and memoranda concerning the preservation of  
23 all records made or received in the conduct of of-  
24 ficial business, including record emails, instant  
25 messaging, and other online tools;

1           (B) use funds appropriated by this Act  
2 under the headings “Diplomatic and Consular  
3 Programs” and “Capital Investment Fund” in  
4 title I, and “Operating Expenses” and “Capital  
5 Investment Fund” in title II, as appropriate, to  
6 improve Federal records management pursuant  
7 to the Federal Records Act (44 U.S.C. Chapters  
8 21, 29, 31, and 33) and other applicable Federal  
9 records management statutes, regulations, or  
10 policies for the Department of State and USAID;

11           (C) direct departing employees that all Fed-  
12 eral records generated by such employees, includ-  
13 ing senior officials, belong to the Federal Govern-  
14 ment; and

15           (D) significantly improve the response time  
16 for identifying and retrieving Federal records,  
17 including requests made pursuant to the Free-  
18 dom of Information Act.

19           (3) REPORT.—Not later than 45 days after en-  
20 actment of this Act, the Secretary of State and  
21 USAID Administrator shall each submit a report to  
22 the Committees on Appropriations and to the Na-  
23 tional Archives and Records Administration detail-  
24 ing, as appropriate and where applicable—

1           (A) any updates or modifications made to  
2           the policy of each agency regarding the use or the  
3           establishment of email accounts or email servers  
4           created outside the .gov domain or not fitted for  
5           automated records management as part of a Fed-  
6           eral government records management program  
7           since the submission to the Committees on Ap-  
8           propriations on January 20, 2016, of the report  
9           required by section 7077(c)(2) of the Department  
10          of State, Foreign Operations, and Related Pro-  
11          grams Appropriations Act, 2016 (division K of  
12          Public Law 114–113);

13          (B) the extent to which each agency is in  
14          compliance with applicable Federal records man-  
15          agement statutes, regulations, and policies, in-  
16          cluding meeting Directive goal 1.2 of the Man-  
17          aging Government Records Directive (M–12–18)  
18          by December 31, 2016; and

19          (C) any steps taken since the submission of  
20          the report referenced in subparagraph (A) to—

21                 (i) comply with paragraph (1)(B) of  
22                 this subsection;

23                 (ii) ensure that all employees at every  
24                 level have been instructed in procedures and  
25                 processes to ensure that the documentation

1           *of their official duties is captured, pre-*  
2           *served, managed, protected, and accessible*  
3           *in official Government systems of the De-*  
4           *partment of State and USAID;*

5           *(iii) implement recommendations 1*  
6           *and 4 made by the Office of the Inspector*  
7           *General (OIG), Department of State, in the*  
8           *January 2016 Evaluation of the Depart-*  
9           *ment of State's FOIA Process for Requests*  
10          *Involving the Office of the Secretary (ESP-*  
11          *16-01);*

12          *(iv) reduce the backlog of Freedom of*  
13          *Information Act (FOIA) and Congressional*  
14          *oversight requests, and measurably improve*  
15          *the response time for answering such re-*  
16          *quests; and*

17          *(v) strengthen cyber security measures*  
18          *to mitigate vulnerabilities, including those*  
19          *resulting from the use of personal email ac-*  
20          *counts or servers outside the .gov domain*  
21          *and implement the recommendations of the*  
22          *OIG in the May 2016 Evaluation of Email*  
23          *Records Management and Cybersecurity Re-*  
24          *quirements (ESP-16-03).*

1           (4) *IMPLEMENTATION AND OPERATING PLAN.*—  
2           *The reports required by paragraph (3) shall be sub-*  
3           *mitted by the Secretary of State or USAID Adminis-*  
4           *trator simultaneously with the operating plans re-*  
5           *quired by section 7076 of this Act for funds appro-*  
6           *priated under the headings listed in paragraph (1),*  
7           *and shall include an operating plan and timeline, as*  
8           *applicable, for—*

9                     (A) *implementing the recommendations of*  
10                    *the OIG reports referenced in clauses (iii) and*  
11                    *(v); and*

12                    (B) *measurably reducing the FOIA and*  
13                    *Congressional oversight requests backlog.*

14           (5) *REPORT ASSESSMENT.*—*Not later than 180*  
15           *days after the submission of the reports required by*  
16           *paragraph (3), the Comptroller General of the United*  
17           *States, in consultation with National Archives and*  
18           *Records Administration, as appropriate, shall con-*  
19           *duct an assessment of such reports, and shall consult*  
20           *with the Committees on Appropriations on the scope*  
21           *and requirements of such assessment.*

22    *GLOBAL INTERNET FREEDOM*

23           *SEC. 7078. (a) FUNDING.*—*Of the funds available for*  
24           *obligation during fiscal year 2017 under the headings*  
25           *“International Broadcasting Operations”, “Economic Sup-*

1 port Fund”, “Democracy Fund”, and “Assistance for Eu-  
2 rope, Eurasia and Central Asia”, not less than \$50,500,000  
3 shall be made available for programs to promote Internet  
4 freedom globally: Provided, That such programs shall be  
5 prioritized for countries whose governments restrict freedom  
6 of expression on the Internet, and that are important to  
7 the national interests of the United States: Provided further,  
8 That funds made available pursuant to this section shall  
9 be matched, to the maximum extent practicable, by sources  
10 other than the United States Government, including from  
11 the private sector.

12 (b) REQUIREMENTS.—

13 (1) Funds appropriated by this Act under the  
14 headings “Economic Support Fund”, “Democracy  
15 Fund”, and “Assistance for Europe, Eurasia and  
16 Central Asia” that are made available pursuant to  
17 subsection (a) shall be—

18 (A) coordinated with other democracy pro-  
19 grams funded by this Act under such headings,  
20 and shall be incorporated into country assistance  
21 and democracy promotion strategies, as appro-  
22 priate;

23 (B) made available to the Bureau of Democ-  
24 racy, Human Rights, and Labor, Department of  
25 State, for programs to implement the May 2011,



1 *International Strategy for Cyberspace; the De-*  
2 *partment of State International Cyberspace Pol-*  
3 *icy Strategy required by section 402 of the Cy-*  
4 *bersecurity Act of 2015 (division N of Public*  
5 *Law 114–113); and the comprehensive strategy*  
6 *to promote Internet freedom and access to infor-*  
7 *mation in Iran, as required by section 414 of the*  
8 *Iran Threat Reduction and Syria Human*  
9 *Rights Act of 2012 (22 U.S.C. 8754);*

10 *(C) made available for programs that sup-*  
11 *port the efforts of civil society to counter the de-*  
12 *velopment of repressive Internet-related laws and*  
13 *regulations, including countering threats to*  
14 *Internet freedom at international organizations;*  
15 *to combat violence against bloggers and other*  
16 *users; and to enhance digital security training*  
17 *and capacity building for democracy activists;*

18 *(D) made available for research of key*  
19 *threats to Internet freedom; the continued devel-*  
20 *opment of technologies that provide or enhance*  
21 *access to the Internet, including circumvention*  
22 *tools that bypass Internet blocking, filtering, and*  
23 *other censorship techniques used by authori-*  
24 *tarian governments; and maintenance of the*  
25 *technological advantage of the United States*

1           *Government over such censorship techniques:*  
2           *Provided, That the Secretary of State, in con-*  
3           *sultation with the Chief Executive Officer (CEO)*  
4           *of the Broadcasting Board of Governors (BBG),*  
5           *shall coordinate any such research and develop-*  
6           *ment programs with other relevant United States*  
7           *Government departments and agencies in order*  
8           *to share information, technologies, and best prac-*  
9           *tices, and to assess the effectiveness of such tech-*  
10          *nologies; and*

11                   *(E) the responsibility of the Assistant Sec-*  
12                   *retary for Democracy, Human Rights, and*  
13                   *Labor, Department of State.*

14           *(2) Funds appropriated by this Act under the*  
15           *heading “International Broadcasting Operations”*  
16           *that are made available pursuant to subsection (a)*  
17           *shall be—*

18                   *(A) made available only for tools and tech-*  
19                   *niques to securely develop and distribute BBG*  
20                   *digital content; facilitate audience access to such*  
21                   *content on Web sites that are censored; coordi-*  
22                   *nate the distribution of BBG digital content to*  
23                   *targeted regional audiences; and to promote and*  
24                   *distribute such tools and techniques, including*  
25                   *digital security techniques;*

1           (B) coordinated with programs funded by  
2 this Act under the heading “International  
3 Broadcasting Operations”, and shall be incor-  
4 porated into country broadcasting strategies, as  
5 appropriate;

6           (C) coordinated by the BBG CEO to pro-  
7 vide Internet circumvention tools and techniques  
8 for audiences in countries that are strategic pri-  
9 orities for the BBG and in a manner consistent  
10 with the BBG Internet freedom strategy; and

11           (D) made available for the research and de-  
12 velopment of new tools or techniques authorized  
13 in paragraph (A) only after the BBG CEO, in  
14 consultation with the Secretary of State and  
15 other relevant United States Government depart-  
16 ments and agencies, evaluates the risks and bene-  
17 fits of such new tools or techniques, and estab-  
18 lishes safeguards to minimize the use of such new  
19 tools or techniques for illicit purposes.

20           (c) COORDINATION AND SPEND PLANS.—After con-  
21 sultation among the relevant agency heads to coordinate  
22 and de-conflict planned activities, but not later than 90  
23 days after enactment of this Act, the Secretary of State and  
24 the BBG CEO shall submit to the Committees on Appro-  
25 priations spend plans for funds made available by this Act

1 *for programs to promote Internet freedom globally, which*  
2 *shall include a description of safeguards established by rel-*  
3 *evant agencies to ensure that such programs are not used*  
4 *for illicit purposes: Provided, That the Department of State*  
5 *spend plan shall include funding for all such programs for*  
6 *all relevant Department of State and USAID offices and*  
7 *bureaus: Provided further, That prior to the obligation of*  
8 *such funds, such offices and bureaus shall consult with the*  
9 *Assistant Secretary for Democracy, Human Rights, and*  
10 *Labor, Department of State, to ensure that such programs*  
11 *support the Department of State Internet freedom strategy.*

12 *IMPACT ON JOBS IN THE UNITED STATES*

13 *SEC. 7079. None of the funds appropriated or other-*  
14 *wise made available under titles III through VI of this Act*  
15 *may be obligated or expended to provide—*

16 *(1) any financial incentive to a business enter-*  
17 *prise currently located in the United States for the*  
18 *purpose of inducing such an enterprise to relocate*  
19 *outside the United States if such incentive or induce-*  
20 *ment is likely to reduce the number of employees of*  
21 *such business enterprise in the United States because*  
22 *United States production is being replaced by such*  
23 *enterprise outside the United States;*

24 *(2) assistance for any program, project, or activ-*  
25 *ity that contributes to the violation of internationally*

1 *recognized workers' rights, as defined in section*  
2 *507(4) of the Trade Act of 1974, of workers in the re-*  
3 *recipient country, including any designated zone or*  
4 *area in that country: Provided, That the application*  
5 *of section 507(4)(D) and (E) of such Act should be*  
6 *commensurate with the level of development of the re-*  
7 *recipient country and sector, and shall not preclude as-*  
8 *sistance for the informal sector in such country, micro*  
9 *and small-scale enterprise, and smallholder agri-*  
10 *culture;*

11 *(3) any assistance to an entity outside the*  
12 *United States if such assistance is for the purpose of*  
13 *directly relocating or transferring jobs from the*  
14 *United States to other countries and adversely im-*  
15 *pacts the labor force in the United States; or*

16 *(4) for the enforcement of any rule, regulation,*  
17 *policy, or guidelines implemented pursuant to—*

18 *(A) the third proviso of subsection 7079(b)*  
19 *of the Consolidated Appropriations Act, 2010;*

20 *(B) the modification proposed by the Over-*  
21 *seas Private Investment Corporation in Novem-*  
22 *ber 2013 to the Corporation's Environmental*  
23 *and Social Policy Statement relating to coal; or*

24 *(C) the Supplemental Guidelines for High*  
25 *Carbon Intensity Projects approved by the Ex-*

1           *port-Import Bank of the United States on De-*  
2           *cember 12, 2013,*  
3           *when enforcement of such rule, regulation, policy, or*  
4           *guidelines would prohibit, or have the effect of prohib-*  
5           *iting, any coal-fired or other power-generation project*  
6           *the purpose of which is to: (i) provide affordable elec-*  
7           *tricity in International Development Association*  
8           *(IDA)-eligible countries and IDA-blend countries; and*  
9           *(ii) increase exports of goods and services from the*  
10          *United States or prevent the loss of jobs from the*  
11          *United States.*

12                                    *FRAGILE STATES AND EXTREMISM*

13          *SEC. 7080. (a) FUNDING.—Funds appropriated by*  
14          *this Act under the heading “Economic Support Fund” that*  
15          *are made available for assistance for Syria, Iraq, and So-*  
16          *malia shall be made available to carry out the purposes*  
17          *of this section, subject to prior consultation with, and the*  
18          *regular notification procedures of, the Committees on Ap-*  
19          *propriations.*

20          *(b) COMPREHENSIVE PLAN.—Funds made available*  
21          *pursuant to subsection (a) shall be transferred to, and*  
22          *merged with, funds appropriated by this Act under the*  
23          *heading “United States Institute of Peace” for the purposes*  
24          *of developing a comprehensive plan (the Plan) to prevent*  
25          *the underlying causes of extremism in fragile states in the*

1 *Sahel, Horn of Africa, and the Near East: Provided, That*  
2 *such funds are in addition to amounts otherwise available*  
3 *to the United States Institute of Peace (USIP) under title*  
4 *I of this Act: Provided further, That USIP shall consult*  
5 *with the Committees on Appropriations prior to developing*  
6 *such Plan: Provided further, That USIP shall also consult*  
7 *with relevant United States Government agencies, foreign*  
8 *governments, and civil society, as appropriate, in devel-*  
9 *oping the Plan.*

10       (c) *DEMONSTRATION PROJECT.—Funds made avail-*  
11 *able by subsection (a) shall be made available to implement*  
12 *the Plan required by subsection (b) through a demonstra-*  
13 *tion project, consistent with the requirements described in*  
14 *section 7073(d)(2) of S. 3117 (as introduced in the Senate*  
15 *on June 29, 2016): Provided, That such funds shall be made*  
16 *available to the maximum extent practicable on a cost-*  
17 *matching basis from sources other than the United States*  
18 *Government.*

19           *CONSULAR AND BORDER SECURITY PROGRAMS*

20       *SEC. 7081. (a) SEPARATE FUND.—There is established*  
21 *in the Treasury a separate fund to be known as the “Con-*  
22 *sular and Border Security Programs” account into which*  
23 *the following fees shall be deposited for the purposes of the*  
24 *consular and border security programs.*

1           (b) *MACHINE-READABLE VISA FEE.*—Section 103(d) of  
2 *Public Law 107–173 (8 U.S.C. 1713)* is amended by strik-  
3 *ing “credited as an offsetting collection to any appropria-*  
4 *tion for the Department of State” and inserting “deposited*  
5 *in the Consular and Border Security Programs account”.*

6           (c) *PASSPORT AND IMMIGRANT VISA SECURITY SUR-*  
7 *CHARGES.*—The fourth paragraph under the heading “*Dip-*  
8 *lomatic and Consular Programs*” in title IV of division B  
9 of *Public Law 108–447 (8 U.S.C. 1714)* is amended by  
10 *striking “credited to this account” and inserting “deposited*  
11 *in the Consular and Border Security Programs account”.*

12           (d) *DIVERSITY IMMIGRANT LOTTERY FEE.*—Section  
13 636 of title VI, division C of *Public Law 104–208 (8 U.S.C.*  
14 *1153 note)* is amended by striking “*as an offsetting collec-*  
15 *tion to any Department of State appropriation” and insert-*  
16 *ing “in the Consular and Border Security Programs ac-*  
17 *count”.*

18           (e) *AFFIDAVIT OF SUPPORT FEE.*—Section 232(c) of  
19 title II of division A of *H.R. 3427 (106th Congress)* (incor-  
20 *porated by reference by section 1000(a)(7) of division B of*  
21 *Public Law 106–113, as amended (8 U.S.C. 1183a note),*  
22 *is further amended by striking “as an offsetting collection*  
23 *to any Department of State appropriation” and inserting*  
24 *“in the Consular and Border Security Programs account”.*



1           (f) *WESTERN HEMISPHERE TRAVEL INITIATIVE SUR-*  
2 *CHARGE.*—Subsection (b)(1) of section 1 of the Passport Act  
3 of June 4, 1920 (22 U.S.C. 214(b)(1)) is amended by strik-  
4 ing “as an offsetting collection to the appropriate Depart-  
5 ment of State appropriation” and inserting “in the Con-  
6 sular and Border Security Programs account”.

7           (g) *EXPEDITED PASSPORT FEE.*—The first proviso  
8 under the heading “Diplomatic and Consular Programs”  
9 in title V of Public Law 103–317 (22 U.S.C. 214 note) is  
10 amended by inserting “or in the Consular and Border Secu-  
11 rity Programs account” after “offsetting collection”.

12           (h) *TRANSFER OF FUNDS.*—

13                 (1) *The unobligated balances of amounts avail-*  
14 *able from fees referenced under this section may be*  
15 *transferred to the Consular and Border Security Pro-*  
16 *grams account.*

17                 (2) *Funds deposited in or transferred to the Con-*  
18 *sular and Border Security Programs account may be*  
19 *transferred between funds appropriated under the*  
20 *heading “Administration of Foreign Affairs”.*

21                 (3) *The transfer authorities in this section shall*  
22 *be in addition to any other transfer authority avail-*  
23 *able to the Department of State.*

24           (i) *EFFECTIVE DATE.*—The amendments made by this  
25 section shall take effect no later than October 1, 2018, and

1 *shall be implemented in a manner that ensures the fees col-*  
2 *lected, transferred, and used in fiscal year 2019 can be*  
3 *readily tracked.*

4 *UNITED NATIONS POPULATION FUND*

5 *SEC. 7082. (a) CONTRIBUTION.—Of the funds made*  
6 *available under the heading “International Organizations*  
7 *and Programs” in this Act for fiscal year 2017, \$32,500,000*  
8 *shall be made available for the United Nations Population*  
9 *Fund (UNFPA).*

10 *(b) AVAILABILITY OF FUNDS.—Funds appropriated by*  
11 *this Act for UNFPA, that are not made available for*  
12 *UNFPA because of the operation of any provision of law,*  
13 *shall be transferred to the “Global Health Programs” ac-*  
14 *count and shall be made available for family planning, ma-*  
15 *ternal, and reproductive health activities, subject to the reg-*  
16 *ular notification procedures of the Committees on Appro-*  
17 *priations.*

18 *(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None*  
19 *of the funds made available by this Act may be used by*  
20 *UNFPA for a country program in the People’s Republic*  
21 *of China.*

22 *(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds*  
23 *made available by this Act for UNFPA may not be made*  
24 *available unless—*

1           (1) *UNFPA maintains funds made available by*  
2           *this Act in an account separate from other accounts*  
3           *of UNFPA and does not commingle such funds with*  
4           *other sums; and*

5           (2) *UNFPA does not fund abortions.*

6           (e) *REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR*  
7           *WITHHOLDING OF FUNDS.—*

8           (1) *Not later than 4 months after the date of en-*  
9           *actment of this Act, the Secretary of State shall sub-*  
10          *mit a report to the Committees on Appropriations in-*  
11          *dicating the amount of funds that UNFPA is budg-*  
12          *eting for the year in which the report is submitted for*  
13          *a country program in the People's Republic of China.*

14          (2) *If a report under paragraph (1) indicates*  
15          *that UNFPA plans to spend funds for a country pro-*  
16          *gram in the People's Republic of China in the year*  
17          *covered by the report, then the amount of such funds*  
18          *UNFPA plans to spend in the People's Republic of*  
19          *China shall be deducted from the funds made avail-*  
20          *able to UNFPA after March 1 for obligation for the*  
21          *remainder of the fiscal year in which the report is*  
22          *submitted.*

1 *AFGHAN ALLIES*2 *(INCLUDING RESCISSION OF FUNDS)*

3 *SEC. 7083. (a) AFGHAN ALLIES.—Section*  
4 *602(b)(3)(F) of the Afghan Allies Protection Act, 2009 (di-*  
5 *vision F of Public Law 111–8), as amended, is further*  
6 *amended by substituting “11,000” for “8,500” in the matter*  
7 *preceding clause (i).*

8 *(b) RESCISSION OF FUNDS.—Of the funds appro-*  
9 *priated in prior Acts making appropriations for the De-*  
10 *partment of State, foreign operations, and related programs*  
11 *that remain available for obligation under the heading “Bi-*  
12 *lateral Economic Assistance, Funds Appropriated to the*  
13 *President, Economic Support Fund”, \$6,000,000 are re-*  
14 *scinded: Provided, That no amounts may be rescinded from*  
15 *amounts that were designated by the Congress for Overseas*  
16 *Contingency Operations/Global War on Terrorism or as an*  
17 *emergency requirement pursuant to the Concurrent Resolu-*  
18 *tion on the Budget or section 251(b)(2)(A) of the Balanced*  
19 *Budget and Emergency Deficit Control Act of 1985, as*  
20 *amended.*

## 1 TITLE VIII

2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL

3 WAR ON TERRORISM

4 DEPARTMENT OF STATE

5 ADMINISTRATION OF FOREIGN AFFAIRS

6 DIPLOMATIC AND CONSULAR PROGRAMS

7 (INCLUDING TRANSFER OF FUNDS)

8 *For an additional amount for “Diplomatic and Con-*  
9 *sular Programs”, \$2,410,386,000, to remain available until*  
10 *September 30, 2018, of which \$1,815,210,000 is for World-*  
11 *wide Security Protection and shall remain available until*  
12 *expended: Provided, That the Secretary of State may trans-*  
13 *fer up to \$5,000,000 of the total funds made available under*  
14 *this heading to any other appropriation of any department*  
15 *or agency of the United States, upon the concurrence of the*  
16 *head of such department or agency, to support operations*  
17 *in and assistance for Afghanistan and to carry out the pro-*  
18 *visions of the Foreign Assistance Act of 1961: Provided fur-*  
19 *ther, That any such transfer shall be subject to the regular*  
20 *notification procedures of the Committees on Appropria-*  
21 *tions: Provided further, That funds appropriated under this*  
22 *heading in this title may be made available for Conflict*  
23 *Stabilization Operations and for related reconstruction and*  
24 *stabilization assistance to prevent or respond to conflict or*  
25 *civil strife in foreign countries or regions, or to enable tran-*

1 *sition from such strife: Provided further, That such amount*  
2 *is designated by the Congress for Overseas Contingency Op-*  
3 *erations/Global War on Terrorism pursuant to section*  
4 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
5 *Deficit Control Act of 1985.*

6 *OFFICE OF INSPECTOR GENERAL*

7 *For an additional amount for “Office of Inspector*  
8 *General”, \$54,900,000, to remain available until September*  
9 *30, 2018, for the Special Inspector General for Afghanistan*  
10 *Reconstruction (SIGAR) for reconstruction oversight: Pro-*  
11 *vided, That printing and reproduction costs shall not exceed*  
12 *amounts for such costs during fiscal year 2016: Provided*  
13 *further, That notwithstanding any other provision of law,*  
14 *any employee of SIGAR who completes at least 12 months*  
15 *of continuous service after the date of enactment of this Act*  
16 *or who is employed on the date on which SIGAR termi-*  
17 *nates, whichever occurs first, shall acquire competitive sta-*  
18 *tus for appointment to any position in the competitive serv-*  
19 *ice for which the employee possesses the required qualifica-*  
20 *tions: Provided further, That such amount is designated by*  
21 *the Congress for Overseas Contingency Operations/Global*  
22 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*  
23 *the Balanced Budget and Emergency Deficit Control Act*  
24 *of 1985.*

1 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

2 *For an additional amount for “Embassy Security,*  
3 *Construction, and Maintenance”, \$1,238,800,000, to re-*  
4 *main available until expended, of which \$1,228,000,000*  
5 *shall be for Worldwide Security Upgrades, acquisition, and*  
6 *construction as authorized: Provided, That such amount is*  
7 *designated by the Congress for Overseas Contingency Oper-*  
8 *ations/Global War on Terrorism pursuant to section*  
9 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
10 *Deficit Control Act of 1985.*

11 *INTERNATIONAL ORGANIZATIONS*12 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

13 *For an additional amount for “Contributions to Inter-*  
14 *national Organizations”, \$96,240,000: Provided, That such*  
15 *amount is designated by the Congress for Overseas Contin-*  
16 *gency Operations/Global War on Terrorism pursuant to sec-*  
17 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*  
18 *gency Deficit Control Act of 1985.*

19 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*20 *ACTIVITIES*

21 *For an additional amount for “Contributions for*  
22 *International Peacekeeping Activities”, \$1,354,660,000, to*  
23 *remain available until September 30, 2018: Provided, That*  
24 *such amount is designated by the Congress for Overseas*  
25 *Contingency Operations/Global War on Terrorism pursu-*

1 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
2 *Emergency Deficit Control Act of 1985.*

3 *RELATED AGENCY*

4 *BROADCASTING BOARD OF GOVERNORS*

5 *INTERNATIONAL BROADCASTING OPERATIONS*

6 *For an additional amount for “International Broad-*  
7 *casting Operations”, \$4,800,000, to remain available until*  
8 *September 30, 2018: Provided, That such amount is des-*  
9 *ignated by the Congress for Overseas Contingency Oper-*  
10 *ations/Global War on Terrorism pursuant to section*  
11 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
12 *Deficit Control Act of 1985.*

13 *UNITED STATES AGENCY FOR INTERNATIONAL*

14 *DEVELOPMENT*

15 *FUNDS APPROPRIATED TO THE PRESIDENT*

16 *OPERATING EXPENSES*

17 *For an additional amount for “Operating Expenses”,*  
18 *\$152,080,000, to remain available until September 30,*  
19 *2018: Provided, That such amount is designated by the*  
20 *Congress for Overseas Contingency Operations/Global War*  
21 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
22 *Balanced Budget and Emergency Deficit Control Act of*  
23 *1985.*



1 *BILATERAL ECONOMIC ASSISTANCE*2 *FUNDS APPROPRIATED TO THE PRESIDENT*3 *INTERNATIONAL DISASTER ASSISTANCE*

4 *For an additional amount for “International Disaster*  
5 *Assistance”, \$2,323,203,000, to remain available until ex-*  
6 *pended: Provided, That such amount is designated by the*  
7 *Congress for Overseas Contingency Operations/Global War*  
8 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
9 *Balanced Budget and Emergency Deficit Control Act of*  
10 *1985.*

11 *For an additional amount for “International Disaster*  
12 *Assistance”, \$990,000,000, to remain available until ex-*  
13 *pended, for famine prevention, relief, and mitigation, in-*  
14 *cluding for South Sudan, Somalia, Nigeria, and Yemen:*  
15 *Provided, That such amount is designated by the Congress*  
16 *for Overseas Contingency Operations/Global War on Ter-*  
17 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
18 *Budget and Emergency Deficit Control Act of 1985.*

19 *TRANSITION INITIATIVES*

20 *For an additional amount for “Transition Initia-*  
21 *tives”, \$37,000,000, to remain available until expended:*  
22 *Provided, That such amount is designated by the Congress*  
23 *for Overseas Contingency Operations/Global War on Ter-*  
24 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
25 *Budget and Emergency Deficit Control Act of 1985.*

1 *COMPLEX CRISES FUND*

2 *For an additional amount for “Complex Crises Fund”,*  
3 *\$20,000,000, to remain available until expended: Provided,*  
4 *That such amount is designated by the Congress for Over-*  
5 *seas Contingency Operations/Global War on Terrorism pur-*  
6 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
7 *and Emergency Deficit Control Act of 1985.*

8 *ECONOMIC SUPPORT FUND*

9 *For an additional amount for “Economic Support*  
10 *Fund”, \$2,609,242,000, to remain available until Sep-*  
11 *tember 30, 2018: Provided, That such amount is designated*  
12 *by the Congress for Overseas Contingency Operations/Glob-*  
13 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*  
14 *of the Balanced Budget and Emergency Deficit Control Act*  
15 *of 1985.*

16 *ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA*

17 *For an additional amount for “Assistance for Europe,*  
18 *Eurasia and Central Asia”, \$453,696,000, to remain avail-*  
19 *able until September 30, 2018: Provided, That such amount*  
20 *is designated by the Congress for Overseas Contingency Op-*  
21 *erations/Global War on Terrorism pursuant to section*  
22 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
23 *Deficit Control Act of 1985.*

1 *DEPARTMENT OF STATE*2 *MIGRATION AND REFUGEE ASSISTANCE*

3 *For an additional amount for “Migration and Refugee*  
4 *Assistance” to respond to refugee crises, including in Africa,*  
5 *the Near East, South and Central Asia, and Europe and*  
6 *Eurasia, \$2,146,198,000, to remain available until ex-*  
7 *pended, except that such funds shall not be made available*  
8 *for the resettlement costs of refugees in the United States:*  
9 *Provided, That such amount is designated by the Congress*  
10 *for Overseas Contingency Operations/Global War on Ter-*  
11 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
12 *Budget and Emergency Deficit Control Act of 1985.*

13 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*14 *ASSISTANCE FUND*

15 *For an additional amount for “United States Emer-*  
16 *gency Refugee and Migration Assistance Fund”,*  
17 *\$40,000,000, to remain available until expended: Provided,*  
18 *That such amount is designated by the Congress for Over-*  
19 *seas Contingency Operations/Global War on Terrorism pur-*  
20 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*  
21 *and Emergency Deficit Control Act of 1985.*

1            *INTERNATIONAL SECURITY ASSISTANCE*2                            *DEPARTMENT OF STATE*3            *INTERNATIONAL NARCOTICS CONTROL AND LAW*4                            *ENFORCEMENT*

5            *For an additional amount for “International Nar-*  
6 *cotics Control and Law Enforcement”, \$412,260,000, to re-*  
7 *main available until September 30, 2018: Provided, That*  
8 *such amount is designated by the Congress for Overseas*  
9 *Contingency Operations/Global War on Terrorism pursu-*  
10 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*  
11 *Emergency Deficit Control Act of 1985.*

12            *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*13                            *RELATED PROGRAMS*

14            *For an additional amount for “Nonproliferation,*  
15 *Anti-terrorism, Demining and Related Programs”,*  
16 *\$341,754,000, to remain available until September 30,*  
17 *2018: Provided, That such amount is designated by the*  
18 *Congress for Overseas Contingency Operations/Global War*  
19 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
20 *Balanced Budget and Emergency Deficit Control Act of*  
21 *1985.*

22                            *PEACEKEEPING OPERATIONS*

23            *For an additional amount for “Peacekeeping Oper-*  
24 *ations”, \$473,973,000, to remain available until September*  
25 *30, 2018: Provided, That such amount is designated by the*

1 *Congress for Overseas Contingency Operations/Global War*  
2 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*  
3 *Balanced Budget and Emergency Deficit Control Act of*  
4 *1985: Provided further, That funds available for obligation*  
5 *under this heading in this Act may be used to pay assessed*  
6 *expenses of international peacekeeping activities in Soma-*  
7 *lia, subject to the regular notification procedures of the*  
8 *Committees on Appropriations.*

9 *FUNDS APPROPRIATED TO THE PRESIDENT*

10 *FOREIGN MILITARY FINANCING PROGRAM*

11 *For an additional amount for “Foreign Military Fi-*  
12 *nancing Program”, \$1,325,808,000, to remain available*  
13 *until September 30, 2018: Provided, That such amount is*  
14 *designated by the Congress for Overseas Contingency Oper-*  
15 *ations/Global War on Terrorism pursuant to section*  
16 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*  
17 *Deficit Control Act of 1985.*

18 *GENERAL PROVISIONS*

19 *ADDITIONAL APPROPRIATIONS*

20 *SEC. 8001. Notwithstanding any other provision of*  
21 *law, funds appropriated in this title are in addition to*  
22 *amounts appropriated or otherwise made available in this*  
23 *Act for fiscal year 2017.*

1            *EXTENSION OF AUTHORITIES AND CONDITIONS*

2            *SEC. 8002. Unless otherwise provided for in this Act,*  
3 *the additional amounts appropriated by this title to appro-*  
4 *priations accounts in this Act shall be available under the*  
5 *authorities and conditions applicable to such appropria-*  
6 *tions accounts.*

7            *TRANSFER OF FUNDS*

8            *SEC. 8003. (a)(1) Funds appropriated by this title in*  
9 *this Act under the headings “Transition Initiatives”,*  
10 *“Complex Crises Fund”, “Economic Support Fund”, and*  
11 *“Assistance for Europe, Eurasia and Central Asia” may*  
12 *be transferred to, and merged with, funds appropriated by*  
13 *this title under such headings.*

14            *(2) Funds appropriated by this title in this Act under*  
15 *the headings “International Narcotics Control and Law*  
16 *Enforcement”, “Nonproliferation, Anti-terrorism,*  
17 *Demining and Related Programs”, “Peacekeeping Oper-*  
18 *ations”, and “Foreign Military Financing Program” may*  
19 *be transferred to, and merged with, funds appropriated by*  
20 *this title under such headings.*

21            *(b) Notwithstanding any other provision of this sec-*  
22 *tion, not to exceed \$15,000,000 from funds appropriated*  
23 *under the headings “International Narcotics Control and*  
24 *Law Enforcement”, “Peacekeeping Operations”, and “For-*  
25 *oreign Military Financing Program” by this title in this Act*

1 *may be transferred to, and merged with, funds previously*  
2 *made available under the heading “Global Security Contin-*  
3 *gency Fund”.*

4 *(c) The transfer authority provided in subsection (a)*  
5 *may only be exercised to address contingencies.*

6 *(d) The transfer authority provided in subsections (a)*  
7 *and (b) shall be subject to prior consultation with, and the*  
8 *regular notification procedures of, the Committees on Ap-*  
9 *propriations: Provided, That such transfer authority is in*  
10 *addition to any transfer authority otherwise available*  
11 *under any other provision of law, including section 610 of*  
12 *the Foreign Assistance Act of 1961 which may be exercised*  
13 *by the Secretary of State for the purposes of this title.*

14 *COUNTERING THE ISLAMIC STATE OF IRAQ AND SYRIA AND*  
15 *COMBATING TERRORISM IN THE NEAR EAST AND AFRICA*

16 *SEC. 8004. (a) RELIEF AND RECOVERY FUND.—Funds*  
17 *appropriated by this Act under the headings “Economic*  
18 *Support Fund”, “International Narcotics Control and Law*  
19 *Enforcement”, “Peacekeeping Operations”, and “Foreign*  
20 *Military Financing Program” that are designated for the*  
21 *Relief and Recovery Fund in the tables included in the ex-*  
22 *planatory statement described in section 4 (in the matter*  
23 *preceding division A of this Consolidated Act) shall be made*  
24 *available for assistance for areas liberated from, or under*  
25 *the influence of, the Islamic State of Iraq and Syria, other*

1 *terrorist organizations, or violent extremist organizations*  
2 *in and around the Near East and Africa: Provided, That*  
3 *such funds are in addition to amounts otherwise made*  
4 *available for such purposes and to amounts specifically des-*  
5 *ignated in this Act for assistance for foreign countries: Pro-*  
6 *vided further, That such funds shall be made available to*  
7 *the maximum extent practicable on a cost-matching basis*  
8 *from sources other than the United States, except that no*  
9 *such funds may be made available for the costs of signifi-*  
10 *cant infrastructure projects: Provided further, That such*  
11 *funds appropriated under the headings “Economic Support*  
12 *Fund” and “International Narcotics Control and Law En-*  
13 *forcement” shall be made available for programs and activi-*  
14 *ties included under this section in the explanatory state-*  
15 *ment described in section 4 (in the matter preceding divi-*  
16 *sion A of this Consolidated Act): Provided further, That the*  
17 *Secretary of State shall include funds made available pur-*  
18 *suant to this subsection in the update to reports required*  
19 *by section 204 of the Security Assistance Appropriations*  
20 *Act, 2017 (division B of Public Law 114–254).*

21 (b) *COUNTERTERRORISM PARTNERSHIPS FUND.—*  
22 *Funds appropriated by this Act under the heading “Non-*  
23 *proliferation, Anti-terrorism, Demining and Related Pro-*  
24 *grams” shall be made available for the Counterterrorism*  
25 *Partnerships Fund: Provided, That funds made available*



1 *pursuant to this subsection shall be made available to en-*  
2 *hance the capacity of Kurdistan Regional Government secu-*  
3 *rity services and for security programs in the Kurdistan*  
4 *Region of Iraq that further the security interest of the*  
5 *United States.*

6       (c) *OVERSIGHT REQUIREMENT.*—*Prior to the obliga-*  
7 *tion of funds made available pursuant to subsections (a)*  
8 *and (b), the Secretary of State shall take all practicable*  
9 *steps to ensure that mechanisms are in place for moni-*  
10 *toring, oversight, and control of such funds: Provided, That*  
11 *the Secretary shall promptly inform the appropriate con-*  
12 *gressional committees of each instance in which assistance*  
13 *provided pursuant to subsections (a) and (b) has been di-*  
14 *verted or destroyed, to include the type and amount of as-*  
15 *sistance, a description of the incident and parties involved,*  
16 *and an explanation of the response of the Department of*  
17 *State.*

18       (d) *NOTIFICATION REQUIREMENT.*—*Funds made*  
19 *available pursuant to this section shall be subject to the reg-*  
20 *ular notification procedures of the Committees on Appro-*  
21 *priations.*

22               *FAMINE PREVENTION, RELIEF, AND MITIGATION*  
23                       *(INCLUDING TRANSFER OF FUNDS)*

24       *SEC. 8005. (a) TRANSFER AUTHORITY AND NOTIFICA-*  
25 *TION REQUIREMENT.*—

1           (1) *Of the funds appropriated by this title in the*  
2           *second paragraph under the heading “International*  
3           *Disaster Assistance”—*

4                   (A) *not less than \$300,000,000 shall be*  
5                   *transferred to, and merged with, the Foreign Ag-*  
6                   *ricultural Service, “Food for Peace Title II*  
7                   *Grants” account; and*

8                   (B) *not less than \$1,500,000 shall be trans-*  
9                   *ferred to, and merged with, funds appropriated*  
10                  *by this title under the heading “Operating Ex-*  
11                  *penses” for the United States Agency for Inter-*  
12                  *national Development.*

13           (2) *Funds appropriated by this title in the sec-*  
14           *ond paragraph under the heading “International Dis-*  
15           *aster Assistance” may be transferred to, and merged*  
16           *with, funds appropriated by this title under the head-*  
17           *ing “Migration and Refugee Assistance”.*

18           (3) *The transfer authority of this subsection is in*  
19           *addition to any transfer authority otherwise available*  
20           *under any other provision of law, and shall be for*  
21           *famine prevention, relief, and mitigation.*

22           (b) *REPORTING REQUIREMENTS.—Not later than 30*  
23           *days after enactment of this Act and every 45 days there-*  
24           *after until September 30, 2018, the Director of the Office*  
25           *of Management and Budget, in consultation with the Sec-*

1 *retary of State and Administrator of the United States*  
2 *Agency for International Development, shall submit to the*  
3 *Committees on Appropriations a report on the proposed use*  
4 *of funds appropriated under the heading “International*  
5 *Disaster Assistance” from this Act and prior Acts making*  
6 *appropriations for the Department of State, foreign oper-*  
7 *ations, and related programs, for famine prevention, relief,*  
8 *and mitigation: Provided, That such report shall include*  
9 *the requirements enumerated under this section in the ex-*  
10 *planatory statement described in section 4 (in the matter*  
11 *preceding division A of this Consolidated Act).*

12 *This division may be cited as the “Department of*  
13 *State, Foreign Operations, and Related Programs Appro-*  
14 *priations Act, 2017”.*

15 ***DIVISION K—TRANSPORTATION, HOUSING***  
16 ***AND URBAN DEVELOPMENT, AND RE-***  
17 ***LATED AGENCIES APPROPRIATIONS***  
18 ***ACT, 2017***

19 ***TITLE I***

20 ***DEPARTMENT OF TRANSPORTATION***

21 ***OFFICE OF THE SECRETARY***

22 ***SALARIES AND EXPENSES***

23 *For necessary expenses of the Office of the Secretary,*  
24 *\$114,000,000, of which not to exceed \$2,758,000 shall be*  
25 *available for the immediate Office of the Secretary; not to*

1 exceed \$1,040,000 shall be available for the immediate Of-  
2 fice of the Deputy Secretary; not to exceed \$20,772,000 shall  
3 be available for the Office of the General Counsel; not to  
4 exceed \$10,033,000 shall be available for the Office of the  
5 Under Secretary of Transportation for Policy; not to exceed  
6 \$14,019,000 shall be available for the Office of the Assistant  
7 Secretary for Budget and Programs; not to exceed  
8 \$2,546,000 shall be available for the Office of the Assistant  
9 Secretary for Governmental Affairs; not to exceed  
10 \$29,356,000 shall be available for the Office of the Assistant  
11 Secretary for Administration; not to exceed \$2,142,000 shall  
12 be available for the Office of Public Affairs; not to exceed  
13 \$1,760,000 shall be available for the Office of the Executive  
14 Secretariat; not to exceed \$11,089,000 shall be available for  
15 the Office of Intelligence, Security, and Emergency Re-  
16 sponse; and not to exceed \$18,485,000 shall be available for  
17 the Office of the Chief Information Officer: Provided, That  
18 the Secretary of Transportation is authorized to transfer  
19 funds appropriated for any office of the Office of the Sec-  
20 retary to any other office of the Office of the Secretary: Pro-  
21 vided further, That no appropriation for any office shall  
22 be increased or decreased by more than 5 percent by all  
23 such transfers: Provided further, That notice of any change  
24 in funding greater than 5 percent shall be submitted for  
25 approval to the House and Senate Committees on Appro-

1 *priations: Provided further, That not to exceed \$60,000*  
2 *shall be for allocation within the Department for official*  
3 *reception and representation expenses as the Secretary may*  
4 *determine: Provided further, That notwithstanding any*  
5 *other provision of law, excluding fees authorized in Public*  
6 *Law 107-71, there may be credited to this appropriation*  
7 *up to \$2,500,000 in funds received in user fees: Provided*  
8 *further, That none of the funds provided in this Act shall*  
9 *be available for the position of Assistant Secretary for Pub-*  
10 *lic Affairs.*

11 *RESEARCH AND TECHNOLOGY*

12 *For necessary expenses related to the Office of the As-*  
13 *stant Secretary for Research and Technology,*  
14 *\$13,000,000, of which \$8,218,000 shall remain available*  
15 *until September 30, 2019: Provided, That there may be*  
16 *credited to this appropriation, to be available until ex-*  
17 *pended, funds received from States, counties, municipali-*  
18 *ties, other public authorities, and private sources for ex-*  
19 *penses incurred for training: Provided further, That any*  
20 *reference in law, regulation, judicial proceedings, or else-*  
21 *where to the Research and Innovative Technology Adminis-*  
22 *tration shall continue to be deemed to be a reference to the*  
23 *Office of the Assistant Secretary for Research and Tech-*  
24 *nology of the Department of Transportation.*

1            *NATIONAL INFRASTRUCTURE INVESTMENTS*

2            *For capital investments in surface transportation in-*  
3 *frastructure, \$500,000,000, to remain available through*  
4 *September 30, 2020: Provided, That the Secretary of Trans-*  
5 *portation shall distribute funds provided under this heading*  
6 *as discretionary grants to be awarded to a State, local gov-*  
7 *ernment, transit agency, or a collaboration among such en-*  
8 *tities on a competitive basis for projects that will have a*  
9 *significant impact on the Nation, a metropolitan area, or*  
10 *a region: Provided further, That projects eligible for funding*  
11 *provided under this heading shall include, but not be lim-*  
12 *ited to, highway or bridge projects eligible under title 23,*  
13 *United States Code; public transportation projects eligible*  
14 *under chapter 53 of title 49, United States Code; passenger*  
15 *and freight rail transportation projects; and port infra-*  
16 *structure investments (including inland port infrastructure*  
17 *and land ports of entry): Provided further, That the Sec-*  
18 *retary may use up to 20 percent of the funds made available*  
19 *under this heading for the purpose of paying the subsidy*  
20 *and administrative costs of projects eligible for Federal*  
21 *credit assistance under chapter 6 of title 23, United States*  
22 *Code, if the Secretary finds that such use of the funds would*  
23 *advance the purposes of this paragraph: Provided further,*  
24 *That in distributing funds provided under this heading, the*  
25 *Secretary shall take such measures so as to ensure an equi-*

1 *table geographic distribution of funds, an appropriate bal-*  
2 *ance in addressing the needs of urban and rural areas, and*  
3 *the investment in a variety of transportation modes: Pro-*  
4 *vided further, That a grant funded under this heading shall*  
5 *be not less than \$5,000,000 and not greater than*  
6 *\$25,000,000: Provided further, That not more than 10 per-*  
7 *cent of the funds made available under this heading may*  
8 *be awarded to projects in a single State: Provided further,*  
9 *That the Federal share of the costs for which an expenditure*  
10 *is made under this heading shall be, at the option of the*  
11 *recipient, up to 80 percent: Provided further, That the Sec-*  
12 *retary shall give priority to projects that require a contribu-*  
13 *tion of Federal funds in order to complete an overall financ-*  
14 *ing package: Provided further, That not less than 20 percent*  
15 *of the funds provided under this heading shall be for projects*  
16 *located in rural areas: Provided further, That for projects*  
17 *located in rural areas, the minimum grant size shall be*  
18 *\$1,000,000 and the Secretary may increase the Federal*  
19 *share of costs above 80 percent: Provided further, That*  
20 *projects conducted using funds provided under this heading*  
21 *must comply with the requirements of subchapter IV of*  
22 *chapter 31 of title 40, United States Code: Provided further,*  
23 *That the Secretary shall conduct a new competition to select*  
24 *the grants and credit assistance awarded under this head-*  
25 *ing: Provided further, That the Secretary may retain up*

1 to \$20,000,000 of the funds provided under this heading,  
2 and may transfer portions of those funds to the Administra-  
3 tors of the Federal Highway Administration, the Federal  
4 Transit Administration, the Federal Railroad Administra-  
5 tion and the Maritime Administration, to fund the award  
6 and oversight of grants and credit assistance made under  
7 the National Infrastructure Investments program.

8 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE  
9 FINANCE BUREAU

10 For necessary expenses for the establishment and ad-  
11 ministration of a new National Surface Transportation  
12 and Innovative Finance Bureau (the Bureau) within the  
13 Office of the Secretary of Transportation, \$3,000,000, to re-  
14 main available until expended: Provided, That the Sec-  
15 retary of Transportation shall use such amount for the nec-  
16 essary expenses to establish the Bureau and to fulfill the  
17 responsibilities of the Bureau, as detailed in section 9001  
18 of the Fixing America's Surface Transportation (FAST)  
19 Act (Public Law 114-94) (49 U.S.C. 116): Provided fur-  
20 ther, That the Secretary is required to receive the advance  
21 approval of the House and Senate Committees on Appro-  
22 priations prior to exercising the authorities of 49 U.S.C.  
23 116(h): Provided further, That the program be available to  
24 other Federal agencies, States, municipalities and project



1 *sponsors seeking Federal transportation expertise in obtain-*  
2 *ing financing.*

3 *FINANCIAL MANAGEMENT CAPITAL*

4 *For necessary expenses for upgrading and enhancing*  
5 *the Department of Transportation's financial systems and*  
6 *re-engineering business processes, \$4,000,000, to remain*  
7 *available through September 30, 2018.*

8 *CYBER SECURITY INITIATIVES*

9 *For necessary expenses for cyber security initiatives,*  
10 *including necessary upgrades to wide area network and in-*  
11 *formation technology infrastructure, improvement of net-*  
12 *work perimeter controls and identity management, testing*  
13 *and assessment of information technology against business,*  
14 *security, and other requirements, implementation of Fed-*  
15 *eral cyber security initiatives and information infrastruc-*  
16 *ture enhancements, and implementation of enhanced secu-*  
17 *rity controls on network devices, \$15,000,000, to remain*  
18 *available through September 30, 2018.*

19 *OFFICE OF CIVIL RIGHTS*

20 *For necessary expenses of the Office of Civil Rights,*  
21 *\$9,751,000.*

22 *TRANSPORTATION PLANNING, RESEARCH, AND*  
23 *DEVELOPMENT*

24 *For necessary expenses for conducting transportation*  
25 *planning, research, systems development, development ac-*

1 *tivities, and making grants, to remain available until ex-*  
2 *pended, \$12,000,000: Provided, That of such amount,*  
3 *\$3,000,000 shall be for necessary expenses of the Interagency*  
4 *Infrastructure Permitting Improvement Center (IIPIC):*  
5 *Provided further, That there may be transferred to this ap-*  
6 *propriation, to remain available until expended, amounts*  
7 *from other Federal agencies for expenses incurred under this*  
8 *heading for IIPIC activities not related to transportation*  
9 *infrastructure: Provided further, That the tools and anal-*  
10 *ysis developed by the IIPIC shall be available to other Fed-*  
11 *eral agencies for the permitting and review of major infra-*  
12 *structure projects not related to transportation only to the*  
13 *extent that other Federal agencies provide funding to the*  
14 *Department as provided for under the previous proviso.*

15 **WORKING CAPITAL FUND**

16 *For necessary expenses for operating costs and capital*  
17 *outlays of the Working Capital Fund, not to exceed*  
18 *\$190,389,000 shall be paid from appropriations made*  
19 *available to the Department of Transportation: Provided,*  
20 *That such services shall be provided on a competitive basis*  
21 *to entities within the Department of Transportation: Pro-*  
22 *vided further, That the above limitation on operating ex-*  
23 *penses shall not apply to non-DOT entities: Provided fur-*  
24 *ther, That no funds appropriated in this Act to an agency*  
25 *of the Department shall be transferred to the Working Cap-*

1 *ital Fund without majority approval of the Working Cap-*  
2 *ital Fund Steering Committee and approval of the Sec-*  
3 *retary: Provided further, That no assessments may be levied*  
4 *against any program, budget activity, subactivity or project*  
5 *funded by this Act unless notice of such assessments and*  
6 *the basis therefor are presented to the House and Senate*  
7 *Committees on Appropriations and are approved by such*  
8 *Committees.*

9 *MINORITY BUSINESS RESOURCE CENTER PROGRAM*

10 *For the cost of guaranteed loans, \$339,000, as author-*  
11 *ized by 49 U.S.C. 332: Provided, That such costs, including*  
12 *the cost of modifying such loans, shall be as defined in sec-*  
13 *tion 502 of the Congressional Budget Act of 1974: Provided*  
14 *further, That these funds are available to subsidize total*  
15 *loan principal, any part of which is to be guaranteed, not*  
16 *to exceed \$18,367,000.*

17 *In addition, for administrative expenses to carry out*  
18 *the guaranteed loan program, \$602,000.*

19 *SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND*  
20 *OUTREACH*

21 *For necessary expenses for small and disadvantaged*  
22 *business utilization and outreach activities, \$4,646,000, to*  
23 *remain available until September 30, 2018: Provided, That*  
24 *notwithstanding 49 U.S.C. 332, these funds may be used*

1 *for business opportunities related to any mode of transpor-*  
2 *tation.*

3 *PAYMENTS TO AIR CARRIERS*

4 *(AIRPORT AND AIRWAY TRUST FUND)*

5 *In addition to funds made available from any other*  
6 *source to carry out the essential air service program under*  
7 *49 U.S.C. 41731 through 41742, \$150,000,000, to be derived*  
8 *from the Airport and Airway Trust Fund, to remain avail-*  
9 *able until expended: Provided, That in determining between*  
10 *or among carriers competing to provide service to a commu-*  
11 *nity, the Secretary may consider the relative subsidy re-*  
12 *quirements of the carriers: Provided further, That basic es-*  
13 *sential air service minimum requirements shall not include*  
14 *the 15-passenger capacity requirement under subsection*  
15 *41732(b)(3) of title 49, United States Code: Provided fur-*  
16 *ther, That none of the funds in this Act or any other Act*  
17 *shall be used to enter into a new contract with a community*  
18 *located less than 40 miles from the nearest small hub air-*  
19 *port before the Secretary has negotiated with the commu-*  
20 *nity over a local cost share: Provided further, That amounts*  
21 *authorized to be distributed for the essential air service pro-*  
22 *gram under subsection 41742(b) of title 49, United States*  
23 *Code, shall be made available immediately from amounts*  
24 *otherwise provided to the Administrator of the Federal*  
25 *Aviation Administration: Provided further, That the Ad-*

1 *ministrator may reimburse such amounts from fees credited*  
2 *to the account established under section 45303 of title 49,*  
3 *United States Code.*

4 *ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY*  
5 *OF TRANSPORTATION*

6 *SEC. 101. None of the funds made available in this*  
7 *Act to the Department of Transportation may be obligated*  
8 *for the Office of the Secretary of Transportation to approve*  
9 *assessments or reimbursable agreements pertaining to funds*  
10 *appropriated to the modal administrations in this Act, ex-*  
11 *cept for activities underway on the date of enactment of*  
12 *this Act, unless such assessments or agreements have com-*  
13 *pleted the normal reprogramming process for Congressional*  
14 *notification.*

15 *SEC. 102. In addition to authority provided by section*  
16 *327 of title 49, United States Code, the Department's Work-*  
17 *ing Capital Fund is hereby authorized to provide partial*  
18 *or full payments in advance and accept subsequent reim-*  
19 *bursements from all Federal agencies from available funds*  
20 *for transit benefit distribution services that are necessary*  
21 *to carry out the Federal transit pass transportation fringe*  
22 *benefit program under Executive Order 13150 and section*  
23 *3049 of Public Law 109–59: Provided, That the Depart-*  
24 *ment shall maintain a reasonable operating reserve in the*  
25 *Working Capital Fund, to be expended in advance to pro-*

1 *vide uninterrupted transit benefits to Government employ-*  
2 *ees: Provided further, That such reserve will not exceed one*  
3 *month of benefits payable and may be used only for the*  
4 *purpose of providing for the continuation of transit benefits:*  
5 *Provided further, That the Working Capital Fund will be*  
6 *fully reimbursed by each customer agency from available*  
7 *funds for the actual cost of the transit benefit.*

8       *SEC. 103. The Secretary shall post on the Web site of*  
9 *the Department of Transportation a schedule of all meetings*  
10 *of the Council on Credit and Finance, including the agenda*  
11 *for each meeting, and require the Council on Credit and*  
12 *Finance to record the decisions and actions of each meeting.*

13                   *FEDERAL AVIATION ADMINISTRATION*

14                               *OPERATIONS*

15                                   *(AIRPORT AND AIRWAY TRUST FUND)*

16       *For necessary expenses of the Federal Aviation Admin-*  
17 *istration, not otherwise provided for, including operations*  
18 *and research activities related to commercial space trans-*  
19 *portation, administrative expenses for research and develop-*  
20 *ment, establishment of air navigation facilities, the oper-*  
21 *ation (including leasing) and maintenance of aircraft, sub-*  
22 *sidizing the cost of aeronautical charts and maps sold to*  
23 *the public, lease or purchase of passenger motor vehicles for*  
24 *replacement only, in addition to amounts made available*  
25 *by Public Law 112-95, \$10,025,852,000, to remain avail-*

1 able until September 30, 2018, of which \$9,173,000,000  
2 shall be derived from the Airport and Airway Trust Fund,  
3 of which not to exceed \$7,559,785,000 shall be available for  
4 air traffic organization activities; not to exceed  
5 \$1,298,482,000 shall be available for aviation safety activi-  
6 ties; not to exceed \$19,826,000 shall be available for com-  
7 mercial space transportation activities; not to exceed  
8 \$771,342,000 shall be available for finance and manage-  
9 ment activities; not to exceed \$60,155,000 shall be available  
10 for NextGen and operations planning activities; not to ex-  
11 ceed \$107,161,000 shall be available for security and haz-  
12 ardous materials safety; and not to exceed \$209,101,000  
13 shall be available for staff offices: Provided, That not to ex-  
14 ceed 5 percent of any budget activity, except for aviation  
15 safety budget activity, may be transferred to any budget  
16 activity under this heading: Provided further, That no  
17 transfer may increase or decrease any appropriation by  
18 more than 5 percent: Provided further, That any transfer  
19 in excess of 5 percent shall be treated as a reprogramming  
20 of funds under section 405 of this Act and shall not be avail-  
21 able for obligation or expenditure except in compliance with  
22 the procedures set forth in that section: Provided further,  
23 That not later than March 31 of each fiscal year hereafter,  
24 the Administrator of the Federal Aviation Administration  
25 shall transmit to Congress an annual update to the report

1 *submitted to Congress in December 2004 pursuant to sec-*  
2 *tion 221 of Public Law 108–176: Provided further, That*  
3 *the amount herein appropriated shall be reduced by*  
4 *\$100,000 for each day after March 31 that such report has*  
5 *not been submitted to the Congress: Provided further, That*  
6 *not later than March 31 of each fiscal year hereafter, the*  
7 *Administrator shall transmit to Congress a companion re-*  
8 *port that describes a comprehensive strategy for staffing,*  
9 *hiring, and training flight standards and aircraft certifi-*  
10 *cation staff in a format similar to the one utilized for the*  
11 *controller staffing plan, including stated attrition estimates*  
12 *and numerical hiring goals by fiscal year: Provided further,*  
13 *That the amount herein appropriated shall be reduced by*  
14 *\$100,000 per day for each day after March 31 that such*  
15 *report has not been submitted to Congress: Provided further,*  
16 *That funds may be used to enter into a grant agreement*  
17 *with a nonprofit standard-setting organization to assist in*  
18 *the development of aviation safety standards: Provided fur-*  
19 *ther, That none of the funds in this Act shall be available*  
20 *for new applicants for the second career training program:*  
21 *Provided further, That none of the funds in this Act shall*  
22 *be available for the Federal Aviation Administration to fi-*  
23 *nalize or implement any regulation that would promulgate*  
24 *new aviation user fees not specifically authorized by law*  
25 *after the date of the enactment of this Act: Provided further,*



1 *That there may be credited to this appropriation, as offset-*  
2 *ting collections, funds received from States, counties, mu-*  
3 *nicipalities, foreign authorities, other public authorities,*  
4 *and private sources for expenses incurred in the provision*  
5 *of agency services, including receipts for the maintenance*  
6 *and operation of air navigation facilities, and for issuance,*  
7 *renewal or modification of certificates, including airman,*  
8 *aircraft, and repair station certificates, or for tests related*  
9 *thereto, or for processing major repair or alteration forms:*  
10 *Provided further, That of the funds appropriated under this*  
11 *heading, not less than \$159,000,000 shall be for the contract*  
12 *tower program, including the contract tower cost share pro-*  
13 *gram: Provided further, That none of the funds in this Act*  
14 *for aeronautical charting and cartography are available for*  
15 *activities conducted by, or coordinated through, the Work-*  
16 *ing Capital Fund: Provided further, That none of the funds*  
17 *appropriated or otherwise made available by this Act or*  
18 *any other Act may be used to eliminate the Contract Weath-*  
19 *er Observers program at any airport.*

20 *FACILITIES AND EQUIPMENT*

21 *(AIRPORT AND AIRWAY TRUST FUND)*

22 *For necessary expenses, not otherwise provided for, for*  
23 *acquisition, establishment, technical support services, im-*  
24 *provement by contract or purchase, and hire of national*  
25 *airspace systems and experimental facilities and equip-*

1 *ment, as authorized under part A of subtitle VII of title*  
2 *49, United States Code, including initial acquisition of nec-*  
3 *essary sites by lease or grant; engineering and service test-*  
4 *ing, including construction of test facilities and acquisition*  
5 *of necessary sites by lease or grant; construction and fur-*  
6 *nishing of quarters and related accommodations for officers*  
7 *and employees of the Federal Aviation Administration sta-*  
8 *tioned at remote localities where such accommodations are*  
9 *not available; and the purchase, lease, or transfer of aircraft*  
10 *from funds available under this heading, including aircraft*  
11 *for aviation regulation and certification; to be derived from*  
12 *the Airport and Airway Trust Fund, \$2,855,000,000, of*  
13 *which \$486,000,000 shall remain available until September*  
14 *30, 2017, and \$2,369,000,000 shall remain available until*  
15 *September 30, 2019: Provided, That there may be credited*  
16 *to this appropriation funds received from States, counties,*  
17 *municipalities, other public authorities, and private*  
18 *sources, for expenses incurred in the establishment, im-*  
19 *provement, and modernization of national airspace sys-*  
20 *tems: Provided further, That no later than March 31, the*  
21 *Secretary of Transportation shall transmit to the Congress*  
22 *an investment plan for the Federal Aviation Administra-*  
23 *tion which includes funding for each budget line item for*  
24 *fiscal years 2018 through 2022, with total funding for each*  
25 *year of the plan constrained to the funding targets for those*

1 *years as estimated and approved by the Office of Manage-*  
 2 *ment and Budget.*

3 *RESEARCH, ENGINEERING, AND DEVELOPMENT*

4 *(AIRPORT AND AIRWAY TRUST FUND)*

5 *For necessary expenses, not otherwise provided for, for*  
 6 *research, engineering, and development, as authorized*  
 7 *under part A of subtitle VII of title 49, United States Code,*  
 8 *including construction of experimental facilities and acqui-*  
 9 *sition of necessary sites by lease or grant, \$176,500,000, to*  
 10 *be derived from the Airport and Airway Trust Fund and*  
 11 *to remain available until September 30, 2019: Provided,*  
 12 *That there may be credited to this appropriation as offset-*  
 13 *ting collections, funds received from States, counties, mu-*  
 14 *nicipalities, other public authorities, and private sources,*  
 15 *which shall be available for expenses incurred for research,*  
 16 *engineering, and development.*

17 *GRANTS-IN-AID FOR AIRPORTS*

18 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

19 *(LIMITATION ON OBLIGATIONS)*

20 *(AIRPORT AND AIRWAY TRUST FUND)*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For liquidation of obligations incurred for grants-in-*  
 23 *aid for airport planning and development, and noise com-*  
 24 *patibility planning and programs as authorized under sub-*  
 25 *chapter I of chapter 471 and subchapter I of chapter 475*

1 of title 49, United States Code, and under other law author-  
2 izing such obligations; for procurement, installation, and  
3 commissioning of runway incursion prevention devices and  
4 systems at airports of such title; for grants authorized under  
5 section 41743 of title 49, United States Code; and for in-  
6 spection activities and administration of airport safety pro-  
7 grams, including those related to airport operating certifi-  
8 cates under section 44706 of title 49, United States Code,  
9 \$3,750,000,000, to be derived from the Airport and Airway  
10 Trust Fund and to remain available until expended: Pro-  
11 vided, That none of the funds under this heading shall be  
12 available for the planning or execution of programs the obli-  
13 gations for which are in excess of \$3,350,000,000 in fiscal  
14 year 2017, notwithstanding section 47117(g) of title 49,  
15 United States Code: Provided further, That none of the  
16 funds under this heading shall be available for the replace-  
17 ment of baggage conveyor systems, reconfiguration of ter-  
18 minal baggage areas, or other airport improvements that  
19 are necessary to install bulk explosive detection systems:  
20 Provided further, That notwithstanding section 47109(a) of  
21 title 49, United States Code, the Government's share of al-  
22 lowable project costs under paragraph (2) for subgrants or  
23 paragraph (3) of that section shall be 95 percent for a  
24 project at other than a large or medium hub airport that  
25 is a successive phase of a multi-phased construction project

1 *for which the project sponsor received a grant in fiscal year*  
2 *2011 for the construction project: Provided further, That*  
3 *notwithstanding any other provision of law, of funds lim-*  
4 *ited under this heading, not more than \$107,691,000 shall*  
5 *be available for administration, not less than \$15,000,000*  
6 *shall be available for the Airport Cooperative Research Pro-*  
7 *gram, not less than \$31,375,000 shall be available for Air-*  
8 *port Technology Research, and \$10,000,000, to remain*  
9 *available until expended, shall be available and transferred*  
10 *to “Office of the Secretary, Salaries and Expenses” to carry*  
11 *out the Small Community Air Service Development Pro-*  
12 *gram: Provided further, That in addition to airports eligi-*  
13 *ble under section 41743 of title 49, such program may in-*  
14 *clude the participation of an airport that serves a commu-*  
15 *nity or consortium that is not larger than a small hub air-*  
16 *port, according to FAA hub classifications effective at the*  
17 *time the Office of the Secretary issues a request for pro-*  
18 *posals.*

19 *ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION*

20 *ADMINISTRATION*

21 *SEC. 110. None of the funds in this Act may be used*  
22 *to compensate in excess of 600 technical staff-years under*  
23 *the federally funded research and development center con-*  
24 *tract between the Federal Aviation Administration and the*

1 *Center for Advanced Aviation Systems Development during*  
2 *fiscal year 2017.*

3       *SEC. 111. None of the funds in this Act shall be used*  
4 *to pursue or adopt guidelines or regulations requiring air-*  
5 *port sponsors to provide to the Federal Aviation Adminis-*  
6 *tration without cost building construction, maintenance,*  
7 *utilities and expenses, or space in airport sponsor-owned*  
8 *buildings for services relating to air traffic control, air*  
9 *navigation, or weather reporting: Provided, That the prohi-*  
10 *bition of funds in this section does not apply to negotiations*  
11 *between the agency and airport sponsors to achieve agree-*  
12 *ment on “below-market” rates for these items or to grant*  
13 *assurances that require airport sponsors to provide land*  
14 *without cost to the FAA for air traffic control facilities.*

15       *SEC. 112. The Administrator of the Federal Aviation*  
16 *Administration may reimburse amounts made available to*  
17 *satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49*  
18 *U.S.C. 45303 and any amount remaining in such account*  
19 *at the close of that fiscal year may be made available to*  
20 *satisfy section 41742(a)(1) for the subsequent fiscal year.*

21       *SEC. 113. Amounts collected under section 40113(e) of*  
22 *title 49, United States Code, shall be credited to the appro-*  
23 *priation current at the time of collection, to be merged with*  
24 *and available for the same purposes of such appropriation.*

1        *SEC. 114. None of the funds in this Act shall be avail-*  
2 *able for paying premium pay under subsection 5546(a) of*  
3 *title 5, United States Code, to any Federal Aviation Admin-*  
4 *istration employee unless such employee actually performed*  
5 *work during the time corresponding to such premium pay.*

6        *SEC. 115. None of the funds in this Act may be obli-*  
7 *gated or expended for an employee of the Federal Aviation*  
8 *Administration to purchase a store gift card or gift certifi-*  
9 *cate through use of a Government-issued credit card.*

10       *SEC. 116. None of the funds in this Act may be obli-*  
11 *gated or expended for retention bonuses for an employee of*  
12 *the Federal Aviation Administration without the prior*  
13 *written approval of the Assistant Secretary for Administra-*  
14 *tion of the Department of Transportation.*

15       *SEC. 117. Notwithstanding any other provision of law,*  
16 *none of the funds made available under this Act or any*  
17 *prior Act may be used to implement or to continue to im-*  
18 *plement any limitation on the ability of any owner or oper-*  
19 *ator of a private aircraft to obtain, upon a request to the*  
20 *Administrator of the Federal Aviation Administration, a*  
21 *blocking of that owner's or operator's aircraft registration*  
22 *number from any display of the Federal Aviation Adminis-*  
23 *tration's Aircraft Situational Display to Industry data*  
24 *that is made available to the public, except data made*

1 *available to a Government agency, for the noncommercial*  
2 *flights of that owner or operator.*

3 *SEC. 118. None of the funds in this Act shall be avail-*  
4 *able for salaries and expenses of more than nine political*  
5 *and Presidential appointees in the Federal Aviation Ad-*  
6 *ministration.*

7 *SEC. 119. None of the funds made available under this*  
8 *Act may be used to increase fees pursuant to section 44721*  
9 *of title 49, United States Code, until the Federal Aviation*  
10 *Administration provides to the House and Senate Commit-*  
11 *tees on Appropriations a report that justifies all fees related*  
12 *to aeronautical navigation products and explains how such*  
13 *fees are consistent with Executive Order 13642.*

14 *SEC. 119A. None of the funds in this Act may be used*  
15 *to close a regional operations center of the Federal Aviation*  
16 *Administration or reduce its services unless the Adminis-*  
17 *trator notifies the House and Senate Committees on Appro-*  
18 *priations not less than 90 full business days in advance.*

19 *SEC. 119B. None of the funds appropriated or limited*  
20 *by this Act may be used to change weight restrictions or*  
21 *prior permission rules at Teterboro airport in Teterboro,*  
22 *New Jersey.*

23 *SEC. 119C. None of the funds provided under this Act*  
24 *may be used by the Administrator of the Federal Aviation*  
25 *Administration to withhold from consideration and ap-*



1 *proval any application for participation in the Contract*  
2 *Tower Program, or for reevaluation of Cost-share Program*  
3 *participants, pending as of January 1, 2016, as long as*  
4 *the Federal Aviation Administration has received an appli-*  
5 *cation from the airport, and as long as the Administrator*  
6 *determines such tower is eligible using the factors set forth*  
7 *in the Federal Aviation Administration report, Establish-*  
8 *ment and Discontinuance Criteria for Airport Traffic Con-*  
9 *trol Towers (FAA–APO–90–7 as of August, 1990).*

10 *SEC. 119D. For fiscal year 2017, the Secretary of*  
11 *Transportation shall apportion to the sponsor of a primary*  
12 *airport under section 47114(c)(1)(A) of title 49, United*  
13 *States Code, an amount based on the number of passenger*  
14 *boardings at the airport during calendar year 2012 if the*  
15 *airport had—*

16 *(1) fewer than 10,000 passenger boardings dur-*  
17 *ing the calendar year used to calculate the apportion-*  
18 *ment for fiscal year 2017; and*

19 *(2) 10,000 or more passenger boardings during*  
20 *calendar year 2012.*

21 *SEC. 119E. Section 47109(c)(2) of title 49, United*  
22 *States Code, is amended to read as follows: “The Govern-*  
23 *ment’s share of allowable project costs determined under*  
24 *this subsection shall not exceed the lesser of 93.75 percent*  
25 *or the highest percentage Government share applicable to*

1 any project in any State under subsection (b), except that  
2 at a primary non-hub and non-primary commercial service  
3 airport located in a State as set forth in paragraph (1)  
4 of this subsection that is within 15 miles of another State  
5 as set forth in paragraph (1) of this subsection, the Govern-  
6 ment's share shall be an average of the Government share  
7 applicable to any project in each of the States.”.

8       SEC. 119F. (a) Subchapter I of chapter 471, as amend-  
9 ed by this subtitle, is further amended by adding at the  
10 end the following:

11 **“§ 47144. Use of funds for repairs for runway safety re-**  
12 **pairs**

13       “(a) IN GENERAL.—The Secretary of Transportation  
14 may make project grants under this subchapter to an air-  
15 port described in subsection (b) from funds under section  
16 47114 apportioned to that airport or funds available for  
17 discretionary grants to that airport under section 47115 to  
18 conduct airport development to repair the runway safety  
19 area of the airport damaged as a result of a natural disaster  
20 in order to maintain compliance with the regulations of  
21 the Federal Aviation Administration relating to runway  
22 safety areas, without regard to whether construction of the  
23 runway safety area damaged was carried out using  
24 amounts the airport received under this subchapter.

1       “(b) *AIRPORTS DESCRIBED.*—*An airport is described*  
2 *in this subsection if—*

3               “(1) *the airport is a public-use airport;*

4               “(2) *the airport is listed in the National Plan of*  
5 *Integrated Airport Systems of the Federal Aviation*  
6 *Administration;*

7               “(3) *the runway safety area of the airport was*  
8 *damaged as a result of a natural disaster;*

9               “(4) *the airport was denied funding under the*  
10 *Robert T. Stafford Disaster Relief and Emergency As-*  
11 *sistance Act (42 U.S.C. 4121 et seq.) with respect to*  
12 *the disaster;*

13               “(5) *the operator of the airport has exhausted all*  
14 *legal remedies, including legal action against any*  
15 *parties (or insurers thereof) whose action or inaction*  
16 *may have contributed to the need for the repair of the*  
17 *runway safety area;*

18               “(6) *there is still a demonstrated need for the*  
19 *runway safety area to accommodate current or immi-*  
20 *nent aeronautical demand; and*

21               “(7) *the cost of repairing or replacing the run-*  
22 *way safety area is reasonable in relation to the an-*  
23 *ticipated operational benefit of repairing the runway*  
24 *safety area, as determined by the Administrator of the*  
25 *Federal Aviation Administration.”.*

1           (b) *The analysis for chapter 471, as amended by this*  
 2 *subtitle, is further amended by inserting after the item re-*  
 3 *lating to section 47143 the following:*

*“47144. Use of funds for repairs for runway safety repairs.”.*

4                               *FEDERAL HIGHWAY ADMINISTRATION*  
 5                               *LIMITATION ON ADMINISTRATIVE EXPENSES*  
 6                               *(HIGHWAY TRUST FUND)*  
 7                               *(INCLUDING TRANSFER OF FUNDS)*

8           *Not to exceed \$432,547,000, together with advances*  
 9 *and reimbursements received by the Federal Highway Ad-*  
 10 *ministration, shall be obligated for necessary expenses for*  
 11 *administration and operation of the Federal Highway Ad-*  
 12 *ministration. In addition, not to exceed \$3,248,000 shall*  
 13 *be transferred to the Appalachian Regional Commission in*  
 14 *accordance with section 104(a) of title 23, United States*  
 15 *Code.*

16                               *FEDERAL-AID HIGHWAYS*  
 17                               *(LIMITATION ON OBLIGATIONS)*  
 18                               *(HIGHWAY TRUST FUND)*

19           *Funds available for the implementation or execution*  
 20 *of Federal-aid highway and highway safety construction*  
 21 *programs authorized under titles 23 and 49, United States*  
 22 *Code, and the provisions of the Fixing America’s Surface*  
 23 *Transportation Act shall not exceed total obligations of*  
 24 *\$43,266,100,000 for fiscal year 2017: Provided, That the*  
 25 *Secretary may collect and spend fees, as authorized by title*

1 23, United States Code, to cover the costs of services of ex-  
2 pert firms, including counsel, in the field of municipal and  
3 project finance to assist in the underwriting and servicing  
4 of Federal credit instruments and all or a portion of the  
5 costs to the Federal Government of servicing such credit in-  
6 struments: Provided further, That such fees are available  
7 until expended to pay for such costs: Provided further, That  
8 such amounts are in addition to administrative expenses  
9 that are also available for such purpose, and are not subject  
10 to any obligation limitation or the limitation on adminis-  
11 trative expenses under section 608 of title 23, United States  
12 Code.

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (HIGHWAY TRUST FUND)

15 For the payment of obligations incurred in carrying  
16 out Federal-aid highway and highway safety construction  
17 programs authorized under title 23, United States Code,  
18 \$44,005,100,000 derived from the Highway Trust Fund  
19 (other than the Mass Transit Account), to remain available  
20 until expended.

21 (RESCISSION)

22 (HIGHWAY TRUST FUND)

23 Of the unobligated balances of funds apportioned  
24 among the States under chapter 1 of title 23, United States  
25 Code, a total of \$857,000,000 is hereby permanently re-

1 *scinded on June 30, 2017: Provided, That such rescission*  
2 *shall not apply to funds distributed in accordance with sec-*  
3 *tions 104(b)(3) and 130(f) of title 23, United States Code;*  
4 *section 133(d)(1)(A) of such title; the first sentence of sec-*  
5 *tion 133(d)(3)(A) of such title, as in effect on the day before*  
6 *the date of enactment of MAP-21 (Public Law 112-141);*  
7 *sections 133(d)(1) and 163 of such title, as in effect on the*  
8 *day before the date of enactment of SAFETEA-LU (Public*  
9 *Law 109-59); and section 104(b)(5) of such title, as in effect*  
10 *on the day before the date of enactment of MAP-21 (Public*  
11 *Law 112-141): Provided further, That such rescission shall*  
12 *not apply to funds that are exempt from the obligation limi-*  
13 *tation or subject to special no-year obligation limitation:*  
14 *Provided further, That the amount to be rescinded from a*  
15 *State shall be determined by multiplying the total amount*  
16 *of the rescission by the ratio that the unobligated balances*  
17 *subject to the rescission as of May 31, 2017, for the State;*  
18 *bears to the unobligated balances subject to the rescission*  
19 *as of May 31, 2017, for all States: Provided further, That*  
20 *the amount to be rescinded under this section from each*  
21 *program to which the rescission applies within a State shall*  
22 *be determined by multiplying the rescission amount cal-*  
23 *culated for such State by the ratio that the unobligated bal-*  
24 *ance as of May 31, 2017, for such program in such State;*

1 *bears to the unobligated balances as of May 31, 2017, for*  
2 *all programs to which the rescission applies in such State.*

3 *ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY*

4 *ADMINISTRATION*

5 *SEC. 120. (a) For fiscal year 2017, the Secretary of*  
6 *Transportation shall—*

7 *(1) not distribute from the obligation limitation*  
8 *for Federal-aid highways—*

9 *(A) amounts authorized for administrative*  
10 *expenses and programs by section 104(a) of title*  
11 *23, United States Code; and*

12 *(B) amounts authorized for the Bureau of*  
13 *Transportation Statistics;*

14 *(2) not distribute an amount from the obligation*  
15 *limitation for Federal-aid highways that is equal to*  
16 *the unobligated balance of amounts—*

17 *(A) made available from the Highway Trust*  
18 *Fund (other than the Mass Transit Account) for*  
19 *Federal-aid highway and highway safety con-*  
20 *struction programs for previous fiscal years the*  
21 *funds for which are allocated by the Secretary*  
22 *(or apportioned by the Secretary under sections*  
23 *202 or 204 of title 23, United States Code); and*

24 *(B) for which obligation limitation was*  
25 *provided in a previous fiscal year;*

1           (3) *determine the proportion that—*

2                   (A) *the obligation limitation for Federal-aid*  
3 *highways, less the aggregate of amounts not dis-*  
4 *tributed under paragraphs (1) and (2) of this*  
5 *subsection; bears to*

6                   (B) *the total of the sums authorized to be*  
7 *appropriated for the Federal-aid highway and*  
8 *highway safety construction programs (other*  
9 *than sums authorized to be appropriated for pro-*  
10 *visions of law described in paragraphs (1)*  
11 *through (11) of subsection (b) and sums author-*  
12 *ized to be appropriated for section 119 of title*  
13 *23, United States Code, equal to the amount re-*  
14 *ferred to in subsection (b)(12) for such fiscal*  
15 *year), less the aggregate of the amounts not dis-*  
16 *tributed under paragraphs (1) and (2) of this*  
17 *subsection;*

18           (4) *distribute the obligation limitation for Fed-*  
19 *eral-aid highways, less the aggregate amounts not dis-*  
20 *tributed under paragraphs (1) and (2), for each of the*  
21 *programs (other than programs to which paragraph*  
22 *(1) applies) that are allocated by the Secretary under*  
23 *the Fixing America's Surface Transportation Act and*  
24 *title 23, United States Code, or apportioned by the*



1        *Secretary under sections 202 or 204 of that title, by*  
2        *multiplying—*

3                *(A) the proportion determined under para-*  
4                *graph (3); by*

5                *(B) the amounts authorized to be appro-*  
6                *priated for each such program for such fiscal*  
7                *year; and*

8                *(5) distribute the obligation limitation for Fed-*  
9                *eral-aid highways, less the aggregate amounts not dis-*  
10                *tributed under paragraphs (1) and (2) and the*  
11                *amounts distributed under paragraph (4), for Fed-*  
12                *eral-aid highway and highway safety construction*  
13                *programs that are apportioned by the Secretary*  
14                *under title 23, United States Code (other than the*  
15                *amounts apportioned for the National Highway Per-*  
16                *formance Program in section 119 of title 23, United*  
17                *States Code, that are exempt from the limitation*  
18                *under subsection (b)(12) and the amounts appor-*  
19                *tioned under sections 202 and 204 of that title) in the*  
20                *proportion that—*

21                *(A) amounts authorized to be appropriated*  
22                *for the programs that are apportioned under title*  
23                *23, United States Code, to each State for such*  
24                *fiscal year; bears to*

1           (B) the total of the amounts authorized to  
2           be appropriated for the programs that are ap-  
3           portioned under title 23, United States Code, to  
4           all States for such fiscal year.

5           (b) *EXCEPTIONS FROM OBLIGATION LIMITATION.*—  
6           The obligation limitation for Federal-aid highways shall  
7           not apply to obligations under or for—

8           (1) section 125 of title 23, United States Code;

9           (2) section 147 of the Surface Transportation As-  
10          sistance Act of 1978 (23 U.S.C. 144 note; 92 Stat.  
11          2714);

12          (3) section 9 of the Federal-Aid Highway Act of  
13          1981 (95 Stat. 1701);

14          (4) subsections (b) and (j) of section 131 of the  
15          Surface Transportation Assistance Act of 1982 (96  
16          Stat. 2119);

17          (5) subsections (b) and (c) of section 149 of the  
18          Surface Transportation and Uniform Relocation As-  
19          sistance Act of 1987 (101 Stat. 198);

20          (6) sections 1103 through 1108 of the Intermodal  
21          Surface Transportation Efficiency Act of 1991 (105  
22          Stat. 2027);

23          (7) section 157 of title 23, United States Code  
24          (as in effect on June 8, 1998);

1           (8) *section 105 of title 23, United States Code*  
2           *(as in effect for fiscal years 1998 through 2004, but*  
3           *only in an amount equal to \$639,000,000 for each of*  
4           *those fiscal years);*

5           (9) *Federal-aid highway programs for which ob-*  
6           *ligation authority was made available under the*  
7           *Transportation Equity Act for the 21st Century (112*  
8           *Stat. 107) or subsequent Acts for multiple years or to*  
9           *remain available until expended, but only to the ex-*  
10          *tent that the obligation authority has not lapsed or*  
11          *been used;*

12          (10) *section 105 of title 23, United States Code*  
13          *(as in effect for fiscal years 2005 through 2012, but*  
14          *only in an amount equal to \$639,000,000 for each of*  
15          *those fiscal years);*

16          (11) *section 1603 of SAFETEA-LU (23 U.S.C.*  
17          *118 note; 119 Stat. 1248), to the extent that funds ob-*  
18          *ligated in accordance with that section were not sub-*  
19          *ject to a limitation on obligations at the time at*  
20          *which the funds were initially made available for ob-*  
21          *ligation; and*

22          (12) *section 119 of title 23, United States Code*  
23          *(but, for each of fiscal years 2013 through 2017, only*  
24          *in an amount equal to \$639,000,000).*

1       (c) *REDISTRIBUTION OF UNUSED OBLIGATION AU-*  
2 *THORITY.*—*Notwithstanding subsection (a), the Secretary*  
3 *shall, after August 1 of such fiscal year—*

4           (1) *revise a distribution of the obligation limita-*  
5 *tion made available under subsection (a) if an*  
6 *amount distributed cannot be obligated during that*  
7 *fiscal year; and*

8           (2) *redistribute sufficient amounts to those States*  
9 *able to obligate amounts in addition to those pre-*  
10 *viously distributed during that fiscal year, giving pri-*  
11 *ority to those States having large unobligated bal-*  
12 *ances of funds apportioned under sections 144 (as in*  
13 *effect on the day before the date of enactment of Pub-*  
14 *lic Law 112–141) and 104 of title 23, United States*  
15 *Code.*

16       (d) *APPLICABILITY OF OBLIGATION LIMITATIONS TO*  
17 *TRANSPORTATION RESEARCH PROGRAMS.*—

18           (1) *IN GENERAL.*—*Except as provided in para-*  
19 *graph (2), the obligation limitation for Federal-aid*  
20 *highways shall apply to contract authority for trans-*  
21 *portation research programs carried out under—*

22           (A) *chapter 5 of title 23, United States*  
23 *Code; and*

24           (B) *title VI of the Fixing America’s Surface*  
25 *Transportation Act.*

1           (2) *EXCEPTION.*—*Obligation authority made*  
2           *available under paragraph (1) shall—*

3                   (A) *remain available for a period of 4 fiscal*  
4                   *years; and*

5                   (B) *be in addition to the amount of any*  
6                   *limitation imposed on obligations for Federal-*  
7                   *aid highway and highway safety construction*  
8                   *programs for future fiscal years.*

9           (e) *REDISTRIBUTION OF CERTAIN AUTHORIZED*  
10          *FUNDS.—*

11           (1) *IN GENERAL.*—*Not later than 30 days after*  
12           *the date of distribution of obligation limitation under*  
13           *subsection (a), the Secretary shall distribute to the*  
14           *States any funds (excluding funds authorized for the*  
15           *program under section 202 of title 23, United States*  
16           *Code) that—*

17                   (A) *are authorized to be appropriated for*  
18                   *such fiscal year for Federal-aid highway pro-*  
19                   *grams; and*

20                   (B) *the Secretary determines will not be al-*  
21                   *located to the States (or will not be apportioned*  
22                   *to the States under section 204 of title 23,*  
23                   *United States Code), and will not be available*  
24                   *for obligation, for such fiscal year because of the*

1           *imposition of any obligation limitation for such*  
2           *fiscal year.*

3           (2) *RATIO.*—*Funds shall be distributed under*  
4           *paragraph (1) in the same proportion as the distribu-*  
5           *tion of obligation authority under subsection (a)(5).*

6           (3) *AVAILABILITY.*—*Funds distributed to each*  
7           *State under paragraph (1) shall be available for any*  
8           *purpose described in section 133(b) of title 23, United*  
9           *States Code.*

10          *SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-*  
11          *ceived by the Bureau of Transportation Statistics from the*  
12          *sale of data products, for necessary expenses incurred pur-*  
13          *suant to chapter 63 of title 49, United States Code, may*  
14          *be credited to the Federal-aid highways account for the pur-*  
15          *pose of reimbursing the Bureau for such expenses: Provided,*  
16          *That such funds shall be subject to the obligation limitation*  
17          *for Federal-aid highway and highway safety construction*  
18          *programs.*

19          *SEC. 122. (a) TRANSFER OF AMOUNTS.—*

20                 (1) *STATE OF VIRGINIA.—*

21                         (A) *IN GENERAL.*—*Of the total amount ap-*  
22                         *portioned to the State of Virginia under section*  
23                         *104 of title 23, United States Code, for fiscal*  
24                         *year 2017, the Secretary of Transportation shall,*  
25                         *by the later of November 30, 2016, or 30 days*

1           *after the enactment of this Act, transfer to the*  
2           *National Park Service—*

3                     *(i) an amount equal to—*

4                             *(I) \$30,000,000; multiplied by*

5                             *(II) the ratio that—*

6                                     *(aa) the amount apportioned*  
7                                     *to the State of Virginia under*  
8                                     *such section 104; bears to*

9                                     *(bb) the combined amount*  
10                                    *apportioned to the State of Vir-*  
11                                    *ginia and the District of Colum-*  
12                                    *bia under such section 104; and*

13                            *(ii) an amount of obligation limitation*  
14                            *equal to the amount calculated under clause*  
15                            *(i).*

16                            *(B) SOURCE AND AMOUNT.—For purpose of*  
17                            *the transfer under subparagraph (A), the State*  
18                            *of Virginia shall select at the discretion of the*  
19                            *State—*

20                                    *(i) the programs (among those for*  
21                                    *which funding is apportioned as described*  
22                                    *in that subparagraph) from which to trans-*  
23                                    *fer the amount specified in that subpara-*  
24                                    *graph; and*

1                   (ii) the amount to transfer from each  
2                   of those programs (equal in aggregate to the  
3                   amount calculated under subparagraph  
4                   (A)(i)).

5           (2) *DISTRICT OF COLUMBIA.*—

6                   (A) *IN GENERAL.*—Of the total amount ap-  
7                   portioned to the District of Columbia under sec-  
8                   tion 104 of title 23, United States Code, for fis-  
9                   cal year 2017, the Secretary of Transportation  
10                   shall, by the later of November 30, 2016, or 30  
11                   days after the enactment of this Act, transfer to  
12                   the National Park Service—

13                           (i) an amount equal to—

14                                   (I) \$30,000,000; multiplied by

15                                   (II) the ratio that—

16   (aa) the amount apportioned  
17   to the District of Columbia under  
18   such section 104; bears to

19   (bb) the combined amount  
20   apportioned to the State of Vir-  
21   ginia and the District of Colum-  
22   bia under such section 104; and

23                           (ii) an amount of obligation limitation  
24                           equal to the amount calculated under clause  
25                           (i).



1           (B) *SOURCE AND AMOUNT.*—For purpose of  
2           the transfer under subparagraph (A), the Dis-  
3           trict of Columbia shall select at the discretion of  
4           the District—

5                   (i) the programs (among those for  
6                   which funding is apportioned as described  
7                   in that subparagraph) from which to trans-  
8                   fer the amount specified in that subpara-  
9                   graph; and

10                   (ii) the amount to transfer from each  
11                   of those programs (equal in aggregate to the  
12                   amount calculated under subparagraph  
13                   (A)(i)).

14           (3) *FEDERAL LANDS TRANSPORTATION PRO-*  
15           *GRAM.*—Of the amounts otherwise made available to  
16           the National Park Service under section 203 of title  
17           23, United States Code, not less than 10 percent shall  
18           be set aside for purposes of this section.

19           (b) *ELIGIBILITY AND FEDERAL SHARE.*—The amounts  
20           under subsection (a) shall be—

21                   (1) available to the National Park Service only  
22                   for projects that—

23                           (A) are eligible under section 203 of title 23,  
24                           United States Code; and

1                   (B) are located on bridges on the National  
2                   Highway System that were originally con-  
3                   structed before 1945 and are in poor condition;  
4                   and

5                   (2) subject to the Federal share described in sec-  
6                   tion 201(b)(7)(A) of title 23, United States Code.

7                   (c) *OTHER FUNDS AND OBLIGATION LIMITATION.*—  
8                   Any funds and obligation limitation transferred under sub-  
9                   section (a) shall be in addition to funds or obligation limi-  
10                  tation otherwise made available to the National Park Serv-  
11                  ice under sections 203 and 204 of title 23, United States  
12                  Code.

13                *SEC. 123. Not less than 15 days prior to waiving,*  
14                *under his or her statutory authority, any Buy America re-*  
15                *quirement for Federal-aid highways projects, the Secretary*  
16                *of Transportation shall make an informal public notice and*  
17                *comment opportunity on the intent to issue such waiver and*  
18                *the reasons therefor: Provided, That the Secretary shall pro-*  
19                *vide an annual report to the House and Senate Committees*  
20                *on Appropriations on any waivers granted under the Buy*  
21                *America requirements.*

22                *SEC. 124. None of the funds in this Act to the Depart-*  
23                *ment of Transportation may be used to provide credit as-*  
24                *sistance unless not less than 3 days before any application*  
25                *approval to provide credit assistance under sections 603*

1 *and 604 of title 23, United States Code, the Secretary of*  
2 *Transportation provides notification in writing to the fol-*  
3 *lowing committees: the House and Senate Committees on*  
4 *Appropriations; the Committee on Environment and Public*  
5 *Works and the Committee on Banking, Housing and Urban*  
6 *Affairs of the Senate; and the Committee on Transportation*  
7 *and Infrastructure of the House of Representatives: Pro-*  
8 *vided, That such notification shall include, but not be lim-*  
9 *ited to, the name of the project sponsor; a description of*  
10 *the project; whether credit assistance will be provided as*  
11 *a direct loan, loan guarantee, or line of credit; and the*  
12 *amount of credit assistance.*

13       *SEC. 125. None of the funds in this Act may be used*  
14 *to make a grant for a project under section 117 of title 23,*  
15 *United States Code, unless the Secretary, at least 60 days*  
16 *before making a grant under that section, provides written*  
17 *notification to the House and Senate Committees on Appro-*  
18 *priations of the proposed grant, including an evaluation*  
19 *and justification for the project and the amount of the pro-*  
20 *posed grant award.*

1     *FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION*  
2     *MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS*  
3             *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

4                     *(LIMITATION ON OBLIGATIONS)*  
5                     *(HIGHWAY TRUST FUND)*

6         *For payment of obligations incurred in the implemen-*  
7     *tation, execution and administration of motor carrier safe-*  
8     *ty operations and programs pursuant to section 31110 of*  
9     *title 49, United States Code, as amended by the Fixing*  
10    *America's Surface Transportation Act, \$277,200,000, to be*  
11    *derived from the Highway Trust Fund (other than the Mass*  
12    *Transit Account), together with advances and reimburse-*  
13    *ments received by the Federal Motor Carrier Safety Admin-*  
14    *istration, the sum of which shall remain available until ex-*  
15    *pende: Provided, That funds available for implementation,*  
16    *execution or administration of motor carrier safety oper-*  
17    *ations and programs authorized under title 49, United*  
18    *States Code, shall not exceed total obligations of*  
19    *\$277,200,000 for "Motor Carrier Safety Operations and*  
20    *Programs" for fiscal year 2017, of which \$9,180,000, to re-*  
21    *main available for obligation until September 30, 2019, is*  
22    *for the research and technology program.*

1                    *MOTOR CARRIER SAFETY GRANTS*  
2                    *(LIQUIDATION OF CONTRACT AUTHORIZATION)*  
3                    *(LIMITATION ON OBLIGATIONS)*  
4                    *(HIGHWAY TRUST FUND)*

5            *For payment of obligations incurred in carrying out*  
6 *sections 31102, 31103, 31104, and 31313 of title 49, United*  
7 *States Code, as amended by the Fixing America’s Surface*  
8 *Transportation Act, \$367,000,000, to be derived from the*  
9 *Highway Trust Fund (other than the Mass Transit Ac-*  
10 *count) and to remain available until expended: Provided,*  
11 *That funds available for the implementation or execution*  
12 *of motor carrier safety programs shall not exceed total obli-*  
13 *gations of \$367,000,000 in fiscal year 2017 for “Motor Car-*  
14 *rier Safety Grants”; of which \$292,600,000 shall be avail-*  
15 *able for the motor carrier safety assistance program,*  
16 *\$31,200,000 shall be available for the commercial driver’s*  
17 *license program implementation program, \$42,200,000*  
18 *shall be available for the high priority activities program,*  
19 *and \$1,000,000 shall be available for the commercial motor*  
20 *vehicle operators grant program.*

21            *ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER*  
22                    *SAFETY ADMINISTRATION*

23            *SEC. 130. Funds appropriated or limited in this Act*  
24 *shall be subject to the terms and conditions stipulated in*

1 *section 350 of Public Law 107–87 and section 6901 of Pub-*  
2 *lic Law 110–28.*

3         *SEC. 131. The Federal Motor Carrier Safety Adminis-*  
4 *tration shall send notice of 49 CFR section 385.308 viola-*  
5 *tions by certified mail, registered mail, or another manner*  
6 *of delivery, which records the receipt of the notice by the*  
7 *persons responsible for the violations.*

8         *SEC. 132. None of the funds made available by this*  
9 *Act or previous appropriations Acts under the heading*  
10 *“Motor Carrier Safety Operations and Programs” shall be*  
11 *used to pay for costs associated with design, development,*  
12 *testing, or implementation of a wireless roadside inspection*  
13 *program until 180 days after the Secretary of Transpor-*  
14 *tation certifies to the House and Senate Committees on Ap-*  
15 *propriations that such program does not conflict with exist-*  
16 *ing non-Federal electronic screening systems, create capa-*  
17 *bilities already available, or require additional statutory*  
18 *authority to incorporate generated inspection data into*  
19 *safety determinations or databases, and has restrictions to*  
20 *specifically address privacy concerns of affected motor car-*  
21 *riers and operators.*

22         *NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*  
23                                 *OPERATIONS AND RESEARCH*

24         *For expenses necessary to discharge the functions of the*  
25 *Secretary, with respect to traffic and highway safety au-*

1 *thorized under chapter 301 and part C of subtitle VI of*  
2 *title 49, United States Code, \$180,075,000, of which*  
3 *\$20,000,000 shall remain available through September 30,*  
4 *2018.*

5 *OPERATIONS AND RESEARCH*

6 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

7 *(LIMITATION ON OBLIGATIONS)*

8 *(HIGHWAY TRUST FUND)*

9 *For payment of obligations incurred in carrying out*  
10 *the provisions of 23 U.S.C. 403, and chapter 303 of title*  
11 *49, United States Code, \$145,900,000, to be derived from*  
12 *the Highway Trust Fund (other than the Mass Transit Ac-*  
13 *count) and to remain available until expended: Provided,*  
14 *That none of the funds in this Act shall be available for*  
15 *the planning or execution of programs the total obligations*  
16 *for which, in fiscal year 2017, are in excess of \$145,900,000,*  
17 *of which \$140,700,000 shall be for programs authorized*  
18 *under 23 U.S.C. 403 and \$5,200,000 shall be for the Na-*  
19 *tional Driver Register authorized under chapter 303 of title*  
20 *49, United States Code: Provided further, That within the*  
21 *\$145,900,000 obligation limitation for operations and re-*  
22 *search, \$20,000,000 shall remain available until September*  
23 *30, 2018, and shall be in addition to the amount of any*  
24 *limitation imposed on obligations for future years.*

1                    *HIGHWAY TRAFFIC SAFETY GRANTS*  
2                    *(LIQUIDATION OF CONTRACT AUTHORIZATION)*  
3                    *(LIMITATION ON OBLIGATIONS)*  
4                    *(HIGHWAY TRUST FUND)*

5            *For payment of obligations incurred in carrying out*  
6 *provisions of 23 U.S.C. 402, 404, and 405, and section*  
7 *4001(a)(6) of the Fixing America’s Surface Transportation*  
8 *Act, to remain available until expended, \$585,372,000, to*  
9 *be derived from the Highway Trust Fund (other than the*  
10 *Mass Transit Account): Provided, That none of the funds*  
11 *in this Act shall be available for the planning or execution*  
12 *of programs the total obligations for which, in fiscal year*  
13 *2017, are in excess of \$585,372,000 for programs authorized*  
14 *under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6)*  
15 *of the Fixing America’s Surface Transportation Act, of*  
16 *which \$252,300,000 shall be for “Highway Safety Pro-*  
17 *grams” under 23 U.S.C. 402; \$277,500,000 shall be for*  
18 *“National Priority Safety Programs” under 23 U.S.C. 405;*  
19 *\$29,500,000 shall be for “High Visibility Enforcement Pro-*  
20 *gram” under 23 U.S.C. 404; \$26,072,000 shall be for “Ad-*  
21 *ministrative Expenses” under section 4001(a)(6) of the Fix-*  
22 *ing America’s Surface Transportation Act: Provided fur-*  
23 *ther, That none of these funds shall be used for construction,*  
24 *rehabilitation, or remodeling costs, or for office furnishings*  
25 *and fixtures for State, local or private buildings or struc-*



1 tures: Provided further, That not to exceed \$500,000 of the  
2 funds made available for “National Priority Safety Pro-  
3 grams” under 23 U.S.C. 405 for “Impaired Driving Coun-  
4 termeasures” (as described in subsection (d) of that section)  
5 shall be available for technical assistance to the States: Pro-  
6 vided further, That with respect to the “Transfers” provi-  
7 sion under 23 U.S.C. 405(a)(8), any amounts transferred  
8 to increase the amounts made available under section 402  
9 shall include the obligation authority for such amounts:  
10 Provided further, That the Administrator shall notify the  
11 House and Senate Committees on Appropriations of any  
12 exercise of the authority granted under the previous proviso  
13 or under 23 U.S.C. 405(a)(8) within 5 days.

14 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

15 TRAFFIC SAFETY ADMINISTRATION

16 SEC. 140. An additional \$130,000 shall be made avail-  
17 able to the National Highway Traffic Safety Administra-  
18 tion, out of the amount limited for section 402 of title 23,  
19 United States Code, to pay for travel and related expenses  
20 for State management reviews and to pay for core com-  
21 petency development training and related expenses for high-  
22 way safety staff.

23 SEC. 141. The limitations on obligations for the pro-  
24 grams of the National Highway Traffic Safety Administra-  
25 tion set in this Act shall not apply to obligations for which

1 *obligation authority was made available in previous public*  
2 *laws but only to the extent that the obligation authority*  
3 *has not lapsed or been used.*

4 *SEC. 142. None of the funds made available by this*  
5 *Act may be used to obligate or award funds for the National*  
6 *Highway Traffic Safety Administration's National Road-*  
7 *side Survey.*

8 *SEC. 143. None of the funds made available by this*  
9 *Act may be used to mandate global positioning system*  
10 *(GPS) tracking in private passenger motor vehicles without*  
11 *providing full and appropriate consideration of privacy*  
12 *concerns under 5 U.S.C. chapter 5, subchapter II.*

13 *FEDERAL RAILROAD ADMINISTRATION*

14 *SAFETY AND OPERATIONS*

15 *For necessary expenses of the Federal Railroad Admin-*  
16 *istration, not otherwise provided for, \$218,298,000, of which*  
17 *\$15,900,000 shall remain available until expended.*

18 *RAILROAD RESEARCH AND DEVELOPMENT*

19 *For necessary expenses for railroad research and devel-*  
20 *opment, \$40,100,000, to remain available until expended.*

21 *RAILROAD REHABILITATION AND IMPROVEMENT FINANCING*

22 *PROGRAM*

23 *The Secretary of Transportation is authorized to issue*  
24 *direct loans and loan guarantees pursuant to sections 501*  
25 *through 504 of the Railroad Revitalization and Regulatory*

1 *Reform Act of 1976 (Public Law 94–210), as amended, such*  
2 *authority shall exist as long as any such direct loan or loan*  
3 *guarantee is outstanding: Provided, That pursuant to sec-*  
4 *tion 502 of such Act, as amended, no new direct loans or*  
5 *loan guarantee commitments shall be made using Federal*  
6 *funds for the credit risk premium during fiscal year 2017,*  
7 *except for Federal funds awarded in accordance with sec-*  
8 *tion 3028(c) of Public Law 114–94.*

9 *FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD*

10 *REPAIR GRANTS*

11 *For necessary expenses related to Federal-State Part-*  
12 *nership for State of Good Repair Grants as authorized by*  
13 *section 24911 of title 49, United States Code, \$25,000,000,*  
14 *to remain available until expended: Provided, That the Sec-*  
15 *retary may withhold up to one percent of the amount pro-*  
16 *vided under this heading for the costs of project manage-*  
17 *ment oversight of grants carried out under section 24911*  
18 *of title 49, United States Code.*

19 *CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY*

20 *IMPROVEMENTS GRANTS*

21 *For necessary expenses related to Consolidated Rail*  
22 *Infrastructure and Safety Improvements Grants as author-*  
23 *ized by section 24407 of title 49, United States Code,*  
24 *\$68,000,000, to remain available until expended, for*  
25 *projects eligible under sections 24407(c)(1) through*

1 24407(c)(10) of title 49, United States Code, of which  
2 \$10,000,000 shall be available for eligible projects under sec-  
3 tion 24407(c)(2) of title 49, United States Code, that con-  
4 tribute to the initiation or restoration of intercity passenger  
5 rail service: Provided, That the Secretary may withhold up  
6 to one percent of the amount provided under this heading  
7 for the costs of project management oversight of grants car-  
8 ried out under section 24407 of title 49, United States Code.

9 *RESTORATION AND ENHANCEMENT GRANTS*

10 *For necessary expenses related to Restoration and En-*  
11 *hancement Grants, as authorized by section 24408 of title*  
12 *49, United States Code, \$5,000,000, to remain available*  
13 *until expended: Provided, That the Secretary may withhold*  
14 *up to one percent of the funds provided under this heading*  
15 *to fund the costs of project management and oversight.*

16 *NORTHEAST CORRIDOR GRANTS TO THE NATIONAL*

17 *RAILROAD PASSENGER CORPORATION*

18 *To enable the Secretary of Transportation to make*  
19 *grants to the National Railroad Passenger Corporation for*  
20 *activities associated with the Northeast Corridor as author-*  
21 *ized by section 11101(a) of the Fixing America's Surface*  
22 *Transportation Act (division A of Public Law 114-94),*  
23 *\$328,000,000, to remain available until expended: Pro-*  
24 *vided, That the Secretary may retain up to one-half of 1*  
25 *percent of the funds provided under both this heading and*

1 *the National Network Grants to the National Railroad Pas-*  
2 *senger Corporation heading to fund the costs of project man-*  
3 *agement and oversight of activities authorized by section*  
4 *11101(c) of division A of Public Law 114–94: Provided fur-*  
5 *ther, That in addition to the project management oversight*  
6 *funds authorized under section 11101(c) of division A of*  
7 *Public Law 114–94, the Secretary may retain up to an ad-*  
8 *ditional \$5,000,000 of the funds provided under this head-*  
9 *ing to fund expenses associated with the Northeast Corridor*  
10 *Commission established under section 24905 of title 49,*  
11 *United States Code: Provided further, That of the amounts*  
12 *made available under this heading and the National Net-*  
13 *work Grants to the National Railroad Passenger Corpora-*  
14 *tion heading, not less than \$50,000,000 shall be made avail-*  
15 *able to bring Amtrak-served facilities and stations into com-*  
16 *pliance with the Americans with Disabilities Act.*

17 *NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD*  
18 *PASSENGER CORPORATION*

19 *To enable the Secretary of Transportation to make*  
20 *grants to the National Railroad Passenger Corporation for*  
21 *activities associated with the National Network as author-*  
22 *ized by section 11101(b) of the Fixing America’s Surface*  
23 *Transportation Act (division A of Public Law 114–94),*  
24 *\$1,167,000,000, to remain available until expended: Pro-*  
25 *vided, That the Secretary may retain up to an additional*

1 \$2,000,000 of the funds provided under this heading to fund  
2 expenses associated with the State-Supported Route Com-  
3 mittee established under 24712 of title 49, United States  
4 Code.

5 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

6 ADMINISTRATION

7 SEC. 150. None of the funds provided to the National  
8 Railroad Passenger Corporation may be used to fund any  
9 overtime costs in excess of \$35,000 for any individual em-  
10 ployee: Provided, That the President of Amtrak may waive  
11 the cap set in the previous proviso for specific employees  
12 when the President of Amtrak determines such a cap poses  
13 a risk to the safety and operational efficiency of the system:  
14 Provided further, That the President of Amtrak shall report  
15 to the House and Senate Committees on Appropriations  
16 each quarter within 30 days of such quarter of the calendar  
17 year on waivers granted to employees and amounts paid  
18 above the cap for each month within such quarter and de-  
19 lineate the reasons each waiver was granted: Provided fur-  
20 ther, That the President of Amtrak shall report to the House  
21 and Senate Committees on Appropriations by March 1,  
22 2017, a summary of all overtime payments incurred by the  
23 Corporation for 2016 and the three prior calendar years:  
24 Provided further, That such summary shall include the total  
25 number of employees that received waivers and the total

1 *overtime payments the Corporation paid to those employees*  
 2 *receiving waivers for each month for 2016 and for the three*  
 3 *prior calendar years.*

4 *FEDERAL TRANSIT ADMINISTRATION*

5 *ADMINISTRATIVE EXPENSES*

6 *For necessary administrative expenses of the Federal*  
 7 *Transit Administration's programs authorized by chapter*  
 8 *53 of title 49, United States Code, \$113,165,000: Provided,*  
 9 *That none of the funds provided or limited in this Act may*  
 10 *be used to create a permanent office of transit security*  
 11 *under this heading: Provided further, That upon submission*  
 12 *to the Congress of the fiscal year 2018 President's budget,*  
 13 *the Secretary of Transportation shall transmit to Congress*  
 14 *the annual report on New Starts, including proposed allo-*  
 15 *cations for fiscal year 2018.*

16 *TRANSIT FORMULA GRANTS*

17 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

18 *(LIMITATION ON OBLIGATIONS)*

19 *(HIGHWAY TRUST FUND)*

20 *For payment of obligations incurred in the Federal*  
 21 *Public Transportation Assistance Program in this account,*  
 22 *and for payment of obligations incurred in carrying out*  
 23 *the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312,*  
 24 *5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as*  
 25 *amended by the Fixing America's Surface Transportation*

1 *Act, and section 20005(b) of Public Law 112–141, and sec-*  
2 *tions 3006(b) and 3028 of the Fixing America’s Surface*  
3 *Transportation Act, \$10,800,000,000, to be derived from the*  
4 *Mass Transit Account of the Highway Trust Fund and to*  
5 *remain available until expended: Provided, That funds*  
6 *available for the implementation or execution of programs*  
7 *authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312,*  
8 *5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as*  
9 *amended by the Fixing America’s Surface Transportation*  
10 *Act, and section 20005(b) of Public Law 112–141, and sec-*  
11 *tions 3006(b) and 3028 of the Fixing America’s Surface*  
12 *Transportation Act, shall not exceed total obligations of*  
13 *\$9,733,706,043 in fiscal year 2017: Provided further, That*  
14 *the Federal share of the cost of activities carried out under*  
15 *section 5312 shall not exceed 80 percent, except that if there*  
16 *is substantial public interest or benefit, the Secretary may*  
17 *approve a greater Federal share.*

18 *TECHNICAL ASSISTANCE AND TRAINING*

19 *For necessary expenses to carry out 49 U.S.C. 5314,*  
20 *\$5,000,000.*

21 *CAPITAL INVESTMENT GRANTS*

22 *For necessary expenses to carry out 49 U.S.C. 5309*  
23 *and section 3005(b) of the FAST Act, \$2,412,631,000, to*  
24 *remain available until expended.*





1 *tem, may waive the requirements of section 601(e)(1) of di-*  
2 *vision B of Public Law 110–432 (112 Stat. 4968).*

3 *ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT*

4 *ADMINISTRATION*

5 *(INCLUDING RESCISSION)*

6 *SEC. 160. The limitations on obligations for the pro-*  
7 *grams of the Federal Transit Administration shall not*  
8 *apply to any authority under 49 U.S.C. 5338, previously*  
9 *made available for obligation, or to any other authority pre-*  
10 *viously made available for obligation.*

11 *SEC. 161. Notwithstanding any other provision of law,*  
12 *funds appropriated or limited by this Act under the heading*  
13 *“Fixed Guideway Capital Investment” of the Federal Tran-*  
14 *sit Administration for projects specified in this Act or iden-*  
15 *tified in reports accompanying this Act not obligated by*  
16 *September 30, 2021, and other recoveries, shall be directed*  
17 *to projects eligible to use the funds for the purposes for*  
18 *which they were originally provided.*

19 *SEC. 162. Notwithstanding any other provision of law,*  
20 *any funds appropriated before October 1, 2016, under any*  
21 *section of chapter 53 of title 49, United States Code, that*  
22 *remain available for expenditure, may be transferred to and*  
23 *administered under the most recent appropriation heading*  
24 *for any such section.*

1        *SEC. 163. (a) Except as provided in subsection (b),*  
2 *none of the funds in this or any other Act may be available*  
3 *to advance in any way a new light or heavy rail project*  
4 *towards a full funding grant agreement as defined by* 49  
5 *U.S.C. 5309 for the Metropolitan Transit Authority of Har-*  
6 *ris County, Texas if the proposed capital project is con-*  
7 *structed on or planned to be constructed on Richmond Ave-*  
8 *nue west of South Shepherd Drive or on Post Oak Boule-*  
9 *vard north of Richmond Avenue in Houston, Texas.*

10        *(b) The Metropolitan Transit Authority of Harris*  
11 *County, Texas, may attempt to construct or construct a new*  
12 *fixed guideway capital project, including light rail, in the*  
13 *locations referred to in subsection (a) if—*

14            *(1) voters in the jurisdiction that includes such*  
15 *locations approve a ballot proposition that specifies*  
16 *routes on Richmond Avenue west of South Shepherd*  
17 *Drive or on Post Oak Boulevard north of Richmond*  
18 *Avenue in Houston, Texas; and*

19            *(2) the proposed construction of such routes is*  
20 *part of a comprehensive, multi-modal, service-area*  
21 *wide transportation plan that includes multiple addi-*  
22 *tional segments of fixed guideway capital projects, in-*  
23 *cluding light rail for the jurisdiction set forth in the*  
24 *ballot proposition. The ballot language shall include*  
25 *reasonable cost estimates, sources of revenue to be used*

1        *and the total amount of bonded indebtedness to be in-*  
2        *curred as well as a description of each route and the*  
3        *beginning and end point of each proposed transit*  
4        *project.*

5        *SEC. 164. Any unobligated amounts made available*  
6        *for fiscal year 2012 or prior fiscal years to carry out the*  
7        *discretionary job access and reverse commute program*  
8        *under section 3037 of the transportation equity act for the*  
9        *21st century are hereby rescinded: Provided, That such*  
10       *amounts are made available for projects eligible under 49*  
11       *U.S.C. 5309(q).*

12       *SEC. 165. Section 5307(a) of title 49, United States*  
13       *Code, is amended by striking paragraphs (2) and (3) and*  
14       *inserting the following:*

15                *“(2) The Secretary may make grants under this*  
16        *section to finance the operating cost of equipment and*  
17        *facilities for use in public transportation, excluding*  
18        *rail fixed guideway, in an urbanized area with a*  
19        *population of not fewer than 200,000 individuals, as*  
20        *determined by the Bureau of the Census—*

21                *“(A) for public transportation systems*  
22        *that—*

23                        *“(i) operate 75 or fewer buses in fixed*  
24        *route service or demand response service, ex-*  
25        *cluding ADA complementary paratransit*

1           *service, during peak service hours, in an*  
2           *amount not to exceed 75 percent of the share*  
3           *of the apportionment which is attributable*  
4           *to such systems within the urbanized area,*  
5           *as measured by vehicle revenue hours; or*

6           “(ii) *operate a minimum of 76 buses*  
7           *and a maximum of 100 buses in fixed route*  
8           *service or demand response service, exclud-*  
9           *ing ADA complementary paratransit serv-*  
10           *ice, during peak service hours, in an*  
11           *amount not to exceed 50 percent of the share*  
12           *of the apportionment which is attributable*  
13           *to such systems within the urbanized area,*  
14           *as measured by vehicle revenue hours; or*

15           “(B) *subject to paragraph (3), for public*  
16           *transportation systems that—*

17           “(i) *operate 75 or fewer buses in fixed*  
18           *route service or demand response service, ex-*  
19           *cluding ADA complementary paratransit*  
20           *service, during peak service hours, in an*  
21           *amount not to exceed 75 percent of the share*  
22           *of the apportionment allocated to such sys-*  
23           *tems within the urbanized area, as deter-*  
24           *mined by the local planning process and in-*  
25           *cluded in the designated recipient’s final*

1            *program of projects prepared under sub-*  
2            *section (b); or*

3            *“(ii) operate a minimum of 76 buses*  
4            *and a maximum of 100 buses in fixed route*  
5            *service or demand response service, exclud-*  
6            *ing ADA complementary paratransit service*  
7            *during peak service hours, in an amount*  
8            *not to exceed 50 percent of the share of the*  
9            *apportionment allocated to such systems*  
10           *within the urbanized area, as determined by*  
11           *the local planning process and included in*  
12           *the designated recipient’s final program of*  
13           *projects prepared under subsection (b).*

14           *“(3) The amount available to a public transpor-*  
15           *tation system under subparagraph (B) of paragraph*  
16           *(2) shall be not more than 10 percent greater than the*  
17           *amount that would otherwise be available to the sys-*  
18           *tem under subparagraph (A) of that paragraph.”.*

19    *SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION*

20           *The Saint Lawrence Seaway Development Corpora-*  
21           *tion is hereby authorized to make such expenditures, within*  
22           *the limits of funds and borrowing authority available to*  
23           *the Corporation, and in accord with law, and to make such*  
24           *contracts and commitments without regard to fiscal year*  
25           *limitations as provided by section 104 of the Government*

1 *Corporation Control Act, as amended, as may be necessary*  
2 *in carrying out the programs set forth in the Corporation's*  
3 *budget for the current fiscal year.*

4 *OPERATIONS AND MAINTENANCE*

5 *(HARBOR MAINTENANCE TRUST FUND)*

6 *For necessary expenses to conduct the operations,*  
7 *maintenance, and capital asset renewal activities of those*  
8 *portions of the St. Lawrence Seaway owned, operated, and*  
9 *maintained by the Saint Lawrence Seaway Development*  
10 *Corporation, \$36,028,000, to be derived from the Harbor*  
11 *Maintenance Trust Fund, pursuant to Public Law 99-662.*

12 *MARITIME ADMINISTRATION*

13 *MARITIME SECURITY PROGRAM*

14 *For necessary expenses to maintain and preserve a*  
15 *U.S.-flag merchant fleet to serve the national security needs*  
16 *of the United States, \$300,000,000, to remain available*  
17 *until expended.*

18 *OPERATIONS AND TRAINING*

19 *For necessary expenses of operations and training ac-*  
20 *tivities authorized by law, \$175,560,000, of which*  
21 *\$22,000,000 shall remain available until expended for*  
22 *maintenance and repair of training ships at State Mari-*  
23 *time Academies, and of which \$6,000,000 shall remain*  
24 *available until expended for National Security Multi-Mis-*  
25 *sion Vessel Program for State Maritime Academies and Na-*

1 *tional Security, and of which \$2,400,000 shall remain*  
2 *available through September 30, 2018, for the Student In-*  
3 *centive Program at State Maritime Academies, and of*  
4 *which \$1,800,000 shall remain available until expended for*  
5 *training ship fuel assistance payments, and of which*  
6 *\$14,218,000 shall remain available until expended for fa-*  
7 *cilities maintenance and repair, equipment, and capital*  
8 *improvements at the United States Merchant Marine Acad-*  
9 *emy, and of which \$3,000,000 shall remain available*  
10 *through September 30, 2018, for Maritime Environment*  
11 *and Technology Assistance program authorized under sec-*  
12 *tion 50307 of title 46, United States Code, and of which*  
13 *\$5,000,000 shall remain available until expended for the*  
14 *Short Sea Transportation Program (America’s Marine*  
15 *Highways) to make grants for the purposes authorized*  
16 *under sections 55601(b)(1) and (3) of title 46, United States*  
17 *Code: Provided, That not later than January 12, 2018, the*  
18 *Administrator of the Maritime Administration shall trans-*  
19 *mit to the House and Senate Committees on Appropriations*  
20 *the annual report on sexual assault and sexual harassment*  
21 *at the United States Merchant Marine Academy as required*  
22 *pursuant to section 3507 of Public Law 110–417.*

23 *ASSISTANCE TO SMALL SHIPYARDS*

24 *To make grants to qualified shipyards as authorized*  
25 *under section 54101 of title 46, United States Code, as*



1 amended by Public Law 113–281, \$10,000,000 to remain  
2 available until expended: Provided, That the Secretary shall  
3 issue the Notice of Funding Availability no later than 15  
4 days after enactment of this Act: Provided further, That  
5 from applications submitted under the previous proviso, the  
6 Secretary of Transportation shall make grants no later than  
7 120 days after enactment of this Act in such amounts as  
8 the Secretary determines: Provided further, That not to ex-  
9 ceed 2 percent of the funds appropriated under this heading  
10 shall be available for necessary costs of grant administra-  
11 tion.

12 *SHIP DISPOSAL*

13 *For necessary expenses related to the disposal of obso-*  
14 *lete vessels in the National Defense Reserve Fleet of the Mar-*  
15 *itime Administration, \$34,000,000, to remain available*  
16 *until expended, of which \$24,000,000 shall be for the decom-*  
17 *missioning of the Nuclear Ship Savannah.*

18 *MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM*

19 *ACCOUNT*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For administrative expenses to carry out the guaran-*  
22 *teed loan program, \$3,000,000, which shall be transferred*  
23 *to and merged with the appropriations for “Operations and*  
24 *Training”, Maritime Administration.*

1 ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

2       *SEC. 170. Notwithstanding any other provision of this*  
3 *Act, in addition to any existing authority, the Maritime*  
4 *Administration is authorized to furnish utilities and serv-*  
5 *ices and make necessary repairs in connection with any*  
6 *lease, contract, or occupancy involving Government prop-*  
7 *erty under control of the Maritime Administration: Pro-*  
8 *vided, That payments received therefor shall be credited to*  
9 *the appropriation charged with the cost thereof and shall*  
10 *remain available until expended: Provided further, That*  
11 *rental payments under any such lease, contract, or occu-*  
12 *pancy for items other than such utilities, services, or repairs*  
13 *shall be covered into the Treasury as miscellaneous receipts.*

14       *SEC. 171. None of the funds available or appropriated*  
15 *in this Act shall be used by the United States Department*  
16 *of Transportation or the United States Maritime Adminis-*  
17 *tration to negotiate or otherwise execute, enter into, facili-*  
18 *tate or perform fee-for-service contracts for vessel disposal,*  
19 *scrapping or recycling, unless there is no qualified domestic*  
20 *ship recycler that will pay any sum of money to purchase*  
21 *and scrap or recycle a vessel owned, operated or managed*  
22 *by the Maritime Administration or that is part of the Na-*  
23 *tional Defense Reserve Fleet: Provided, That such sales of-*  
24 *fers must be consistent with the solicitation and provide*  
25 *that the work will be performed in a timely manner at a*

1 *facility qualified within the meaning of section 3502 of*  
2 *Public Law 106–398: Provided further, That nothing con-*  
3 *tained herein shall affect the Maritime Administration’s*  
4 *authority to award contracts at least cost to the Federal*  
5 *Government and consistent with the requirements of 54*  
6 *U.S.C. 308704, section 3502, or otherwise authorized under*  
7 *the Federal Acquisition Regulation.*

8 *PIPELINE AND HAZARDOUS MATERIALS SAFETY*

9 *ADMINISTRATION*

10 *OPERATIONAL EXPENSES*

11 *For necessary operational expenses of the Pipeline and*  
12 *Hazardous Materials Safety Administration, \$22,500,000:*  
13 *Provided, That the Secretary of Transportation shall issue*  
14 *a final rule to expand the applicability of comprehensive*  
15 *oil spill response plans no later than August 1, 2017: Pro-*  
16 *vided further, That \$1,500,000 shall be for “Pipeline Safety*  
17 *Information Grants to Communities” as authorized under*  
18 *section 60130 of title 49, United States Code.*

19 *HAZARDOUS MATERIALS SAFETY*

20 *For expenses necessary to discharge the hazardous ma-*  
21 *terials safety functions of the Pipeline and Hazardous Ma-*  
22 *terials Safety Administration, \$57,000,000, of which*  
23 *\$7,570,000 shall remain available until September 30,*  
24 *2019: Provided, That up to \$800,000 in fees collected under*  
25 *49 U.S.C. 5108(g) shall be deposited in the general fund*

1 *of the Treasury as offsetting receipts: Provided further, That*  
2 *there may be credited to this appropriation, to be available*  
3 *until expended, funds received from States, counties, mu-*  
4 *nicipalities, other public authorities, and private sources*  
5 *for expenses incurred for training, for reports publication*  
6 *and dissemination, and for travel expenses incurred in per-*  
7 *formance of hazardous materials exemptions and approvals*  
8 *functions.*

9 *PIPELINE SAFETY*

10 *(PIPELINE SAFETY FUND)*

11 *(OIL SPILL LIABILITY TRUST FUND)*

12 *For expenses necessary to conduct the functions of the*  
13 *pipeline safety program, for grants-in-aid to carry out a*  
14 *pipeline safety program, as authorized by 49 U.S.C. 60107,*  
15 *and to discharge the pipeline program responsibilities of*  
16 *the Oil Pollution Act of 1990, \$156,288,000, of which*  
17 *\$20,288,000 shall be derived from the Oil Spill Liability*  
18 *Trust Fund and shall remain available until September 30,*  
19 *2019; and of which \$128,000,000 shall be derived from the*  
20 *Pipeline Safety Fund, of which \$63,335,000 shall remain*  
21 *available until September 30, 2019; and of which*  
22 *\$8,000,000 shall be derived from the Pipeline Safety Fund*  
23 *as provided in 49 U.S.C. 60302 (section 12 of the PIPES*  
24 *Act of 2016 (Public Law 114–183)) from the Underground*  
25 *Natural Gas Storage Facility Safety Account for the pur-*

1 *pose of carrying out 49 U.S.C. 60141 of such Act (section*  
2 *12 of the PIPES Act of 2016 (Public Law 114–183)), of*  
3 *which \$6,000,000 shall remain available until September*  
4 *30, 2019: Provided, That not less than \$1,058,000 of the*  
5 *funds provided under this heading shall be for the One-Call*  
6 *State grant program.*

7 *EMERGENCY PREPAREDNESS GRANTS*

8 *(EMERGENCY PREPAREDNESS FUND)*

9 *Notwithstanding the fiscal year limitation specified in*  
10 *49 U.S.C. 5116, not more than \$28,318,000 shall be made*  
11 *available for obligation in fiscal year 2017 from amounts*  
12 *made available by 49 U.S.C. 5116(h), and 5128(b) and (c):*  
13 *Provided, That notwithstanding 49 U.S.C. 5116(h)(4), not*  
14 *more than 4 percent of the amounts made available from*  
15 *this account shall be available to pay administrative costs:*  
16 *Provided further, That none of the funds made available*  
17 *by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made*  
18 *available for obligation by individuals other than the Sec-*  
19 *retary of Transportation, or his or her designee: Provided*  
20 *further, That notwithstanding 49 U.S.C. 5128(b) and (c)*  
21 *and the current year obligation limitation, prior year re-*  
22 *coveries recognized in the current year shall be available*  
23 *to develop a hazardous materials response training cur-*  
24 *riculum for emergency responders, including response ac-*  
25 *tivities for the transportation of crude oil, ethanol and other*

1 *flammable liquids by rail, consistent with National Fire*  
2 *Protection Association standards, and to make such train-*  
3 *ing available through an electronic format: Provided fur-*  
4 *ther, That the prior year recoveries made available under*  
5 *this heading shall also be available to carry out 49 U.S.C.*  
6 *5116(a)(1)(C) and 5116(i).*

7 *OFFICE OF INSPECTOR GENERAL*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Office of the Inspector*  
10 *General to carry out the provisions of the Inspector General*  
11 *Act of 1978, as amended, \$90,152,000: Provided, That the*  
12 *Inspector General shall have all necessary authority, in car-*  
13 *rying out the duties specified in the Inspector General Act,*  
14 *as amended (5 U.S.C. App. 3), to investigate allegations*  
15 *of fraud, including false statements to the government (18*  
16 *U.S.C. 1001), by any person or entity that is subject to*  
17 *regulation by the Department of Transportation: Provided*  
18 *further, That the funds made available under this heading*  
19 *may be used to investigate, pursuant to section 41712 of*  
20 *title 49, United States Code: (1) unfair or deceptive prac-*  
21 *tices and unfair methods of competition by domestic and*  
22 *foreign air carriers and ticket agents; and (2) the compli-*  
23 *ance of domestic and foreign air carriers with respect to*  
24 *item (1) of this proviso.*

1           *GENERAL PROVISIONS—DEPARTMENT OF*  
2                               *TRANSPORTATION*

3           *SEC. 180. (a) During the current fiscal year, applica-*  
4 *ble appropriations to the Department of Transportation*  
5 *shall be available for maintenance and operation of air-*  
6 *craft; hire of passenger motor vehicles and aircraft; pur-*  
7 *chase of liability insurance for motor vehicles operating in*  
8 *foreign countries on official department business; and uni-*  
9 *forms or allowances therefor, as authorized by law (5 U.S.C.*  
10 *5901–5902).*

11           *(b) During the current fiscal year, applicable appro-*  
12 *priations to the Department and its operating administra-*  
13 *tions shall be available for the purchase, maintenance, oper-*  
14 *ation, and deployment of unmanned aircraft systems that*  
15 *advance the Department's, or its operating administra-*  
16 *tions', missions.*

17           *(c) Any unmanned aircraft system purchased or pro-*  
18 *cured by the Department prior to the enactment of this Act*  
19 *shall be deemed authorized.*

20           *SEC. 181. Appropriations contained in this Act for the*  
21 *Department of Transportation shall be available for services*  
22 *as authorized by 5 U.S.C. 3109, but at rates for individuals*  
23 *not to exceed the per diem rate equivalent to the rate for*  
24 *an Executive Level IV.*

1        *SEC. 182. None of the funds in this Act shall be avail-*  
2 *able for salaries and expenses of more than 110 political*  
3 *and Presidential appointees in the Department of Trans-*  
4 *portation: Provided, That none of the personnel covered by*  
5 *this provision may be assigned on temporary detail outside*  
6 *the Department of Transportation.*

7        *SEC. 183. (a) No recipient of funds made available in*  
8 *this Act shall disseminate personal information (as defined*  
9 *in 18 U.S.C. 2725(3)) obtained by a State department of*  
10 *motor vehicles in connection with a motor vehicle record*  
11 *as defined in 18 U.S.C. 2725(1), except as provided in 18*  
12 *U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.*

13        *(b) Notwithstanding subsection (a), the Secretary shall*  
14 *not withhold funds provided in this Act for any grantee*  
15 *if a State is in noncompliance with this provision.*

16        *SEC. 184. Funds received by the Federal Highway Ad-*  
17 *ministration and Federal Railroad Administration from*  
18 *States, counties, municipalities, other public authorities,*  
19 *and private sources for expenses incurred for training may*  
20 *be credited respectively to the Federal Highway Adminis-*  
21 *tration's "Federal-Aid Highways" account and to the Fed-*  
22 *eral Railroad Administration's "Safety and Operations"*  
23 *account, except for State rail safety inspectors participating*  
24 *in training pursuant to 49 U.S.C. 20105.*



1        *SEC. 185. (a) None of the funds provided in this Act*  
2 *to the Department of Transportation may be used to make*  
3 *a loan, loan guarantee, line of credit, or discretionary grant*  
4 *totaling \$500,000 or more unless the Secretary of Transpor-*  
5 *tation notifies the House and Senate Committees on Appro-*  
6 *priations not less than 3 full business days before any*  
7 *project competitively selected to receive any discretionary*  
8 *grant award, letter of intent, loan commitment, loan guar-*  
9 *antee commitment, line of credit commitment, or full fund-*  
10 *ing grant agreement is announced by the Department or*  
11 *its modal administrations: Provided, That the Secretary*  
12 *gives concurrent notification to the House and Senate Com-*  
13 *mittees on Appropriations for any “quick release” of funds*  
14 *from the emergency relief program: Provided further, That*  
15 *no notification shall involve funds that are not available*  
16 *for obligation.*

17        *(b) In addition to the notification required in sub-*  
18 *section (a), none of the funds made available in this Act*  
19 *to the Department of Transportation may be used to make*  
20 *a loan, loan guarantee, line of credit, or discretionary grant*  
21 *unless the Secretary of Transportation provides the House*  
22 *and Senate Committees on Appropriations a comprehensive*  
23 *list of all such loans, loan guarantees, lines of credit, or*  
24 *discretionary grants that will be announced not less the 3*  
25 *full business days before such announcement: Provided,*

1 *That the requirement to provide a list in this subsection*  
2 *does not apply to any “quick release” of funds from the*  
3 *emergency relief program: Provided further, That no list*  
4 *shall involve funds that are not available for obligation.*

5       *SEC. 186. Rebates, refunds, incentive payments, minor*  
6 *fees and other funds received by the Department of Trans-*  
7 *portation from travel management centers, charge card pro-*  
8 *grams, the subleasing of building space, and miscellaneous*  
9 *sources are to be credited to appropriations of the Depart-*  
10 *ment of Transportation and allocated to elements of the De-*  
11 *partment of Transportation using fair and equitable cri-*  
12 *teria and such funds shall be available until expended.*

13       *SEC. 187. Amounts made available in this or any other*  
14 *Act that the Secretary determines represent improper pay-*  
15 *ments by the Department of Transportation to a third-*  
16 *party contractor under a financial assistance award, which*  
17 *are recovered pursuant to law, shall be available—*

18             *(1) to reimburse the actual expenses incurred by*  
19       *the Department of Transportation in recovering im-*  
20       *proper payments; and*

21             *(2) to pay contractors for services provided in re-*  
22       *covering improper payments or contractor support in*  
23       *the implementation of the Improper Payments Infor-*  
24       *mation Act of 2002: Provided, That amounts in excess*  
25       *of that required for paragraphs (1) and (2)—*

1           (A) shall be credited to and merged with the  
2           appropriation from which the improper pay-  
3           ments were made, and shall be available for the  
4           purposes and period for which such appropria-  
5           tions are available: Provided further, That where  
6           specific project or accounting information associ-  
7           ated with the improper payment or payments is  
8           not readily available, the Secretary may credit  
9           an appropriate account, which shall be available  
10          for the purposes and period associated with the  
11          account so credited; or

12          (B) if no such appropriation remains avail-  
13          able, shall be deposited in the Treasury as mis-  
14          cellaneous receipts: Provided further, That prior  
15          to the transfer of any such recovery to an appro-  
16          priations account, the Secretary shall notify the  
17          House and Senate Committees on Appropria-  
18          tions of the amount and reasons for such trans-  
19          fer: Provided further, That for purposes of this  
20          section, the term “improper payments” has the  
21          same meaning as that provided in section  
22          2(d)(2) of Public Law 107–300.

23          SEC. 188. Notwithstanding any other provision of law,  
24          if any funds provided in or limited by this Act are subject  
25          to a reprogramming action that requires notice to be pro-

1 *vided to the House and Senate Committees on Appropria-*  
2 *tions, transmission of said reprogramming notice shall be*  
3 *provided solely to the House and Senate Committees on Ap-*  
4 *propriations, and said reprogramming action shall be ap-*  
5 *proved or denied solely by the House and Senate Commit-*  
6 *tees on Appropriations: Provided, That the Secretary of*  
7 *Transportation may provide notice to other congressional*  
8 *committees of the action of the House and Senate Commit-*  
9 *tees on Appropriations on such reprogramming but not*  
10 *sooner than 30 days following the date on which the re-*  
11 *programming action has been approved or denied by the*  
12 *House and Senate Committees on Appropriations.*

13       *SEC. 189. Funds appropriated in this Act to the modal*  
14 *administrations may be obligated for the Office of the Sec-*  
15 *retary for the costs related to assessments or reimbursable*  
16 *agreements only when such amounts are for the costs of*  
17 *goods and services that are purchased to provide a direct*  
18 *benefit to the applicable modal administration or adminis-*  
19 *trations.*

20       *SEC. 190. The Secretary of Transportation is author-*  
21 *ized to carry out a program that establishes uniform stand-*  
22 *ards for developing and supporting agency transit pass and*  
23 *transit benefits authorized under section 7905 of title 5,*  
24 *United States Code, including distribution of transit bene-*  
25 *fits by various paper and electronic media.*

1        *SEC. 191. The Department of Transportation may use*  
2 *funds provided by this Act, or any other Act, to assist a*  
3 *contract under title 49 U.S.C. or title 23 U.S.C. utilizing*  
4 *geographic, economic, or any other hiring preference not*  
5 *otherwise authorized by law, or to amend a rule, regulation,*  
6 *policy or other measure that forbids a recipient of a Federal*  
7 *Highway Administration or Federal Transit Administra-*  
8 *tion grant from imposing such hiring preference on a con-*  
9 *tract or construction project with which the Department of*  
10 *Transportation is assisting, only if the grant recipient cer-*  
11 *tifies the following:*

12            *(1) that except with respect to apprentices or*  
13 *trainees, a pool of readily available but unemployed*  
14 *individuals possessing the knowledge, skill, and abil-*  
15 *ity to perform the work that the contract requires re-*  
16 *sides in the jurisdiction;*

17            *(2) that the grant recipient will include appro-*  
18 *priate provisions in its bid document ensuring that*  
19 *the contractor does not displace any of its existing*  
20 *employees in order to satisfy such hiring preference;*  
21 *and*

22            *(3) that any increase in the cost of labor, train-*  
23 *ing, or delays resulting from the use of such hiring*  
24 *preference does not delay or displace any transpor-*  
25 *tation project in the applicable Statewide Transpor-*



1                    *ADMINISTRATIVE SUPPORT OFFICES*

2            *For necessary salaries and expenses for Administrative*  
3 *Support Offices, \$517,647,000, of which \$53,000,000 shall*  
4 *be available for the Office of the Chief Financial Officer;*  
5 *\$95,250,000 shall be available for the Office of the General*  
6 *Counsel; \$206,500,000 shall be available for the Office of*  
7 *Administration, and of which, no less than \$4,500,000 shall*  
8 *be available for the cost of consolidation and reconfigura-*  
9 *tion of space in the Weaver Building in accordance with*  
10 *the space consolidation plan which would bring employees*  
11 *back into such Building and reduce the amount of leased*  
12 *space for such employees outside of such Building;*  
13 *\$40,250,000 shall be available for the Office of the Chief*  
14 *Human Capital Officer; \$51,000,000 shall be available for*  
15 *the Office of Field Policy and Management; \$18,067,000*  
16 *shall be available for the Office of the Chief Procurement*  
17 *Officer; \$3,830,000 shall be available for the Office of De-*  
18 *partmental Equal Employment Opportunity; \$4,500,000*  
19 *shall be available for the Office of Strategic Planning and*  
20 *Management; and \$45,250,000 shall be available for the Of-*  
21 *fice of the Chief Information Officer: Provided, That funds*  
22 *provided under this heading may be used for necessary ad-*  
23 *ministrative and non-administrative expenses of the De-*  
24 *partment of Housing and Urban Development, not other-*  
25 *wise provided for, including purchase of uniforms, or allow-*

1 *ances therefor, as authorized by 5 U.S.C. 5901–5902; hire*  
2 *of passenger motor vehicles; and services as authorized by*  
3 *5 U.S.C. 3109: Provided further, That notwithstanding any*  
4 *other provision of law, funds appropriated under this head-*  
5 *ing may be used for advertising and promotional activities*  
6 *that directly support program activities funded in this title:*  
7 *Provided further, That the Secretary shall provide the*  
8 *House and Senate Committees on Appropriations quarterly*  
9 *written notification regarding the status of pending con-*  
10 *gressional reports: Provided further, That the Secretary*  
11 *shall provide in electronic form all signed reports required*  
12 *by Congress.*

13 *PROGRAM OFFICE SALARIES AND EXPENSES*

14 *PUBLIC AND INDIAN HOUSING*

15 *For necessary salaries and expenses of the Office of*  
16 *Public and Indian Housing, \$216,000,000.*

17 *COMMUNITY PLANNING AND DEVELOPMENT*

18 *For necessary salaries and expenses of the Office of*  
19 *Community Planning and Development, \$110,000,000.*

20 *HOUSING*

21 *For necessary salaries and expenses of the Office of*  
22 *Housing, \$392,000,000.*

23 *POLICY DEVELOPMENT AND RESEARCH*

24 *For necessary salaries and expenses of the Office of*  
25 *Policy Development and Research, \$24,000,000.*



1            *FAIR HOUSING AND EQUAL OPPORTUNITY*

2            *For necessary salaries and expenses of the Office of*  
3 *Fair Housing and Equal Opportunity, \$72,000,000.*

4            *OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES*

5            *For necessary salaries and expenses of the Office of*  
6 *Lead Hazard Control and Healthy Homes, \$9,353,000.*

7            *WORKING CAPITAL FUND*8            *(INCLUDING TRANSFER OF FUNDS)*

9            *For the working capital fund for the Department of*  
10 *Housing and Urban Development (referred to in this para-*  
11 *graph as the “Fund”), pursuant, in part, to section 7(f)*  
12 *of the Department of Housing and Urban Development Act*  
13 *(42 U.S.C. 3535(f)), amounts transferred to the Fund under*  
14 *this heading shall be available for Federal shared services*  
15 *used by offices and agencies of the Department, and for such*  
16 *portion of any office or agency’s printing, records manage-*  
17 *ment, space renovation, furniture, or supply services as the*  
18 *Secretary determines shall be derived from centralized*  
19 *sources made available by the Department to all offices and*  
20 *agencies and funded through the Fund: Provided, That of*  
21 *the amounts made available in this title for salaries and*  
22 *expenses under the headings “Executive Offices”, “Adminis-*  
23 *trative Support Offices”, “Program Office Salaries and Ex-*  
24 *penses”, and “Government National Mortgage Association”,*  
25 *the Secretary shall transfer to the Fund such amounts, to*

1 *remain available until expended, as are necessary to fund*  
2 *services, specified in the first proviso, for which the appro-*  
3 *priation would otherwise have been available, and may*  
4 *transfer not to exceed an additional \$10,000,000, in aggre-*  
5 *gate, from all such appropriations, to be merged with the*  
6 *Fund and to remain available until expended for use for*  
7 *any office or agency: Provided further, That amounts in*  
8 *the Fund shall be the only amounts available to each office*  
9 *or agency of the Department for the services, or portion of*  
10 *services, specified in the first proviso: Provided further,*  
11 *That with respect to the Fund, the authorities and condi-*  
12 *tions under this heading shall supplement the authorities*  
13 *and conditions provided under section 7(f).*

14 *PUBLIC AND INDIAN HOUSING*

15 *TENANT-BASED RENTAL ASSISTANCE*

16 *For activities and assistance for the provision of ten-*  
17 *ant-based rental assistance authorized under the United*  
18 *States Housing Act of 1937, as amended (42 U.S.C. 1437*  
19 *et seq.) (“the Act” herein), not otherwise provided for,*  
20 *\$16,292,000,000, to remain available until expended, shall*  
21 *be available on October 1, 2016 (in addition to the*  
22 *\$4,000,000,000 previously appropriated under this heading*  
23 *that shall be available on October 1, 2016), and*  
24 *\$4,000,000,000, to remain available until expended, shall*  
25 *be available on October 1, 2017: Provided, That the*

1 amounts made available under this heading are provided  
2 as follows:

3           (1) \$18,355,000,000 shall be available for renew-  
4 als of expiring section 8 tenant-based annual con-  
5 tributions contracts (including renewals of enhanced  
6 vouchers under any provision of law authorizing such  
7 assistance under section 8(t) of the Act) and includ-  
8 ing renewal of other special purpose incremental  
9 vouchers: Provided, That notwithstanding any other  
10 provision of law, from amounts provided under this  
11 paragraph and any carryover, the Secretary for the  
12 calendar year 2017 funding cycle shall provide re-  
13 newal funding for each public housing agency based  
14 on validated voucher management system (VMS) leas-  
15 ing and cost data for the prior calendar year and by  
16 applying an inflation factor as established by the Sec-  
17 retary, by notice published in the *Federal Register*,  
18 and by making any necessary adjustments for the  
19 costs associated with the first-time renewal of vouch-  
20 ers under this paragraph including tenant protection,  
21 HOPE VI, and Choice Neighborhoods vouchers: Pro-  
22 vided further, That none of the funds provided under  
23 this paragraph may be used to fund a total number  
24 of unit months under lease which exceeds a public  
25 housing agency's authorized level of units under con-

1 *tract, except for public housing agencies participating*  
2 *in the MTW demonstration, which are instead gov-*  
3 *erned by the terms and conditions of their MTW*  
4 *agreements: Provided further, That the Secretary*  
5 *shall, to the extent necessary to stay within the*  
6 *amount specified under this paragraph (except as oth-*  
7 *erwise modified under this paragraph), prorate each*  
8 *public housing agency's allocation otherwise estab-*  
9 *lished pursuant to this paragraph: Provided further,*  
10 *That except as provided in the following provisos, the*  
11 *entire amount specified under this paragraph (except*  
12 *as otherwise modified under this paragraph) shall be*  
13 *obligated to the public housing agencies based on the*  
14 *allocation and pro rata method described above, and*  
15 *the Secretary shall notify public housing agencies of*  
16 *their annual budget by the latter of 60 days after en-*  
17 *actment of this Act or March 1, 2017: Provided fur-*  
18 *ther, That the Secretary may extend the notification*  
19 *period with the prior written approval of the House*  
20 *and Senate Committees on Appropriations: Provided*  
21 *further, That public housing agencies participating in*  
22 *the MTW demonstration shall be funded pursuant to*  
23 *their MTW agreements and shall be subject to the*  
24 *same pro rata adjustments under the previous pro-*  
25 *visos: Provided further, That the Secretary may offset*

1     *public housing agencies' calendar year 2017 alloca-*  
2     *tions based on the excess amounts of public housing*  
3     *agencies' net restricted assets accounts, including*  
4     *HUD held programmatic reserves (in accordance with*  
5     *VMS data in calendar year 2016 that is verifiable*  
6     *and complete), as determined by the Secretary: Pro-*  
7     *vided further, That public housing agencies partici-*  
8     *pating in the MTW demonstration shall also be sub-*  
9     *ject to the offset, as determined by the Secretary, ex-*  
10    *cluding amounts subject to the single fund budget au-*  
11    *thority provisions of their MTW agreements, from the*  
12    *agencies' calendar year 2017 MTW funding alloca-*  
13    *tion: Provided further, That the Secretary shall use*  
14    *any offset referred to in the previous two provisos*  
15    *throughout the calendar year to prevent the termi-*  
16    *nation of rental assistance for families as the result*  
17    *of insufficient funding, as determined by the Sec-*  
18    *retary, and to avoid or reduce the proration of re-*  
19    *newal funding allocations: Provided further, That up*  
20    *to \$75,000,000 shall be available only: (1) for adjust-*  
21    *ments in the allocations for public housing agencies,*  
22    *after application for an adjustment by a public hous-*  
23    *ing agency that experienced a significant increase, as*  
24    *determined by the Secretary, in renewal costs of*  
25    *vouchers resulting from unforeseen circumstances or*

1       *from portability under section 8(r) of the Act; (2) for*  
2       *vouchers that were not in use during the previous 12-*  
3       *month period in order to be available to meet a com-*  
4       *mitment pursuant to section 8(o)(13) of the Act; (3)*  
5       *for adjustments for costs associated with HUD-Vet-*  
6       *erans Affairs Supportive Housing (HUD-VASH)*  
7       *vouchers; and (4) for public housing agencies that de-*  
8       *spite taking reasonable cost savings measures, as de-*  
9       *termined by the Secretary, would otherwise be re-*  
10       *quired to terminate rental assistance for families as*  
11       *a result of insufficient funding: Provided further,*  
12       *That the Secretary shall allocate amounts under the*  
13       *previous proviso based on need, as determined by the*  
14       *Secretary;*

15               *(2) \$110,000,000 shall be for section 8 rental as-*  
16       *stance for relocation and replacement of housing*  
17       *units that are demolished or disposed of pursuant to*  
18       *section 18 of the Act, conversion of section 23 projects*  
19       *to assistance under section 8, the family unification*  
20       *program under section 8(x) of the Act, relocation of*  
21       *witnesses in connection with efforts to combat crime*  
22       *in public and assisted housing pursuant to a request*  
23       *from a law enforcement or prosecution agency, en-*  
24       *hanced vouchers under any provision of law author-*  
25       *izing such assistance under section 8(t) of the Act,*

1 *HOPE VI and Choice Neighborhood vouchers, manda-*  
2 *tory and voluntary conversions, and tenant protection*  
3 *assistance including replacement and relocation as-*  
4 *sistance or for project-based assistance to prevent the*  
5 *displacement of unassisted elderly tenants currently*  
6 *residing in section 202 properties financed between*  
7 *1959 and 1974 that are refinanced pursuant to Pub-*  
8 *lic Law 106–569, as amended, or under the authority*  
9 *as provided under this Act: Provided, That when a*  
10 *public housing development is submitted for demoli-*  
11 *tion or disposition under section 18 of the Act, the*  
12 *Secretary may provide section 8 rental assistance*  
13 *when the units pose an imminent health and safety*  
14 *risk to residents: Provided further, That the Secretary*  
15 *may only provide replacement vouchers for units that*  
16 *were occupied within the previous 24 months that*  
17 *cease to be available as assisted housing, subject only*  
18 *to the availability of funds: Provided further, That of*  
19 *the amounts made available under this paragraph,*  
20 *\$5,000,000 may be available to provide tenant protec-*  
21 *tion assistance, not otherwise provided under this*  
22 *paragraph, to residents residing in low vacancy areas*  
23 *and who may have to pay rents greater than 30 per-*  
24 *cent of household income, as the result of: (A) the ma-*  
25 *turity of a HUD-insured, HUD-held or section 202*

1        *loan that requires the permission of the Secretary*  
2        *prior to loan prepayment; (B) the expiration of a*  
3        *rental assistance contract for which the tenants are*  
4        *not eligible for enhanced voucher or tenant protection*  
5        *assistance under existing law; or (C) the expiration of*  
6        *affordability restrictions accompanying a mortgage or*  
7        *preservation program administered by the Secretary:*  
8        *Provided further, That such tenant protection assist-*  
9        *ance made available under the previous proviso may*  
10       *be provided under the authority of section 8(t) or sec-*  
11       *tion 8(o)(13) of the United States Housing Act of*  
12       *1937 (42 U.S.C. 1437f(t)): Provided further, That*  
13       *any tenant protection voucher made available from*  
14       *amounts under this paragraph shall not be reissued*  
15       *by any public housing agency, except the replacement*  
16       *vouchers as defined by the Secretary by notice, when*  
17       *the initial family that received any such voucher no*  
18       *longer receives such voucher, and the authority for*  
19       *any public housing agency to issue any such voucher*  
20       *shall cease to exist: Provided further, That the Sec-*  
21       *retary may provide section 8 rental assistance from*  
22       *amounts made available under this paragraph for*  
23       *units assisted under a project-based subsidy contract*  
24       *funded under the “Project-Based Rental Assistance”*  
25       *heading under this title where the owner has received*



1        *a Notice of Default and the units pose an imminent*  
2        *health and safety risk to residents: Provided further,*  
3        *That to the extent that the Secretary determines that*  
4        *such units are not feasible for continued rental assist-*  
5        *ance payments or transfer of the subsidy contract as-*  
6        *sociated with such units to another project or projects*  
7        *and owner or owners, any remaining amounts associ-*  
8        *ated with such units under such contract shall be re-*  
9        *captured and used to reimburse amounts used under*  
10       *this paragraph for rental assistance under the pre-*  
11       *ceding proviso;*

12                *(3) \$1,650,000,000 shall be for administrative*  
13        *and other expenses of public housing agencies in ad-*  
14        *ministering the section 8 tenant-based rental assist-*  
15        *ance program, of which up to \$10,000,000 shall be*  
16        *available to the Secretary to allocate to public hous-*  
17        *ing agencies that need additional funds to administer*  
18        *their section 8 programs, including fees associated*  
19        *with section 8 tenant protection rental assistance, the*  
20        *administration of disaster related vouchers, Veterans*  
21        *Affairs Supportive Housing vouchers, and other spe-*  
22        *cial purpose incremental vouchers: Provided, That no*  
23        *less than \$1,640,000,000 of the amount provided in*  
24        *this paragraph shall be allocated to public housing*  
25        *agencies for the calendar year 2017 funding cycle*

1       *based on section 8(q) of the Act (and related Appro-*  
2       *propriation Act provisions) as in effect immediately be-*  
3       *fore the enactment of the Quality Housing and Work*  
4       *Responsibility Act of 1998 (Public Law 105–276):*  
5       *Provided further, That if the amounts made available*  
6       *under this paragraph are insufficient to pay the*  
7       *amounts determined under the previous proviso, the*  
8       *Secretary may decrease the amounts allocated to*  
9       *agencies by a uniform percentage applicable to all*  
10       *agencies receiving funding under this paragraph or*  
11       *may, to the extent necessary to provide full payment*  
12       *of amounts determined under the previous proviso,*  
13       *utilize unobligated balances, including recaptures and*  
14       *carryovers, remaining from funds appropriated to the*  
15       *Department of Housing and Urban Development*  
16       *under this heading from prior fiscal years, excluding*  
17       *special purpose vouchers, notwithstanding the pur-*  
18       *poses for which such amounts were appropriated: Pro-*  
19       *vided further, That all public housing agencies par-*  
20       *ticipating in the MTW demonstration shall be funded*  
21       *pursuant to their MTW agreements, and shall be sub-*  
22       *ject to the same uniform percentage decrease as under*  
23       *the previous proviso: Provided further, That amounts*  
24       *provided under this paragraph shall be only for ac-*  
25       *tivities related to the provision of tenant-based rental*

1 *assistance authorized under section 8, including re-*  
2 *lated development activities;*

3 *(4) \$120,000,000 for the renewal of tenant-based*  
4 *assistance contracts under section 811 of the Cran-*  
5 *ston-Gonzalez National Affordable Housing Act (42*  
6 *U.S.C. 8013), including necessary administrative ex-*  
7 *penses: Provided, That administrative and other ex-*  
8 *penses of public housing agencies in administering*  
9 *the special purpose vouchers in this paragraph shall*  
10 *be funded under the same terms and be subject to the*  
11 *same pro rata reduction as the percent decrease for*  
12 *administrative and other expenses to public housing*  
13 *agencies under paragraph (3) of this heading: Pro-*  
14 *vided further, That any amounts provided under this*  
15 *paragraph in this Act or prior Acts, remaining avail-*  
16 *able after funding renewals and administrative ex-*  
17 *penses under this paragraph, shall be available for in-*  
18 *cremental tenant-based assistance contracts under*  
19 *such section 811, including necessary administrative*  
20 *expenses;*

21 *(5) \$7,000,000 shall be for rental assistance and*  
22 *associated administrative fees for Tribal HUD-VA*  
23 *Supportive Housing to serve Native American vet-*  
24 *erans that are homeless or at-risk of homelessness liv-*  
25 *ing on or near a reservation or other Indian areas:*

1 *Provided, That such amount shall be made available*  
2 *for renewal grants to the recipients that received as-*  
3 *sistance under the rental assistance and supportive*  
4 *housing demonstration program for Native American*  
5 *veterans authorized under the heading “Tenant-Based*  
6 *Rental Assistance” in title II of division K of the*  
7 *Consolidated and Further Continuing Appropriations*  
8 *Act, 2015 (Public Law 113–235, 128 Stat. 2733):*  
9 *Provided further, That the Secretary shall be author-*  
10 *ized to specify criteria for renewal grants, including*  
11 *data on the utilization of assistance reported by grant*  
12 *recipients under the demonstration program: Pro-*  
13 *vided further, That any amounts remaining after*  
14 *such renewal assistance is awarded may be available*  
15 *for new grants to recipients eligible to receive block*  
16 *grants under the Native American Housing Assist-*  
17 *ance and Self-Determination Act of 1996 (25 U.S.C.*  
18 *section 4101 et seq.) for rental assistance and associ-*  
19 *ated administrative fees for Tribal HUD–VA Sup-*  
20 *portive Housing to serve Native American veterans*  
21 *that are homeless or at-risk of homelessness living on*  
22 *or near a reservation or other Indian areas: Provided*  
23 *further, That funds shall be awarded based on need,*  
24 *and administrative capacity established by the Sec-*  
25 *retary in a Notice published in the Federal Register*

1     *after coordination with the Secretary of the Depart-*  
2     *ment of Veterans Affairs: Provided further, That re-*  
3     *newal grants and new grants under this paragraph*  
4     *shall be administered by block grant recipients in ac-*  
5     *cordance with program requirements under the Native*  
6     *American Housing Assistance and Self-Determination*  
7     *Act of 1996: Provided further, That assistance under*  
8     *this paragraph shall be modeled after, with necessary*  
9     *and appropriate adjustments for Native American*  
10    *grant recipients and veterans, the rental assistance*  
11    *and supportive housing program known as HUD-*  
12    *VASH program, including administration in con-*  
13    *junction with the Department of Veterans Affairs and*  
14    *overall implementation of section 8(o)(19) of the*  
15    *United States Housing Act of 1937: Provided further,*  
16    *That the Secretary of Housing and Urban Develop-*  
17    *ment may waive, or specify alternative requirements*  
18    *for any provision of any statute or regulation that the*  
19    *Secretary of Housing and Urban Development ad-*  
20    *ministers in connection with the use of funds made*  
21    *available under this paragraph (except for require-*  
22    *ments related to fair housing, nondiscrimination,*  
23    *labor standards, and the environment), upon a find-*  
24    *ing by the Secretary that any such waivers or alter-*  
25    *native requirements are necessary for the effective de-*

1 *livery and administration of such assistance: Pro-*  
2 *vided further, That grant recipients shall report to the*  
3 *Secretary on utilization of such rental assistance and*  
4 *other program data, as prescribed by the Secretary;*

5 *(6) \$40,000,000 for incremental rental voucher*  
6 *assistance for use through a supported housing pro-*  
7 *gram administered in conjunction with the Depart-*  
8 *ment of Veterans Affairs as authorized under section*  
9 *8(o)(19) of the United States Housing Act of 1937:*  
10 *Provided, That the Secretary of Housing and Urban*  
11 *Development shall make such funding available, not-*  
12 *withstanding section 204 (competition provision) of*  
13 *this title, to public housing agencies that partner with*  
14 *eligible VA Medical Centers or other entities as des-*  
15 *ignated by the Secretary of the Department of Vet-*  
16 *erans Affairs, based on geographical need for such as-*  
17 *sistance as identified by the Secretary of the Depart-*  
18 *ment of Veterans Affairs, public housing agency ad-*  
19 *ministrative performance, and other factors as speci-*  
20 *fied by the Secretary of Housing and Urban Develop-*  
21 *ment in consultation with the Secretary of the De-*  
22 *partment of Veterans Affairs: Provided further, That*  
23 *the Secretary of Housing and Urban Development*  
24 *may waive, or specify alternative requirements for (in*  
25 *consultation with the Secretary of the Department of*

1 *Veterans Affairs), any provision of any statute or reg-*  
2 *ulation that the Secretary of Housing and Urban De-*  
3 *velopment administers in connection with the use of*  
4 *funds made available under this paragraph (except*  
5 *for requirements related to fair housing, non-*  
6 *discrimination, labor standards, and the environ-*  
7 *ment), upon a finding by the Secretary that any such*  
8 *waivers or alternative requirements are necessary for*  
9 *the effective delivery and administration of such*  
10 *voucher assistance: Provided further, That assistance*  
11 *made available under this paragraph shall continue*  
12 *to remain available for homeless veterans upon turn-*  
13 *over;*

14 *(7) \$10,000,000 shall be made available for new*  
15 *incremental voucher assistance through the family*  
16 *unification program as authorized by section 8(x) of*  
17 *the Act: Provided, That the assistance made available*  
18 *under this paragraph shall continue to remain avail-*  
19 *able for family unification upon turnover: Provided*  
20 *further, That for any public housing agency admin-*  
21 *istering voucher assistance appropriated in a prior*  
22 *Act under the family unification program that deter-*  
23 *mines that it no longer has an identified need for*  
24 *such assistance upon turnover, such agency shall no-*  
25 *tify the Secretary, and the Secretary shall recapture*

1        *such assistance from the agency and reallocate it to*  
2        *any other public housing agency or agencies based on*  
3        *need for voucher assistance in connection with such*  
4        *program; and*

5                *(8) the Secretary shall separately track all spe-*  
6        *cial purpose vouchers funded under this heading.*

7                                *HOUSING CERTIFICATE FUND*

8                                *(INCLUDING RESCISSIONS)*

9        *Unobligated balances, including recaptures and carry-*  
10        *over, remaining from funds appropriated to the Depart-*  
11        *ment of Housing and Urban Development under this head-*  
12        *ing, the heading “Annual Contributions for Assisted Hous-*  
13        *ing” and the heading “Project-Based Rental Assistance”,*  
14        *for fiscal year 2017 and prior years may be used for re-*  
15        *newal of or amendments to section 8 project-based contracts*  
16        *and for performance-based contract administrators, not-*  
17        *withstanding the purposes for which such funds were appro-*  
18        *priated: Provided, That any obligated balances of contract*  
19        *authority from fiscal year 1974 and prior that have been*  
20        *terminated shall be rescinded: Provided further, That*  
21        *amounts heretofore recaptured, or recaptured during the*  
22        *current fiscal year, from section 8 project-based contracts*  
23        *from source years fiscal year 1975 through fiscal year 1987*  
24        *are hereby rescinded, and an amount of additional new*  
25        *budget authority, equivalent to the amount rescinded is*



1 *hereby appropriated, to remain available until expended,*  
2 *for the purposes set forth under this heading, in addition*  
3 *to amounts otherwise available.*

4 *PUBLIC HOUSING CAPITAL FUND*

5 *For the Public Housing Capital Fund Program to*  
6 *carry out capital and management activities for public*  
7 *housing agencies, as authorized under section 9 of the*  
8 *United States Housing Act of 1937 (42 U.S.C. 1437g) (the*  
9 *“Act”) \$1,941,500,000, to remain available until September*  
10 *30, 2020: Provided, That notwithstanding any other provi-*  
11 *sion of law or regulation, during fiscal year 2017, the Sec-*  
12 *retary of Housing and Urban Development may not dele-*  
13 *gate to any Department official other than the Deputy Sec-*  
14 *retary and the Assistant Secretary for Public and Indian*  
15 *Housing any authority under paragraph (2) of section 9(j)*  
16 *regarding the extension of the time periods under such sec-*  
17 *tion: Provided further, That for purposes of such section*  
18 *9(j), the term “obligate” means, with respect to amounts,*  
19 *that the amounts are subject to a binding agreement that*  
20 *will result in outlays, immediately or in the future: Pro-*  
21 *vided further, That up to \$10,000,000 shall be to support*  
22 *ongoing public housing financial and physical assessment*  
23 *activities: Provided further, That up to \$1,000,000 shall be*  
24 *to support the costs of administrative and judicial receiver-*  
25 *ships: Provided further, That of the total amount provided*

1 *under this heading, not to exceed \$21,500,000 shall be avail-*  
2 *able for the Secretary to make grants, notwithstanding sec-*  
3 *tion 204 of this Act, to public housing agencies for emer-*  
4 *gency capital needs including safety and security measures*  
5 *necessary to address crime and drug-related activity as well*  
6 *as needs resulting from unforeseen or unpreventable emer-*  
7 *gencies and natural disasters excluding Presidentially de-*  
8 *clared emergencies and natural disasters under the Robert*  
9 *T. Stafford Disaster Relief and Emergency Act (42 U.S.C.*  
10 *5121 et seq.) occurring in fiscal year 2017: Provided fur-*  
11 *ther, That of the amount made available under the previous*  
12 *proviso, not less than \$5,000,000 shall be for safety and se-*  
13 *curity measures: Provided further, That in addition to the*  
14 *amount in the previous proviso for such safety and security*  
15 *measures, any amounts that remain available, after all ap-*  
16 *plications received on or before September 30, 2018, for*  
17 *emergency capital needs have been processed, shall be allo-*  
18 *cated to public housing agencies for such safety and security*  
19 *measures: Provided further, That of the total amount pro-*  
20 *vided under this heading \$35,000,000 shall be for sup-*  
21 *portive services, service coordinator and congregate services*  
22 *as authorized by section 34 of the Act (42 U.S.C. 1437z-*  
23 *6) and the Native American Housing Assistance and Self-*  
24 *Determination Act of 1996 (25 U.S.C. 4101 et seq.): Pro-*  
25 *vided further, That of the total amount made available*

1 *under this heading, \$15,000,000 shall be for a Jobs-Plus*  
2 *initiative modeled after the Jobs-Plus demonstration: Pro-*  
3 *vided further, That the funding provided under the previous*  
4 *proviso shall provide competitive grants to partnerships be-*  
5 *tween public housing authorities, local workforce investment*  
6 *boards established under section 117 of the Workforce In-*  
7 *vestment Act of 1998, and other agencies and organizations*  
8 *that provide support to help public housing residents obtain*  
9 *employment and increase earnings: Provided further, That*  
10 *applicants must demonstrate the ability to provide services*  
11 *to residents, partner with workforce investment boards, and*  
12 *leverage service dollars: Provided further, That the Sec-*  
13 *retary may allow public housing agencies to request exemp-*  
14 *tions from rent and income limitation requirements under*  
15 *sections 3 and 6 of the United States Housing Act of 1937*  
16 *as necessary to implement the Jobs-Plus program, on such*  
17 *terms and conditions as the Secretary may approve upon*  
18 *a finding by the Secretary that any such waivers or alter-*  
19 *native requirements are necessary for the effective imple-*  
20 *mentation of the Jobs-Plus initiative as a voluntary pro-*  
21 *gram for residents: Provided further, That the Secretary*  
22 *shall publish by notice in the Federal Register any waivers*  
23 *or alternative requirements pursuant to the preceding pro-*  
24 *viso no later than 10 days before the effective date of such*  
25 *notice: Provided further, That for funds provided under this*

1 *heading, the limitation in section 9(g)(1) of the Act shall*  
2 *be 25 percent: Provided further, That the Secretary may*  
3 *waive the limitation in the previous proviso to allow public*  
4 *housing agencies to fund activities authorized under section*  
5 *9(e)(1)(C) of the Act: Provided further, That the Secretary*  
6 *shall notify public housing agencies requesting waivers*  
7 *under the previous proviso if the request is approved or de-*  
8 *nied within 14 days of submitting the request: Provided fur-*  
9 *ther, That from the funds made available under this head-*  
10 *ing, the Secretary shall provide bonus awards in fiscal year*  
11 *2017 to public housing agencies that are designated high*  
12 *performers: Provided further, That the Department shall*  
13 *notify public housing agencies of their formula allocation*  
14 *within 60 days of enactment of this Act: Provided further,*  
15 *That of the total amount provided under this heading,*  
16 *\$25,000,000 shall be available for competitive grants to*  
17 *public housing agencies to evaluate and reduce lead-based*  
18 *paint hazards in public housing by carrying out the activi-*  
19 *ties of risk assessments, abatement, and interim controls (as*  
20 *those terms are defined in section 1004 of the Residential*  
21 *Lead-Based Paint Hazard Reduction Act of 1992 (42*  
22 *U.S.C. 4851b)): Provided further, That for purposes of envi-*  
23 *ronmental review, a grant under the previous proviso shall*  
24 *be considered funds for projects or activities under title I*  
25 *of the United States Housing Act of 1937 (42 U.S.C. 1437*

1 *et seq.) for purposes of section 26 of such Act (42 U.S.C.*  
2 *1437x) and shall be subject to the regulations implementing*  
3 *such section.*

4 *PUBLIC HOUSING OPERATING FUND*

5 *For 2017 payments to public housing agencies for the*  
6 *operation and management of public housing, as authorized*  
7 *by section 9(e) of the United States Housing Act of 1937*  
8 *(42 U.S.C. 1437g(e)), \$4,400,000,000, to remain available*  
9 *until September 30, 2018.*

10 *CHOICE NEIGHBORHOODS INITIATIVE*

11 *For competitive grants under the Choice Neighborhoods*  
12 *Initiative (subject to section 24 of the United States Hous-*  
13 *ing Act of 1937 (42 U.S.C. 1437v), unless otherwise speci-*  
14 *fied under this heading), for transformation, rehabilitation,*  
15 *and replacement housing needs of both public and HUD-*  
16 *assisted housing and to transform neighborhoods of poverty*  
17 *into functioning, sustainable mixed income neighborhoods*  
18 *with appropriate services, schools, public assets, transpor-*  
19 *tation and access to jobs, \$137,500,000, to remain available*  
20 *until September 30, 2019: Provided, That grant funds may*  
21 *be used for resident and community services, community*  
22 *development, and affordable housing needs in the commu-*  
23 *nity, and for conversion of vacant or foreclosed properties*  
24 *to affordable housing: Provided further, That the use of*  
25 *funds made available under this heading shall not be*

1 *deemed to be public housing notwithstanding section 3(b)(1)*  
2 *of such Act: Provided further, That grantees shall commit*  
3 *to an additional period of affordability determined by the*  
4 *Secretary of not fewer than 20 years: Provided further, That*  
5 *grantees shall provide a match in State, local, other Federal*  
6 *or private funds: Provided further, That grantees may in-*  
7 *clude local governments, tribal entities, public housing au-*  
8 *thorities, and nonprofits: Provided further, That for-profit*  
9 *developers may apply jointly with a public entity: Provided*  
10 *further, That for purposes of environmental review, a grant-*  
11 *ee shall be treated as a public housing agency under section*  
12 *26 of the United States Housing Act of 1937 (42 U.S.C.*  
13 *1437x), and grants under this heading shall be subject to*  
14 *the regulations issued by the Secretary to implement such*  
15 *section: Provided further, That of the amount provided, not*  
16 *less than \$50,000,000 shall be awarded to public housing*  
17 *agencies: Provided further, That such grantees shall create*  
18 *partnerships with other local organizations including as-*  
19 *sisted housing owners, service agencies, and resident organi-*  
20 *zations: Provided further, That the Secretary shall consult*  
21 *with the Secretaries of Education, Labor, Transportation,*  
22 *Health and Human Services, Agriculture, and Commerce,*  
23 *the Attorney General, and the Administrator of the Envi-*  
24 *ronmental Protection Agency to coordinate and leverage*  
25 *other appropriate Federal resources: Provided further, That*

1 *no more than \$5,000,000 of funds made available under this*  
2 *heading may be provided as grants to undertake com-*  
3 *prehensive local planning with input from residents and*  
4 *the community: Provided further, That unobligated bal-*  
5 *ances, including recaptures, remaining from funds appro-*  
6 *priated under the heading “Revitalization of Severely Dis-*  
7 *tressed Public Housing (HOPE VI)” in fiscal year 2011*  
8 *and prior fiscal years may be used for purposes under this*  
9 *heading, notwithstanding the purposes for which such*  
10 *amounts were appropriated.*

11 *FAMILY SELF-SUFFICIENCY*

12 *For the Family Self-Sufficiency program to support*  
13 *family self-sufficiency coordinators under section 23 of the*  
14 *United States Housing Act of 1937, to promote the develop-*  
15 *ment of local strategies to coordinate the use of assistance*  
16 *under sections 8(o) and 9 of such Act with public and pri-*  
17 *vate resources, and enable eligible families to achieve eco-*  
18 *nomie independence and self-sufficiency, \$75,000,000, to re-*  
19 *main available until September 30, 2018: Provided, That*  
20 *the Secretary may, by Federal Register notice, waive or*  
21 *specify alternative requirements under sections b(3), b(4),*  
22 *b(5), or c(1) of section 23 of such Act in order to facilitate*  
23 *the operation of a unified self-sufficiency program for indi-*  
24 *viduals receiving assistance under different provisions of*  
25 *the Act, as determined by the Secretary: Provided further,*

1 *That owners of a privately owned multifamily property*  
2 *with a section 8 contract may voluntarily make a Family*  
3 *Self-Sufficiency program available to the assisted tenants*  
4 *of such property in accordance with procedures established*  
5 *by the Secretary: Provided further, That such procedures*  
6 *established pursuant to the previous proviso shall permit*  
7 *participating tenants to accrue escrow funds in accordance*  
8 *with section 23(d)(2) and shall allow owners to use funding*  
9 *from residual receipt accounts to hire coordinators for their*  
10 *own Family Self-Sufficiency program.*

11 *NATIVE AMERICAN HOUSING BLOCK GRANTS*

12 *For the Native American Housing Block Grants pro-*  
13 *gram, as authorized under title I of the Native American*  
14 *Housing Assistance and Self-Determination Act of 1996*  
15 *(NAHASDA) (25 U.S.C. 4111 et seq.), \$654,000,000, to re-*  
16 *main available until September 30, 2021: Provided, That,*  
17 *notwithstanding the Native American Housing Assistance*  
18 *and Self-Determination Act of 1996, to determine the*  
19 *amount of the allocation under title I of such Act for each*  
20 *Indian tribe, the Secretary shall apply the formula under*  
21 *section 302 of such Act with the need component based on*  
22 *single-race census data and with the need component based*  
23 *on multi-race census data, and the amount of the allocation*  
24 *for each Indian tribe shall be the greater of the two resulting*  
25 *allocation amounts: Provided further, That of the amounts*



1 *made available under this heading, \$3,500,000 shall be con-*  
2 *tracted for assistance for national or regional organizations*  
3 *representing Native American housing interests for pro-*  
4 *viding training and technical assistance to Indian housing*  
5 *authorities and tribally designated housing entities as au-*  
6 *thorized under NAHASDA: Provided further, That of the*  
7 *funds made available under the previous proviso, not less*  
8 *than \$2,000,000 shall be made available for a national or-*  
9 *ganization as authorized under section 703 of NAHASDA*  
10 *(25 U.S.C. 4212): Provided further, That of the amounts*  
11 *made available under this heading, \$3,500,000 shall be to*  
12 *support the inspection of Indian housing units, contract ex-*  
13 *pertise, training, and technical assistance related to fund-*  
14 *ing provided under this heading and other headings under*  
15 *this Act for the needs of Native American families and In-*  
16 *dian country: Provided further, That of the amount pro-*  
17 *vided under this heading, \$2,000,000 shall be made avail-*  
18 *able for the cost of guaranteed notes and other obligations,*  
19 *as authorized by title VI of NAHASDA: Provided further,*  
20 *That such costs, including the costs of modifying such notes*  
21 *and other obligations, shall be as defined in section 502 of*  
22 *the Congressional Budget Act of 1974, as amended: Pro-*  
23 *vided further, That these funds are available to subsidize*  
24 *the total principal amount of any notes and other obliga-*  
25 *tions, any part of which is to be guaranteed, not to exceed*

1 \$17,857,142: *Provided further, That the Department will*  
2 *notify grantees of their formula allocation within 60 days*  
3 *of the date of enactment of this Act: Provided further, That*  
4 *notwithstanding section 302(d) of NAHASDA, if on the*  
5 *date of enactment of this Act, a recipient's total amount*  
6 *of undisbursed block grant funds in the Department's line*  
7 *of credit control system is greater than the sum of its prior*  
8 *3 years' initial formula allocation calculations, the Sec-*  
9 *retary shall adjust that recipient's formula allocation that*  
10 *it would otherwise receive down by the difference between*  
11 *its total amount of undisbursed block grant funds in the*  
12 *Department's line of credit control system on the date of*  
13 *enactment of this Act, and the sum of its prior 3 years'*  
14 *initial formula allocation calculations: Provided further,*  
15 *That grant amounts not allocated to a recipient pursuant*  
16 *to the previous proviso shall be allocated under the need*  
17 *component of the formula proportionately among all other*  
18 *Indian tribes not subject to an adjustment under such pro-*  
19 *viso: Provided further, That the second proviso shall not*  
20 *apply to any Indian tribe that would otherwise receive a*  
21 *formula allocation of less than \$5,000,000: Provided fur-*  
22 *ther, That to take effect, the three previous provisos do not*  
23 *require issuance or amendment of any regulation, shall not*  
24 *be subject to a formula challenge by an Indian tribe, and*

1 *shall not be construed to confer hearing rights under any*  
2 *section of NAHASDA or its implementing regulations.*

3 *INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM*

4 *ACCOUNT*

5 *For the cost of guaranteed loans, as authorized by sec-*  
6 *tion 184 of the Housing and Community Development Act*  
7 *of 1992 (12 U.S.C. 1715z-13a), \$5,500,000, to remain*  
8 *available until expended: Provided, That such costs, includ-*  
9 *ing the costs of modifying such loans, shall be as defined*  
10 *in section 502 of the Congressional Budget Act of 1974: Pro-*  
11 *vided further, That these funds are available to subsidize*  
12 *total loan principal, any part of which is to be guaranteed,*  
13 *up to \$1,341,463,415, to remain available until expended:*  
14 *Provided further, That up to \$750,000 of this amount may*  
15 *be for administrative contract expenses including manage-*  
16 *ment processes and systems to carry out the loan guarantee*  
17 *program: Provided further, That an additional \$1,727,000*  
18 *shall be available until expended for such costs of guaran-*  
19 *teed loans authorized under such section 184 issued to tribes*  
20 *and Indian housing authorities for the construction of rent-*  
21 *al housing for law enforcement, healthcare, educational,*  
22 *technical and other skilled workers: Provided further, That*  
23 *the funds specified in the previous proviso are available to*  
24 *subsidize total loan principal, any part of which is to be*  
25 *guaranteed, up to \$421,219,512 to remain available until*

1 *expended: Provided further, That the Secretary may specify*  
2 *any additional program requirements with respect to the*  
3 *previous two provisos through publication of a Mortgagee*  
4 *Letter or Notice.*

5 *NATIVE HAWAIIAN HOUSING BLOCK GRANT*

6 *For the Native Hawaiian Housing Block Grant pro-*  
7 *gram, as authorized under title VIII of the Native American*  
8 *Housing Assistance and Self-Determination Act of 1996 (25*  
9 *U.S.C. 4111 et seq.), \$2,000,000, to remain available until*  
10 *September 30, 2021.*

11 *COMMUNITY PLANNING AND DEVELOPMENT*

12 *HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS*

13 *For carrying out the Housing Opportunities for Per-*  
14 *sons with AIDS program, as authorized by the AIDS Hous-*  
15 *ing Opportunity Act (42 U.S.C. 12901 et seq.),*  
16 *\$356,000,000, to remain available until September 30,*  
17 *2018, except that amounts allocated pursuant to section*  
18 *854(c)(5) of such Act shall remain available until Sep-*  
19 *tember 30, 2019: Provided, That the Secretary shall renew*  
20 *all expiring contracts for permanent supportive housing*  
21 *that initially were funded under section 854(c)(5) of such*  
22 *Act from funds made available under this heading in fiscal*  
23 *year 2010 and prior fiscal years that meet all program re-*  
24 *quirements before awarding funds for new contracts under*  
25 *such section: Provided further, That the Department shall*

1 *notify grantees of their formula allocation within 60 days*  
2 *of enactment of this Act.*

3 *COMMUNITY DEVELOPMENT FUND*

4 *For assistance to units of State and local government,*  
5 *and to other entities, for economic and community develop-*  
6 *ment activities, and for other purposes, \$3,060,000,000, to*  
7 *remain available until September 30, 2019, unless otherwise*  
8 *specified: Provided, That of the total amount provided,*  
9 *\$3,000,000,000 is for carrying out the community develop-*  
10 *ment block grant program under title I of the Housing and*  
11 *Community Development Act of 1974, as amended (“the*  
12 *Act” herein) (42 U.S.C. 5301 et seq.): Provided further,*  
13 *That unless explicitly provided for under this heading, not*  
14 *to exceed 20 percent of any grant made with funds appro-*  
15 *priated under this heading shall be expended for planning*  
16 *and management development and administration: Pro-*  
17 *vided further, That a metropolitan city, urban county, unit*  
18 *of general local government, or Indian tribe, or insular area*  
19 *that directly or indirectly receives funds under this heading*  
20 *may not sell, trade, or otherwise transfer all or any portion*  
21 *of such funds to another such entity in exchange for any*  
22 *other funds, credits or non-Federal considerations, but must*  
23 *use such funds for activities eligible under title I of the Act:*  
24 *Provided further, That notwithstanding section 105(e)(1) of*  
25 *the Act, no funds provided under this heading may be pro-*

1 *vided to a for-profit entity for an economic development*  
2 *project under section 105(a)(17) unless such project has*  
3 *been evaluated and selected in accordance with guidelines*  
4 *required under subparagraph (e)(2): Provided further, That*  
5 *the Department shall notify grantees of their formula allo-*  
6 *cation within 60 days of enactment of this Act: Provided*  
7 *further, That of the total amount provided under this head-*  
8 *ing \$60,000,000 shall be for grants to Indian tribes notwith-*  
9 *standing section 106(a)(1) of such Act, of which, notwith-*  
10 *standing any other provision of law (including section 204*  
11 *of this Act), up to \$4,000,000 may be used for emergencies*  
12 *that constitute imminent threats to health and safety.*

13 *COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM*

14 *ACCOUNT*

15 *Subject to section 502 of the Congressional Budget Act*  
16 *of 1974, during fiscal year 2017, commitments to guarantee*  
17 *loans under section 108 of the Housing and Community*  
18 *Development Act of 1974 (42 U.S.C. 5308), any part of*  
19 *which is guaranteed, shall not exceed a total principal*  
20 *amount of \$300,000,000, notwithstanding any aggregate*  
21 *limitation on outstanding obligations guaranteed in sub-*  
22 *section (k) of such section 108: Provided, That the Secretary*  
23 *shall collect fees from borrowers, notwithstanding subsection*  
24 *(m) of such section 108, to result in a credit subsidy cost*  
25 *of zero for guaranteeing such loans, and any such fees shall*

1 *be collected in accordance with section 502(7) of the Con-*  
2 *gressional Budget Act of 1974.*

3 *HOME INVESTMENT PARTNERSHIPS PROGRAM*

4 *For the HOME Investment Partnerships program, as*  
5 *authorized under title II of the Cranston-Gonzalez National*  
6 *Affordable Housing Act, as amended, \$950,000,000, to re-*  
7 *main available until September 30, 2020: Provided, That*  
8 *notwithstanding the amount made available under this*  
9 *heading, the threshold reduction requirements in sections*  
10 *216(10) and 217(b)(4) of such Act shall not apply to alloca-*  
11 *tions of such amount: Provided further, That the require-*  
12 *ments under provisos 2 through 6 under this heading for*  
13 *fiscal year 2012 and such requirements applicable pursuant*  
14 *to the “Full-Year Continuing Appropriations Act, 2013”,*  
15 *shall not apply to any project to which funds were com-*  
16 *mited on or after August 23, 2013, but such projects shall*  
17 *instead be governed by the Final Rule titled “Home Invest-*  
18 *ment Partnerships Program; Improving Performance and*  
19 *Accountability; Updating Property Standards” which be-*  
20 *came effective on such date: Provided further, That the De-*  
21 *partment shall notify grantees of their formula allocation*  
22 *within 60 days of enactment of this Act.*

1 *SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY*  
2 *PROGRAM*

3 *For the Self-Help and Assisted Homeownership Op-*  
4 *portunity Program, as authorized under section 11 of the*  
5 *Housing Opportunity Program Extension Act of 1996, as*  
6 *amended, \$50,000,000, to remain available until September*  
7 *30, 2019: Provided, That of the total amount provided*  
8 *under this heading, \$10,000,000 shall be made available to*  
9 *the Self-Help and Assisted Homeownership Opportunity*  
10 *Program as authorized under section 11 of the Housing Op-*  
11 *portunity Program Extension Act of 1996, as amended:*  
12 *Provided further, That of the total amount provided under*  
13 *this heading, \$35,000,000 shall be made available for the*  
14 *second, third, and fourth capacity building activities au-*  
15 *thorized under section 4(a) of the HUD Demonstration Act*  
16 *of 1993 (42 U.S.C. 9816 note), of which not less than*  
17 *\$5,000,000 shall be made available for rural capacity build-*  
18 *ing activities: Provided further, That of the total amount*  
19 *provided under this heading, \$5,000,000 shall be made*  
20 *available for capacity building by national rural housing*  
21 *organizations with experience assessing national rural con-*  
22 *ditions and providing financing, training, technical assist-*  
23 *ance, information, and research to local nonprofits, local*  
24 *governments and Indian Tribes serving high need rural*  
25 *communities: Provided further, That an additional*



1 \$4,000,000, to remain available until expended, shall be for  
2 a program to rehabilitate and modify homes of disabled or  
3 low-income veterans as authorized under section 1079 of  
4 Public Law 113–291.

5 *HOMELESS ASSISTANCE GRANTS*

6 *For the Emergency Solutions Grants program as au-*  
7 *thorized under subtitle B of title IV of the McKinney-Vento*  
8 *Homeless Assistance Act, as amended; the Continuum of*  
9 *Care program as authorized under subtitle C of title IV of*  
10 *such Act; and the Rural Housing Stability Assistance pro-*  
11 *gram as authorized under subtitle D of title IV of such Act,*  
12 *\$2,383,000,000, to remain available until September 30,*  
13 *2019: Provided, That any rental assistance amounts that*  
14 *are recaptured under such Continuum of Care program*  
15 *shall remain available until expended: Provided further,*  
16 *That not less than \$310,000,000 of the funds appropriated*  
17 *under this heading shall be available for such Emergency*  
18 *Solutions Grants program, of which, \$40,000,000 shall be*  
19 *made available, as determined by the Secretary, for grants*  
20 *for rapid re-housing or other critical activities in order to*  
21 *assist communities that lost significant capacity after Jan-*  
22 *uary 1, 2016 to serve persons experiencing homelessness:*  
23 *Provided further, That not less than \$2,018,000,000 of the*  
24 *funds appropriated under this heading shall be available*  
25 *for such Continuum of Care and Rural Housing Stability*

1 *Assistance programs: Provided further, That up to*  
2 *\$12,000,000 of the funds appropriated under this heading*  
3 *shall be available for the national homeless data analysis*  
4 *project: Provided further, That all funds awarded for sup-*  
5 *portive services under the Continuum of Care program and*  
6 *the Rural Housing Stability Assistance program shall be*  
7 *matched by not less than 25 percent in cash or in kind*  
8 *by each grantee: Provided further, That for all match re-*  
9 *quirements applicable to funds made available under this*  
10 *heading for this fiscal year and prior years, a grantee may*  
11 *use (or could have used) as a source of match funds other*  
12 *funds administered by the Secretary and other Federal*  
13 *agencies unless there is (or was) a specific statutory prohi-*  
14 *bition on any such use of any such funds: Provided further,*  
15 *That the Secretary shall collect system performance meas-*  
16 *ures for each continuum of care, and that relative to fiscal*  
17 *year 2015, under the Continuum of Care competition with*  
18 *respect to funds made available under this heading, the Sec-*  
19 *retary shall base an increasing share of the score on per-*  
20 *formance criteria: Provided further, That none of the funds*  
21 *provided under this heading shall be available to provide*  
22 *funding for new projects, except for projects created through*  
23 *reallocation, unless the Secretary determines that the con-*  
24 *tinuum of care has demonstrated that projects are evaluated*  
25 *and ranked based on the degree to which they improve the*

1 *continuum of care's system performance: Provided further,*  
2 *That the Secretary shall prioritize funding under the Con-*  
3 *tinuum of Care program to continuums of care that have*  
4 *demonstrated a capacity to reallocate funding from lower*  
5 *performing projects to higher performing projects: Provided*  
6 *further, That all awards of assistance under this heading*  
7 *shall be required to coordinate and integrate homeless pro-*  
8 *grams with other mainstream health, social services, and*  
9 *employment programs for which homeless populations may*  
10 *be eligible: Provided further, That any unobligated amounts*  
11 *remaining from funds appropriated under this heading in*  
12 *fiscal year 2012 and prior years for project-based rental*  
13 *assistance for rehabilitation projects with 10-year grant*  
14 *terms may be used for purposes under this heading, not-*  
15 *withstanding the purposes for which such funds were appro-*  
16 *priated: Provided further, That all balances for Shelter Plus*  
17 *Care renewals previously funded from the Shelter Plus Care*  
18 *Renewal account and transferred to this account shall be*  
19 *available, if recaptured, for Continuum of Care renewals*  
20 *in fiscal year 2017: Provided further, That the Department*  
21 *shall notify grantees of their formula allocation from*  
22 *amounts allocated (which may represent initial or final*  
23 *amounts allocated) for the Emergency Solutions Grant pro-*  
24 *gram within 60 days of enactment of this Act: Provided*  
25 *further, That up to \$43,000,000 of the funds appropriated*

1 *under this heading shall be to implement projects to dem-*  
2 *onstrate how a comprehensive approach to serving homeless*  
3 *youth, age 24 and under, in up to 11 communities, includ-*  
4 *ing at least five rural communities, can dramatically re-*  
5 *duce youth homelessness: Provided further, That such*  
6 *projects shall be eligible for renewal under the continuum*  
7 *of care program subject to the same terms and conditions*  
8 *as other renewal applicants: Provided further, That youth*  
9 *aged 24 and under seeking assistance under this heading*  
10 *shall not be required to provide third party documentation*  
11 *to establish their eligibility under 42 U.S.C. 11302(a) or*  
12 *(b) to receive services: Provided further, That unaccom-*  
13 *panied youth aged 24 and under or families headed by*  
14 *youth aged 24 and under who are living in unsafe situa-*  
15 *tions may be served by youth-serving providers funded*  
16 *under this heading.*

17 *HOUSING PROGRAMS*

18 *PROJECT-BASED RENTAL ASSISTANCE*

19 *For activities and assistance for the provision of*  
20 *project-based subsidy contracts under the United States*  
21 *Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”),*  
22 *not otherwise provided for, \$10,416,000,000, to remain*  
23 *available until expended, shall be available on October 1,*  
24 *2016 (in addition to the \$400,000,000 previously appro-*  
25 *priated under this heading that became available October*

1 1, 2016), and \$400,000,000, to remain available until ex-  
2 pended, shall be available on October 1, 2017: Provided,  
3 That the amounts made available under this heading shall  
4 be available for expiring or terminating section 8 project-  
5 based subsidy contracts (including section 8 moderate reha-  
6 bilitation contracts), for amendments to section 8 project-  
7 based subsidy contracts (including section 8 moderate reha-  
8 bilitation contracts), for contracts entered into pursuant to  
9 section 441 of the McKinney-Vento Homeless Assistance Act  
10 (42 U.S.C. 11401), for renewal of section 8 contracts for  
11 units in projects that are subject to approved plans of action  
12 under the Emergency Low Income Housing Preservation  
13 Act of 1987 or the Low-Income Housing Preservation and  
14 Resident Homeownership Act of 1990, and for administra-  
15 tive and other expenses associated with project-based activi-  
16 ties and assistance funded under this paragraph: Provided  
17 further, That of the total amounts provided under this head-  
18 ing, not to exceed \$235,000,000 shall be available for per-  
19 formance-based contract administrators for section 8  
20 project-based assistance, for carrying out 42 U.S.C. 1437(f):  
21 Provided further, That the Secretary of Housing and Urban  
22 Development may also use such amounts in the previous  
23 proviso for performance-based contract administrators for  
24 the administration of: interest reduction payments pursu-  
25 ant to section 236(a) of the National Housing Act (12

1 *U.S.C. 1715z-1(a)*); rent supplement payments pursuant to  
2 *section 101 of the Housing and Urban Development Act of*  
3 *1965 (12 U.S.C. 1701s)*; *section 236(f)(2) rental assistance*  
4 *payments (12 U.S.C. 1715z-1(f)(2))*; *project rental assist-*  
5 *ance contracts for the elderly under section 202(c)(2) of the*  
6 *Housing Act of 1959 (12 U.S.C. 1701q)*; *project rental as-*  
7 *sistance contracts for supportive housing for persons with*  
8 *disabilities under section 811(d)(2) of the Cranston-Gon-*  
9 *zalez National Affordable Housing Act (42 U.S.C.*  
10 *8013(d)(2))*; *project assistance contracts pursuant to section*  
11 *202(h) of the Housing Act of 1959 (Public Law 86-372;*  
12 *73 Stat. 667)*; and *loans under section 202 of the Housing*  
13 *Act of 1959 (Public Law 86-372; 73 Stat. 667)*: *Provided*  
14 *further, That amounts recaptured under this heading, the*  
15 *heading “Annual Contributions for Assisted Housing”, or*  
16 *the heading “Housing Certificate Fund”, may be used for*  
17 *renewals of or amendments to section 8 project-based con-*  
18 *tracts or for performance-based contract administrators,*  
19 *notwithstanding the purposes for which such amounts were*  
20 *appropriated: Provided further, That, notwithstanding any*  
21 *other provision of law, upon the request of the Secretary*  
22 *of Housing and Urban Development, project funds that are*  
23 *held in residual receipts accounts for any project subject*  
24 *to a section 8 project-based Housing Assistance Payments*  
25 *contract that authorizes HUD or a Housing Finance Agen-*

1 *cy to require that surplus project funds be deposited in an*  
2 *interest-bearing residual receipts account and that are in*  
3 *excess of an amount to be determined by the Secretary, shall*  
4 *be remitted to the Department and deposited in this ac-*  
5 *count, to be available until expended: Provided further,*  
6 *That amounts deposited pursuant to the previous proviso*  
7 *shall be available in addition to the amount otherwise pro-*  
8 *vided by this heading for uses authorized under this head-*  
9 *ing.*

10 *HOUSING FOR THE ELDERLY*

11 *For capital advances, including amendments to cap-*  
12 *ital advance contracts, for housing for the elderly, as au-*  
13 *thorized by section 202 of the Housing Act of 1959, as*  
14 *amended, and for project rental assistance for the elderly*  
15 *under section 202(c)(2) of such Act, including amendments*  
16 *to contracts for such assistance and renewal of expiring con-*  
17 *tracts for such assistance for up to a 1-year term, and for*  
18 *senior preservation rental assistance contracts, including*  
19 *renewals, as authorized by section 811(e) of the American*  
20 *Housing and Economic Opportunity Act of 2000, as*  
21 *amended, and for supportive services associated with the*  
22 *housing, \$502,400,000 to remain available until September*  
23 *30, 2020, of which \$10,000,000 shall be for capital advance*  
24 *and project-based rental assistance awards or for incre-*  
25 *mental senior preservation rental assistance contracts: Pro-*

1 *vided, That amounts for project rental assistance contracts*  
2 *are to remain available for the liquidation of valid obliga-*  
3 *tions for 10 years following the date of such obligation: Pro-*  
4 *vided further, That of the amount provided under this head-*  
5 *ing, up to \$75,000,000 shall be for service coordinators and*  
6 *the continuation of existing congregate service grants for*  
7 *residents of assisted housing projects: Provided further,*  
8 *That amounts under this heading shall be available for Real*  
9 *Estate Assessment Center inspections and inspection-related*  
10 *activities associated with section 202 projects: Provided fur-*  
11 *ther, That the Secretary may waive the provisions of section*  
12 *202 governing the terms and conditions of project rental*  
13 *assistance, except that the initial contract term for such as-*  
14 *sistance shall not exceed 5 years in duration: Provided fur-*  
15 *ther, That upon request of the Secretary of Housing and*  
16 *Urban Development, project funds that are held in residual*  
17 *receipts accounts for any project subject to a section 202*  
18 *project rental assistance contract, and that upon termi-*  
19 *nation of such contract are in excess of an amount to be*  
20 *determined by the Secretary, shall be remitted to the De-*  
21 *partment and deposited in this account, to be available*  
22 *until September 30, 2020: Provided further, That amounts*  
23 *deposited in this account pursuant to the previous proviso*  
24 *shall be available, in addition to the amounts otherwise pro-*  
25 *vided by this heading, for amendments and renewals: Pro-*



1 *vided further, That unobligated balances, including recap-*  
2 *tures and carryover, remaining from funds transferred to*  
3 *or appropriated under this heading shall be available for*  
4 *amendments and renewals notwithstanding the purposes for*  
5 *which such funds originally were appropriated.*

6 *HOUSING FOR PERSONS WITH DISABILITIES*

7 *For amendments to capital advance contracts for sup-*  
8 *portive housing for persons with disabilities, as authorized*  
9 *by section 811 of the Cranston-Gonzalez National Affordable*  
10 *Housing Act (42 U.S.C. 8013), for project rental assistance*  
11 *for supportive housing for persons with disabilities under*  
12 *section 811(d)(2) of such Act and for project assistance con-*  
13 *tracts pursuant to section 202(h) of the Housing Act of 1959*  
14 *(Public Law 86–372; 73 Stat. 667), including amendments*  
15 *to contracts for such assistance and renewal of expiring con-*  
16 *tracts for such assistance for up to a 1-year term, for project*  
17 *rental assistance to State housing finance agencies and*  
18 *other appropriate entities as authorized under section*  
19 *811(b)(3) of the Cranston-Gonzalez National Housing Act,*  
20 *and for supportive services associated with the housing for*  
21 *persons with disabilities as authorized by section 811(b)(1)*  
22 *of such Act, \$146,200,000, to remain available until Sep-*  
23 *tember 30, 2020: Provided, That amounts made available*  
24 *under this heading shall be available for Real Estate Assess-*  
25 *ment Center inspections and inspection-related activities*

1 *associated with section 811 projects: Provided further, That,*  
2 *in this fiscal year, upon the request of the Secretary of*  
3 *Housing and Urban Development, project funds that are*  
4 *held in residual receipts accounts for any project subject*  
5 *to a section 811 project rental assistance contract and that*  
6 *upon termination of such contract are in excess of an*  
7 *amount to be determined by the Secretary shall be remitted*  
8 *to the Department and deposited in this account, to be*  
9 *available until September 30, 2020: Provided further, That*  
10 *amounts deposited in this account pursuant to the previous*  
11 *proviso shall be available in addition to the amounts other-*  
12 *wise provided by this heading for amendments and renew-*  
13 *als: Provided further, That unobligated balances, including*  
14 *recaptures and carryover, remaining from funds transferred*  
15 *to or appropriated under this heading shall be used for*  
16 *amendments and renewals notwithstanding the purposes for*  
17 *which such funds originally were appropriated.*

18 *HOUSING COUNSELING ASSISTANCE*

19 *For contracts, grants, and other assistance excluding*  
20 *loans, as authorized under section 106 of the Housing and*  
21 *Urban Development Act of 1968, as amended, \$55,000,000,*  
22 *to remain available until September 30, 2018, including*  
23 *up to \$4,500,000 for administrative contract services: Pro-*  
24 *vided, That grants made available from amounts provided*  
25 *under this heading shall be awarded within 180 days of*

1 *enactment of this Act: Provided further, That funds shall*  
2 *be used for providing counseling and advice to tenants and*  
3 *homeowners, both current and prospective, with respect to*  
4 *property maintenance, financial management/literacy, and*  
5 *such other matters as may be appropriate to assist them*  
6 *in improving their housing conditions, meeting their finan-*  
7 *cial needs, and fulfilling the responsibilities of tenancy or*  
8 *homeownership; for program administration; and for hous-*  
9 *ing counselor training: Provided further, That for purposes*  
10 *of providing such grants from amounts provided under this*  
11 *heading, the Secretary may enter into multiyear agree-*  
12 *ments as appropriate, subject to the availability of annual*  
13 *appropriations.*

14 *RENTAL HOUSING ASSISTANCE*

15 *For amendments to contracts under section 101 of the*  
16 *Housing and Urban Development Act of 1965 (12 U.S.C.*  
17 *1701s) and section 236(f)(2) of the National Housing Act*  
18 *(12 U.S.C. 1715z-1) in State-aided, noninsured rental*  
19 *housing projects, \$20,000,000, to remain available until ex-*  
20 *pende: Provided, That such amount, together with unobli-*  
21 *gated balances from recaptured amounts appropriated*  
22 *prior to fiscal year 2006 from terminated contracts under*  
23 *such sections of law, and any unobligated balances, includ-*  
24 *ing recaptures and carryover, remaining from funds appro-*  
25 *priated under this heading after fiscal year 2005, shall also*

1 *be available for extensions of up to one year for expiring*  
2 *contracts under such sections of law.*

3 *PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND*

4 *For necessary expenses as authorized by the National*  
5 *Manufactured Housing Construction and Safety Standards*  
6 *Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,500,000,*  
7 *to remain available until expended, of which \$10,500,000*  
8 *is to be derived from the Manufactured Housing Fees Trust*  
9 *Fund: Provided, That not to exceed the total amount appro-*  
10 *priated under this heading shall be available from the gen-*  
11 *eral fund of the Treasury to the extent necessary to incur*  
12 *obligations and make expenditures pending the receipt of*  
13 *collections to the Fund pursuant to section 620 of such Act:*  
14 *Provided further, That the amount made available under*  
15 *this heading from the general fund shall be reduced as such*  
16 *collections are received during fiscal year 2017 so as to re-*  
17 *sult in a final fiscal year 2017 appropriation from the gen-*  
18 *eral fund estimated at zero, and fees pursuant to such sec-*  
19 *tion 620 shall be modified as necessary to ensure such a*  
20 *final fiscal year 2017 appropriation: Provided further,*  
21 *That for the dispute resolution and installation programs,*  
22 *the Secretary of Housing and Urban Development may as-*  
23 *sess and collect fees from any program participant: Pro-*  
24 *vided further, That such collections shall be deposited into*  
25 *the Fund, and the Secretary, as provided herein, may use*

1 *such collections, as well as fees collected under section 620,*  
2 *for necessary expenses of such Act: Provided further, That,*  
3 *notwithstanding the requirements of section 620 of such Act,*  
4 *the Secretary may carry out responsibilities of the Sec-*  
5 *retary under such Act through the use of approved service*  
6 *providers that are paid directly by the recipients of their*  
7 *services.*

8 *FEDERAL HOUSING ADMINISTRATION*

9 *MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT*

10 *New commitments to guarantee single family loans in-*  
11 *sured under the Mutual Mortgage Insurance Fund shall not*  
12 *exceed \$400,000,000,000, to remain available until Sep-*  
13 *tember 30, 2018: Provided, That during fiscal year 2017,*  
14 *obligations to make direct loans to carry out the purposes*  
15 *of section 204(g) of the National Housing Act, as amended,*  
16 *shall not exceed \$5,000,000: Provided further, That the fore-*  
17 *going amount in the previous proviso shall be for loans to*  
18 *nonprofit and governmental entities in connection with*  
19 *sales of single family real properties owned by the Secretary*  
20 *and formerly insured under the Mutual Mortgage Insurance*  
21 *Fund: Provided further, That for administrative contract*  
22 *expenses of the Federal Housing Administration,*  
23 *\$130,000,000, to remain available until September 30,*  
24 *2018: Provided further, That to the extent guaranteed loan*  
25 *commitments exceed \$200,000,000,000 on or before April 1,*

1 2017, an additional \$1,400 for administrative contract ex-  
2 penses shall be available for each \$1,000,000 in additional  
3 guaranteed loan commitments (including a pro rata  
4 amount for any amount below \$1,000,000), but in no case  
5 shall funds made available by this proviso exceed  
6 \$30,000,000.

7           GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

8           New commitments to guarantee loans insured under  
9 the General and Special Risk Insurance Funds, as author-  
10 ized by sections 238 and 519 of the National Housing Act  
11 (12 U.S.C. 1715z-3 and 1735c), shall not exceed  
12 \$30,000,000,000 in total loan principal, any part of which  
13 is to be guaranteed, to remain available until September  
14 30, 2018: Provided, That during fiscal year 2017, gross ob-  
15 ligations for the principal amount of direct loans, as au-  
16 thorized by sections 204(g), 207(l), 238, and 519(a) of the  
17 National Housing Act, shall not exceed \$5,000,000, which  
18 shall be for loans to nonprofit and governmental entities  
19 in connection with the sale of single family real properties  
20 owned by the Secretary and formerly insured under such  
21 Act.

1            *GOVERNMENT NATIONAL MORTGAGE ASSOCIATION*  
2            *GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN*  
3                            *GUARANTEE PROGRAM ACCOUNT*

4            *New commitments to issue guarantees to carry out the*  
5 *purposes of section 306 of the National Housing Act, as*  
6 *amended (12 U.S.C. 1721(g)), shall not exceed*  
7 *\$500,000,000,000, to remain available until September 30,*  
8 *2018: Provided, That \$23,000,000 shall be available for nec-*  
9 *essary salaries and expenses of the Office of Government*  
10 *National Mortgage Association: Provided further, That to*  
11 *the extent that guaranteed loan commitments exceed*  
12 *\$155,000,000,000 on or before April 1, 2017, an additional*  
13 *\$100 for necessary salaries and expenses shall be available*  
14 *until expended for each \$1,000,000 in additional guaran-*  
15 *teed loan commitments (including a pro rata amount for*  
16 *any amount below \$1,000,000), but in no case shall funds*  
17 *made available by this proviso exceed \$3,000,000: Provided*  
18 *further, That receipts from Commitment and Multiclass fees*  
19 *collected pursuant to title III of the National Housing Act,*  
20 *as amended, shall be credited as offsetting collections to this*  
21 *account.*

22                            *POLICY DEVELOPMENT AND RESEARCH*  
23                            *RESEARCH AND TECHNOLOGY*

24            *For contracts, grants, and necessary expenses of pro-*  
25 *grams of research and studies relating to housing and*

1 *urban problems, not otherwise provided for, as authorized*  
2 *by title V of the Housing and Urban Development Act of*  
3 *1970 (12 U.S.C. 1701z-1 et seq.), including carrying out*  
4 *the functions of the Secretary of Housing and Urban Devel-*  
5 *opment under section 1(a)(1)(i) of Reorganization Plan No.*  
6 *2 of 1968, and for technical assistance, \$89,000,000, to re-*  
7 *main available until September 30, 2018: Provided, That*  
8 *with respect to amounts made available under this heading,*  
9 *notwithstanding section 204 of this title, the Secretary may*  
10 *enter into cooperative agreements funded with philan-*  
11 *thropic entities, other Federal agencies, or State or local*  
12 *governments and their agencies for research projects: Pro-*  
13 *vided further, That with respect to the previous proviso,*  
14 *such partners to the cooperative agreements must contribute*  
15 *at least a 50 percent match toward the cost of the project:*  
16 *Provided further, That for non-competitive agreements en-*  
17 *tered into in accordance with the previous two provisos, the*  
18 *Secretary of Housing and Urban Development shall comply*  
19 *with section 2(b) of the Federal Funding Accountability*  
20 *and Transparency Act of 2006 (Public Law 109-282, 31*  
21 *U.S.C. note) in lieu of compliance with section 102(a)(4)(C)*  
22 *with respect to documentation of award decisions: Provided*  
23 *further, That prior to obligation of technical assistance*  
24 *funding, the Secretary shall submit a plan, for approval,*



1 *to the House and Senate Committees on Appropriations on*  
2 *how it will allocate funding for this activity.*

3 *FAIR HOUSING AND EQUAL OPPORTUNITY*

4 *FAIR HOUSING ACTIVITIES*

5 *For contracts, grants, and other assistance, not other-*  
6 *wise provided for, as authorized by title VIII of the Civil*  
7 *Rights Act of 1968, as amended by the Fair Housing*  
8 *Amendments Act of 1988, and section 561 of the Housing*  
9 *and Community Development Act of 1987, as amended,*  
10 *\$65,300,000, to remain available until September 30, 2018:*  
11 *Provided, That notwithstanding 31 U.S.C. 3302, the Sec-*  
12 *retary may assess and collect fees to cover the costs of the*  
13 *Fair Housing Training Academy, and may use such funds*  
14 *to provide such training: Provided further, That no funds*  
15 *made available under this heading shall be used to lobby*  
16 *the executive or legislative branches of the Federal Govern-*  
17 *ment in connection with a specific contract, grant, or loan:*  
18 *Provided further, That of the funds made available under*  
19 *this heading, \$300,000 shall be available to the Secretary*  
20 *of Housing and Urban Development for the creation and*  
21 *promotion of translated materials and other programs that*  
22 *support the assistance of persons with limited English pro-*  
23 *ficiency in utilizing the services provided by the Depart-*  
24 *ment of Housing and Urban Development.*



1 *paint abatement needs: Provided further, That each recipi-*  
2 *ent of funds provided under the previous proviso shall con-*  
3 *tribute an amount not less than 25 percent of the total: Pro-*  
4 *vided further, That each applicant shall certify adequate*  
5 *capacity that is acceptable to the Secretary to carry out*  
6 *the proposed use of funds pursuant to a notice of funding*  
7 *availability: Provided further, That amounts made avail-*  
8 *able under this heading in this or prior appropriations*  
9 *Acts, and that still remain available, may be used for any*  
10 *purpose under this heading notwithstanding the purpose for*  
11 *which such amounts were appropriated if a program com-*  
12 *petition is undersubscribed and there are other program*  
13 *competitions under this heading that are oversubscribed.*

14 *INFORMATION TECHNOLOGY FUND*

15 *For the development of, modifications to, and infra-*  
16 *structure for Department-wide and program-specific infor-*  
17 *mation technology systems, for the continuing operation*  
18 *and maintenance of both Department-wide and program-*  
19 *specific information systems, and for program-related*  
20 *maintenance activities, \$257,000,000, of which*  
21 *\$250,000,000 shall remain available until September 30,*  
22 *2018, and of which \$7,000,000 shall remain available until*  
23 *September 30, 2019: Provided, That any amounts trans-*  
24 *ferred to this Fund under this Act shall remain available*  
25 *until expended: Provided further, That any amounts trans-*

1 *ferred to this Fund from amounts appropriated by pre-*  
2 *viously enacted appropriations Acts may be used for the*  
3 *purposes specified under this Fund, in addition to any*  
4 *other information technology purposes for which such*  
5 *amounts were appropriated: Provided further, That not*  
6 *more than 10 percent of the funds made available under*  
7 *this heading for development, modernization and enhance-*  
8 *ment may be obligated until the Secretary submits to the*  
9 *House and Senate Committees on Appropriations, for ap-*  
10 *proval, a plan for expenditure that—(A) identifies for each*  
11 *modernization project: (i) the functional and performance*  
12 *capabilities to be delivered and the mission benefits to be*  
13 *realized, (ii) the estimated life-cycle cost, and (iii) key mile-*  
14 *stones to be met; and (B) demonstrates that each moderniza-*  
15 *tion project is: (i) compliant with the department’s enter-*  
16 *prise architecture, (ii) being managed in accordance with*  
17 *applicable life-cycle management policies and guidance,*  
18 *(iii) subject to the department’s capital planning and in-*  
19 *vestment control requirements, and (iv) supported by an*  
20 *adequately staffed project office.*

21 *OFFICE OF INSPECTOR GENERAL*

22 *For necessary salaries and expenses of the Office of In-*  
23 *spector General in carrying out the Inspector General Act*  
24 *of 1978, as amended, \$128,082,000: Provided, That the In-*

1 *spector General shall have independent authority over all*  
2 *personnel issues within this office.*

3 *GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND*

4 *URBAN DEVELOPMENT*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *(INCLUDING RESCISSION)*

7 *SEC. 201. Fifty percent of the amounts of budget au-*  
8 *thority, or in lieu thereof 50 percent of the cash amounts*  
9 *associated with such budget authority, that are recaptured*  
10 *from projects described in section 1012(a) of the Stewart*  
11 *B. McKinney Homeless Assistance Amendments Act of 1988*  
12 *(42 U.S.C. 1437f note) shall be rescinded or in the case of*  
13 *cash, shall be remitted to the Treasury, and such amounts*  
14 *of budget authority or cash recaptured and not rescinded*  
15 *or remitted to the Treasury shall be used by State housing*  
16 *finance agencies or local governments or local housing agen-*  
17 *cies with projects approved by the Secretary of Housing and*  
18 *Urban Development for which settlement occurred after*  
19 *January 1, 1992, in accordance with such section. Notwith-*  
20 *standing the previous sentence, the Secretary may award*  
21 *up to 15 percent of the budget authority or cash recaptured*  
22 *and not rescinded or remitted to the Treasury to provide*  
23 *project owners with incentives to refinance their project at*  
24 *a lower interest rate.*

1        *SEC. 202. None of the amounts made available under*  
2 *this Act may be used during fiscal year 2017 to investigate*  
3 *or prosecute under the Fair Housing Act any otherwise law-*  
4 *ful activity engaged in by one or more persons, including*  
5 *the filing or maintaining of a nonfrivolous legal action,*  
6 *that is engaged in solely for the purpose of achieving or*  
7 *preventing action by a Government official or entity, or a*  
8 *court of competent jurisdiction.*

9        *SEC. 203. Subsection (c) of section 854 of the AIDS*  
10 *Housing Opportunity Act (42 U.S.C. 12903(c)) is amend-*  
11 *ed—*

12            *(1) in subclause (I) of paragraph (2)(A), by re-*  
13 *designating the subclause as clause “(i)”;* and

14            *(2) in subparagraph (D) of paragraph (2), to*  
15 *read as follows:*

16            *“(D) ADJUSTMENT TO GRANTS.—For each*  
17 *of fiscal years 2017, 2018, 2019, 2020, and 2021,*  
18 *with respect to a grantee that received an alloca-*  
19 *tion in the prior fiscal year, the Secretary shall*  
20 *ensure that the grantee’s share of total formula*  
21 *funds available for allocation does not decrease*  
22 *more than 5 percent nor gain more than 10 per-*  
23 *cent of the share of the total available formula*  
24 *funds that the grantee received in the preceding*  
25 *fiscal year.”.*

1       *SEC. 204. Except as explicitly provided in law, any*  
2 *grant, cooperative agreement or other assistance made pur-*  
3 *suant to title II of this Act shall be made on a competitive*  
4 *basis and in accordance with section 102 of the Department*  
5 *of Housing and Urban Development Reform Act of 1989*  
6 *(42 U.S.C. 3545).*

7       *SEC. 205. Funds of the Department of Housing and*  
8 *Urban Development subject to the Government Corporation*  
9 *Control Act or section 402 of the Housing Act of 1950 shall*  
10 *be available, without regard to the limitations on adminis-*  
11 *trative expenses, for legal services on a contract or fee basis,*  
12 *and for utilizing and making payment for services and fa-*  
13 *cilities of the Federal National Mortgage Association, Gov-*  
14 *ernment National Mortgage Association, Federal Home*  
15 *Loan Mortgage Corporation, Federal Financing Bank, Fed-*  
16 *eral Reserve banks or any member thereof, Federal Home*  
17 *Loan banks, and any insured bank within the meaning of*  
18 *the Federal Deposit Insurance Corporation Act, as amended*  
19 *(12 U.S.C. 1811-1).*

20       *SEC. 206. Unless otherwise provided for in this Act*  
21 *or through a reprogramming of funds, no part of any ap-*  
22 *propriation for the Department of Housing and Urban De-*  
23 *velopment shall be available for any program, project or*  
24 *activity in excess of amounts set forth in the budget esti-*  
25 *mates submitted to Congress.*

1        *SEC. 207. Corporations and agencies of the Depart-*  
2 *ment of Housing and Urban Development which are subject*  
3 *to the Government Corporation Control Act are hereby au-*  
4 *thorized to make such expenditures, within the limits of*  
5 *funds and borrowing authority available to each such cor-*  
6 *poration or agency and in accordance with law, and to*  
7 *make such contracts and commitments without regard to*  
8 *fiscal year limitations as provided by section 104 of such*  
9 *Act as may be necessary in carrying out the programs set*  
10 *forth in the budget for 2017 for such corporation or agency*  
11 *except as hereinafter provided: Provided, That collections*  
12 *of these corporations and agencies may be used for new loan*  
13 *or mortgage purchase commitments only to the extent ex-*  
14 *pressly provided for in this Act (unless such loans are in*  
15 *support of other forms of assistance provided for in this or*  
16 *prior appropriations Acts), except that this proviso shall*  
17 *not apply to the mortgage insurance or guaranty operations*  
18 *of these corporations, or where loans or mortgage purchases*  
19 *are necessary to protect the financial interest of the United*  
20 *States Government.*

21        *SEC. 208. The Secretary of Housing and Urban Devel-*  
22 *opment shall provide quarterly reports to the House and*  
23 *Senate Committees on Appropriations regarding all uncom-*  
24 *mited, unobligated, recaptured and excess funds in each*  
25 *program and activity within the jurisdiction of the Depart-*



1 *ment and shall submit additional, updated budget informa-*  
2 *tion to these Committees upon request.*

3       *SEC. 209. The President's formal budget request for fis-*  
4 *cal year 2018, as well as the Department of Housing and*  
5 *Urban Development's congressional budget justifications to*  
6 *be submitted to the Committees on Appropriations of the*  
7 *House of Representatives and the Senate, shall use the iden-*  
8 *tical account and sub-account structure provided under this*  
9 *Act.*

10       *SEC. 210. No funds provided under this title may be*  
11 *used for an audit of the Government National Mortgage As-*  
12 *sociation that makes applicable requirements under the*  
13 *Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).*

14       *SEC. 211. (a) Notwithstanding any other provision of*  
15 *law, subject to the conditions listed under this section, for*  
16 *fiscal years 2017 and 2018, the Secretary of Housing and*  
17 *Urban Development may authorize the transfer of some or*  
18 *all project-based assistance, debt held or insured by the Sec-*  
19 *retary and statutorily required low-income and very low-*  
20 *income use restrictions if any, associated with one or more*  
21 *multifamily housing project or projects to another multi-*  
22 *family housing project or projects.*

23       *(b) PHASED TRANSFERS.—Transfers of project-based*  
24 *assistance under this section may be done in phases to ac-*  
25 *commodate the financing and other requirements related to*

1 *rehabilitating or constructing the project or projects to*  
2 *which the assistance is transferred, to ensure that such*  
3 *project or projects meet the standards under subsection (c).*

4 *(c) The transfer authorized in subsection (a) is subject*  
5 *to the following conditions:*

6 *(1) NUMBER AND BEDROOM SIZE OF UNITS.—*

7 *(A) For occupied units in the transferring*  
8 *project: The number of low-income and very low-*  
9 *income units and the configuration (i.e., bed-*  
10 *room size) provided by the transferring project*  
11 *shall be no less than when transferred to the re-*  
12 *ceiving project or projects and the net dollar*  
13 *amount of Federal assistance provided to the*  
14 *transferring project shall remain the same in the*  
15 *receiving project or projects.*

16 *(B) For unoccupied units in the transfer-*  
17 *ring project: The Secretary may authorize a re-*  
18 *duction in the number of dwelling units in the*  
19 *receiving project or projects to allow for a recon-*  
20 *figuration of bedroom sizes to meet current mar-*  
21 *ket demands, as determined by the Secretary and*  
22 *provided there is no increase in the project-based*  
23 *assistance budget authority.*

1           (2) *The transferring project shall, as determined*  
2 *by the Secretary, be either physically obsolete or eco-*  
3 *nomically nonviable.*

4           (3) *The receiving project or projects shall meet or*  
5 *exceed applicable physical standards established by*  
6 *the Secretary.*

7           (4) *The owner or mortgagor of the transferring*  
8 *project shall notify and consult with the tenants re-*  
9 *siding in the transferring project and provide a cer-*  
10 *tification of approval by all appropriate local govern-*  
11 *mental officials.*

12           (5) *The tenants of the transferring project who*  
13 *remain eligible for assistance to be provided by the re-*  
14 *ceiving project or projects shall not be required to va-*  
15 *cate their units in the transferring project or projects*  
16 *until new units in the receiving project are available*  
17 *for occupancy.*

18           (6) *The Secretary determines that this transfer is*  
19 *in the best interest of the tenants.*

20           (7) *If either the transferring project or the re-*  
21 *ceiving project or projects meets the condition speci-*  
22 *fied in subsection (d)(2)(A), any lien on the receiving*  
23 *project resulting from additional financing obtained*  
24 *by the owner shall be subordinate to any FHA-in-*  
25 *sured mortgage lien transferred to, or placed on, such*

1        *project by the Secretary, except that the Secretary*  
2        *may waive this requirement upon determination that*  
3        *such a waiver is necessary to facilitate the financing*  
4        *of acquisition, construction, and/or rehabilitation of*  
5        *the receiving project or projects.*

6            *(8) If the transferring project meets the require-*  
7        *ments of subsection (d)(2), the owner or mortgagor of*  
8        *the receiving project or projects shall execute and*  
9        *record either a continuation of the existing use agree-*  
10       *ment or a new use agreement for the project where,*  
11       *in either case, any use restrictions in such agreement*  
12       *are of no lesser duration than the existing use restric-*  
13       *tions.*

14           *(9) The transfer does not increase the cost (as de-*  
15       *finied in section 502 of the Congressional Budget Act*  
16       *of 1974, as amended) of any FHA-insured mortgage,*  
17       *except to the extent that appropriations are provided*  
18       *in advance for the amount of any such increased cost.*

19       *(d) For purposes of this section—*

20           *(1) the terms “low-income” and “very low-in-*  
21       *come” shall have the meanings provided by the statute*  
22       *and/or regulations governing the program under*  
23       *which the project is insured or assisted;*

1           (2) the term “multifamily housing project”  
2           means housing that meets one of the following condi-  
3           tions—

4                   (A) housing that is subject to a mortgage  
5                   insured under the National Housing Act;

6                   (B) housing that has project-based assist-  
7                   ance attached to the structure including projects  
8                   undergoing mark to market debt restructuring  
9                   under the Multifamily Assisted Housing Reform  
10                  and Affordability Housing Act;

11                  (C) housing that is assisted under section  
12                  202 of the Housing Act of 1959, as amended by  
13                  section 801 of the Cranston-Gonzales National  
14                  Affordable Housing Act;

15                  (D) housing that is assisted under section  
16                  202 of the Housing Act of 1959, as such section  
17                  existed before the enactment of the Cranston-  
18                  Gonzales National Affordable Housing Act;

19                  (E) housing that is assisted under section  
20                  811 of the Cranston-Gonzales National Afford-  
21                  able Housing Act; or

22                  (F) housing or vacant land that is subject  
23                  to a use agreement;

24           (3) the term “project-based assistance” means—

1           (A) assistance provided under section 8(b)  
2 of the United States Housing Act of 1937;

3           (B) assistance for housing constructed or  
4 substantially rehabilitated pursuant to assistance  
5 provided under section 8(b)(2) of such Act (as  
6 such section existed immediately before October  
7 1, 1983);

8           (C) rent supplement payments under sec-  
9 tion 101 of the Housing and Urban Development  
10 Act of 1965;

11           (D) interest reduction payments under sec-  
12 tion 236 and/or additional assistance payments  
13 under section 236(f)(2) of the National Housing  
14 Act;

15           (E) assistance payments made under sec-  
16 tion 202(c)(2) of the Housing Act of 1959; and

17           (F) assistance payments made under section  
18 811(d)(2) of the Cranston-Gonzalez National Af-  
19 fordable Housing Act;

20           (4) the term “receiving project or projects”  
21 means the multifamily housing project or projects to  
22 which some or all of the project-based assistance, debt,  
23 and statutorily required low-income and very low-in-  
24 come use restrictions are to be transferred;

1           (5) the term “transferring project” means the  
2           multifamily housing project which is transferring  
3           some or all of the project-based assistance, debt, and  
4           the statutorily required low-income and very low-in-  
5           come use restrictions to the receiving project or  
6           projects; and

7           (6) the term “Secretary” means the Secretary of  
8           Housing and Urban Development.

9           (e) *RESEARCH REPORT*.—The Secretary shall conduct  
10          an evaluation of the transfer authority under this section,  
11          including the effect of such transfers on the operational effi-  
12          ciency, contract rents, physical and financial conditions,  
13          and long-term preservation of the affected properties.

14          *SEC. 212. (a) No assistance shall be provided under*  
15          *section 8 of the United States Housing Act of 1937 (42*  
16          *U.S.C. 1437f) to any individual who—*

17                 (1) is enrolled as a student at an institution of  
18                 higher education (as defined under section 102 of the  
19                 Higher Education Act of 1965 (20 U.S.C. 1002));

20                 (2) is under 24 years of age;

21                 (3) is not a veteran;

22                 (4) is unmarried;

23                 (5) does not have a dependent child;

24                 (6) is not a person with disabilities, as such  
25          term is defined in section 3(b)(3)(E) of the United

1       *States Housing Act of 1937 (42 U.S.C.*  
2       *1437a(b)(3)(E)) and was not receiving assistance*  
3       *under such section 8 as of November 30, 2005;*

4             *(7) is not a youth who left foster care at age 14*  
5       *or older and is at risk of becoming homeless; and*

6             *(8) is not otherwise individually eligible, or has*  
7       *parents who, individually or jointly, are not eligible,*  
8       *to receive assistance under section 8 of the United*  
9       *States Housing Act of 1937 (42 U.S.C. 1437f).*

10       *(b) For purposes of determining the eligibility of a per-*  
11       *son to receive assistance under section 8 of the United States*  
12       *Housing Act of 1937 (42 U.S.C. 1437f), any financial as-*  
13       *sistance (in excess of amounts received for tuition and any*  
14       *other required fees and charges) that an individual receives*  
15       *under the Higher Education Act of 1965 (20 U.S.C. 1001*  
16       *et seq.), from private sources, or an institution of higher*  
17       *education (as defined under the Higher Education Act of*  
18       *1965 (20 U.S.C. 1002)), shall be considered income to that*  
19       *individual, except for a person over the age of 23 with de-*  
20       *pendent children.*

21       *SEC. 213. The funds made available for Native Alas-*  
22       *kans under the heading “Native American Housing Block*  
23       *Grants” in title II of this Act shall be allocated to the same*  
24       *Native Alaskan housing block grant recipients that received*  
25       *funds in fiscal year 2005.*



1        *SEC. 214. Notwithstanding the limitation in the first*  
2 *sentence of section 255(g) of the National Housing Act (12*  
3 *U.S.C. 1715z–20(g)), the Secretary of Housing and Urban*  
4 *Development may, until September 30, 2017, insure and*  
5 *enter into commitments to insure mortgages under such sec-*  
6 *tion 255.*

7        *SEC. 215. Notwithstanding any other provision of law,*  
8 *in fiscal year 2017, in managing and disposing of any mul-*  
9 *tifamily property that is owned or has a mortgage held by*  
10 *the Secretary of Housing and Urban Development, and dur-*  
11 *ing the process of foreclosure on any property with a con-*  
12 *tract for rental assistance payments under section 8 of the*  
13 *United States Housing Act of 1937 or other Federal pro-*  
14 *grams, the Secretary shall maintain any rental assistance*  
15 *payments under section 8 of the United States Housing Act*  
16 *of 1937 and other programs that are attached to any dwell-*  
17 *ing units in the property. To the extent the Secretary deter-*  
18 *mines, in consultation with the tenants and the local gov-*  
19 *ernment, that such a multifamily property owned or held*  
20 *by the Secretary is not feasible for continued rental assist-*  
21 *ance payments under such section 8 or other programs,*  
22 *based on consideration of (1) the costs of rehabilitating and*  
23 *operating the property and all available Federal, State, and*  
24 *local resources, including rent adjustments under section*  
25 *524 of the Multifamily Assisted Housing Reform and Af-*

1 *fordability Act of 1997 (“MAHRAA”) and (2) environ-*  
2 *mental conditions that cannot be remedied in a cost-effec-*  
3 *tive fashion, the Secretary may, in consultation with the*  
4 *tenants of that property, contract for project-based rental*  
5 *assistance payments with an owner or owners of other exist-*  
6 *ing housing properties, or provide other rental assistance.*  
7 *The Secretary shall also take appropriate steps to ensure*  
8 *that project-based contracts remain in effect prior to fore-*  
9 *closure, subject to the exercise of contractual abatement rem-*  
10 *edies to assist relocation of tenants for imminent major*  
11 *threats to health and safety after written notice to and in-*  
12 *formed consent of the affected tenants and use of other avail-*  
13 *able remedies, such as partial abatements or receivership.*  
14 *After disposition of any multifamily property described*  
15 *under this section, the contract and allowable rent levels*  
16 *on such properties shall be subject to the requirements under*  
17 *section 524 of MAHRAA.*

18       *SEC. 216. The commitment authority funded by fees*  
19 *as provided under the heading “Community Development*  
20 *Loan Guarantees Program Account” may be used to guar-*  
21 *antee, or make commitments to guarantee, notes, or other*  
22 *obligations issued by any State on behalf of non-entitlement*  
23 *communities in the State in accordance with the require-*  
24 *ments of section 108 of the Housing and Community Devel-*  
25 *opment Act of 1974: Provided, That any State receiving*

1 *such a guarantee or commitment shall distribute all funds*  
2 *subject to such guarantee to the units of general local gov-*  
3 *ernment in non-entitlement areas that received the commit-*  
4 *ment.*

5 *SEC. 217. Public housing agencies that own and oper-*  
6 *ate 400 or fewer public housing units may elect to be exempt*  
7 *from any asset management requirement imposed by the*  
8 *Secretary of Housing and Urban Development in connec-*  
9 *tion with the operating fund rule: Provided, That an agency*  
10 *seeking a discontinuance of a reduction of subsidy under*  
11 *the operating fund formula shall not be exempt from asset*  
12 *management requirements.*

13 *SEC. 218. With respect to the use of amounts provided*  
14 *in this Act and in future Acts for the operation, capital*  
15 *improvement and management of public housing as author-*  
16 *ized by sections 9(d) and 9(e) of the United States Housing*  
17 *Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary*  
18 *shall not impose any requirement or guideline relating to*  
19 *asset management that restricts or limits in any way the*  
20 *use of capital funds for central office costs pursuant to sec-*  
21 *tion 9(g)(1) or 9(g)(2) of the United States Housing Act*  
22 *of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a pub-*  
23 *lic housing agency may not use capital funds authorized*  
24 *under section 9(d) for activities that are eligible under sec-*  
25 *tion 9(e) for assistance with amounts from the operating*

1 *fund in excess of the amounts permitted under section*  
2 *9(g)(1) or 9(g)(2).*

3       *SEC. 219. No official or employee of the Department*  
4 *of Housing and Urban Development shall be designated as*  
5 *an allotment holder unless the Office of the Chief Financial*  
6 *Officer has determined that such allotment holder has im-*  
7 *plemented an adequate system of funds control and has re-*  
8 *ceived training in funds control procedures and directives.*  
9 *The Chief Financial Officer shall ensure that there is a*  
10 *trained allotment holder for each HUD sub-office under the*  
11 *accounts “Executive Offices” and “Administrative Support*  
12 *Offices,” as well as each account receiving appropriations*  
13 *for “Program Office Salaries and Expenses”, “Government*  
14 *National Mortgage Association—Guarantees of Mortgage-*  
15 *Backed Securities Loan Guarantee Program Account”, and*  
16 *“Office of Inspector General” within the Department of*  
17 *Housing and Urban Development.*

18       *SEC. 220. The Secretary of the Department of Housing*  
19 *and Urban Development shall, for fiscal year 2017, notify*  
20 *the public through the Federal Register and other means,*  
21 *as determined appropriate, of the issuance of a notice of*  
22 *the availability of assistance or notice of funding avail-*  
23 *ability (NOFA) for any program or discretionary fund ad-*  
24 *ministered by the Secretary that is to be competitively*  
25 *awarded. Notwithstanding any other provision of law, for*

1 *fiscal year 2017, the Secretary may make the NOFA avail-*  
2 *able only on the Internet at the appropriate Government*  
3 *web site or through other electronic media, as determined*  
4 *by the Secretary.*

5       *SEC. 221. Payment of attorney fees in program-related*  
6 *litigation shall be paid from the individual program office*  
7 *and Office of General Counsel salaries and expenses appro-*  
8 *priations. The annual budget submission for the program*  
9 *offices and the Office of General Counsel shall include any*  
10 *such projected litigation costs for attorney fees as a separate*  
11 *line item request. No funds provided in this title may be*  
12 *used to pay any such litigation costs for attorney fees until*  
13 *the Department submits for review a spending plan for such*  
14 *costs to the House and Senate Committees on Appropria-*  
15 *tions.*

16       *SEC. 222. The Secretary is authorized to transfer up*  
17 *to 10 percent or \$4,000,000, whichever is less, of funds ap-*  
18 *propriated for any office under the heading “Administra-*  
19 *tive Support Offices” or for any account under the general*  
20 *heading “Program Office Salaries and Expenses” to any*  
21 *other such office or account: Provided, That no appropria-*  
22 *tion for any such office or account shall be increased or*  
23 *decreased by more than 10 percent or \$4,000,000, whichever*  
24 *is less, without prior written approval of the House and*  
25 *Senate Committees on Appropriations: Provided further,*

1 *That the Secretary shall provide notification to such Com-*  
2 *mittees three business days in advance of any such transfers*  
3 *under this section up to 10 percent or \$4,000,000, whichever*  
4 *is less.*

5 *SEC. 223. (a) Any entity receiving housing assistance*  
6 *payments shall maintain decent, safe, and sanitary condi-*  
7 *tions, as determined by the Secretary of Housing and*  
8 *Urban Development (in this section referred to as the “Sec-*  
9 *retary”), and comply with any standards under applicable*  
10 *State or local laws, rules, ordinances, or regulations relat-*  
11 *ing to the physical condition of any property covered under*  
12 *a housing assistance payment contract.*

13 *(b) The Secretary shall take action under subsection*  
14 *(c) when a multifamily housing project with a section 8*  
15 *contract or contract for similar project-based assistance—*

16 *(1) receives a Uniform Physical Condition*  
17 *Standards (UPCS) score of 60 or less; or*

18 *(2) fails to certify in writing to the Secretary*  
19 *within 3 days that all Exigent Health and Safety de-*  
20 *ficiencies identified by the inspector at the project*  
21 *have been corrected.*

22 *Such requirements shall apply to insured and noninsured*  
23 *projects with assistance attached to the units under section*  
24 *8 of the United States Housing Act of 1937 (42 U.S.C.*  
25 *1437f), but do not apply to such units assisted under section*

1 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units  
2 assisted with capital or operating funds under section 9 of  
3 the United States Housing Act of 1937 (42 U.S.C. 1437g).

4 (c)(1) Within 15 days of the issuance of the REAC in-  
5 spection, the Secretary must provide the owner with a No-  
6 tice of Default with a specified timetable, determined by the  
7 Secretary, for correcting all deficiencies. The Secretary  
8 must also provide a copy of the Notice of Default to the  
9 tenants, the local government, any mortgagees, and any  
10 contract administrator. If the owner's appeal results in a  
11 UPCS score of 60 or above, the Secretary may withdraw  
12 the Notice of Default.

13 (2) At the end of the time period for correcting all defi-  
14 ciencies specified in the Notice of Default, if the owner fails  
15 to fully correct such deficiencies, the Secretary may—

16 (A) require immediate replacement of project  
17 management with a management agent approved by  
18 the Secretary;

19 (B) impose civil money penalties, which shall be  
20 used solely for the purpose of supporting safe and  
21 sanitary conditions at applicable properties, as des-  
22 ignated by the Secretary, with priority given to the  
23 tenants of the property affected by the penalty;

1           (C) abate the section 8 contract, including par-  
2           tial abatement, as determined by the Secretary, until  
3           all deficiencies have been corrected;

4           (D) pursue transfer of the project to an owner,  
5           approved by the Secretary under established proce-  
6           dures, which will be obligated to promptly make all  
7           required repairs and to accept renewal of the assist-  
8           ance contract as long as such renewal is offered;

9           (E) transfer the existing section 8 contract to an-  
10          other project or projects and owner or owners;

11          (F) pursue exclusionary sanctions, including  
12          suspensions or debarments from Federal programs;

13          (G) seek judicial appointment of a receiver to  
14          manage the property and cure all project deficiencies  
15          or seek a judicial order of specific performance requir-  
16          ing the owner to cure all project deficiencies;

17          (H) work with the owner, lender, or other related  
18          party to stabilize the property in an attempt to pre-  
19          serve the property through compliance, transfer of  
20          ownership, or an infusion of capital provided by a  
21          third-party that requires time to effectuate; or

22          (I) take any other regulatory or contractual rem-  
23          edies available as deemed necessary and appropriate  
24          by the Secretary.



1       (d) *The Secretary shall also take appropriate steps to*  
2 *ensure that project-based contracts remain in effect, subject*  
3 *to the exercise of contractual abatement remedies to assist*  
4 *relocation of tenants for major threats to health and safety*  
5 *after written notice to the affected tenants. To the extent*  
6 *the Secretary determines, in consultation with the tenants*  
7 *and the local government, that the property is not feasible*  
8 *for continued rental assistance payments under such section*  
9 *8 or other programs, based on consideration of—*

10           (1) *the costs of rehabilitating and operating the*  
11 *property and all available Federal, State, and local*  
12 *resources, including rent adjustments under section*  
13 *524 of the Multifamily Assisted Housing Reform and*  
14 *Affordability Act of 1997 (“MAHRAA”); and*

15           (2) *environmental conditions that cannot be*  
16 *remedied in a cost-effective fashion, the Secretary*  
17 *may contract for project-based rental assistance pay-*  
18 *ments with an owner or owners of other existing hous-*  
19 *ing properties, or provide other rental assistance.*

20       (e) *The Secretary shall report quarterly on all prop-*  
21 *erties covered by this section that are assessed through the*  
22 *Real Estate Assessment Center and have UPCS physical in-*  
23 *spection scores of less than 60 or have received an unsatis-*  
24 *factory management and occupancy review within the past*  
25 *36 months. The report shall include—*

1           (1) *the enforcement actions being taken to ad-*  
2 *dress such conditions, including imposition of civil*  
3 *money penalties and termination of subsidies, and*  
4 *identify properties that have such conditions multiple*  
5 *times;*

6           (2) *actions that the Department of Housing and*  
7 *Urban Development is taking to protect tenants of*  
8 *such identified properties; and*

9           (3) *any administrative or legislative rec-*  
10 *ommendations to further improve the living condi-*  
11 *tions at properties covered under a housing assistance*  
12 *payment contract.*

13       *SEC. 224. None of the funds made available by this*  
14 *Act, or any other Act, for purposes authorized under section*  
15 *8 (only with respect to the tenant-based rental assistance*  
16 *program) and section 9 of the United States Housing Act*  
17 *of 1937 (42 U.S.C. 1437 et seq.), may be used by any public*  
18 *housing agency for any amount of salary, including bo-*  
19 *nuses, for the chief executive officer of which, or any other*  
20 *official or employee of which, that exceeds the annual rate*  
21 *of basic pay payable for a position at level IV of the Execu-*  
22 *tive Schedule at any time during any public housing agen-*  
23 *cy fiscal year 2017.*

1        *SEC. 225. None of the funds in this Act may be avail-*  
2 *able for the doctoral dissertation research grant program*  
3 *at the Department of Housing and Urban Development.*

4        *SEC. 226. Section 24 of the United States Housing Act*  
5 *of 1937 (42 U.S.C. 1437v) is amended—*

6            *(1) in subsection (m)(1), by striking “fiscal*  
7 *year” and all that follows through the period at the*  
8 *end and inserting “fiscal year 2017.”; and*

9            *(2) in subsection (o), by striking “September”*  
10 *and all that follows through the period at the end and*  
11 *inserting “September 30, 2017.”.*

12        *SEC. 227. None of the funds in this Act provided to*  
13 *the Department of Housing and Urban Development may*  
14 *be used to make a grant award unless the Secretary notifies*  
15 *the House and Senate Committees on Appropriations not*  
16 *less than 3 full business days before any project, State, lo-*  
17 *cality, housing authority, tribe, nonprofit organization, or*  
18 *other entity selected to receive a grant award is announced*  
19 *by the Department or its offices.*

20        *SEC. 228. None of the funds made available by this*  
21 *Act may be used to require or enforce the Physical Needs*  
22 *Assessment (PNA).*

23        *SEC. 229. None of the funds made available by this*  
24 *Act nor any receipts or amounts collected under any Fed-*  
25 *eral Housing Administration program may be used to im-*

1 *plement the Homeowners Armed with Knowledge (HAWK)*  
2 *program.*

3       *SEC. 230. None of the funds made available in this*  
4 *Act shall be used by the Federal Housing Administration,*  
5 *the Government National Mortgage Administration, or the*  
6 *Department of Housing and Urban Development to insure,*  
7 *securitize, or establish a Federal guarantee of any mortgage*  
8 *or mortgage backed security that refinances or otherwise re-*  
9 *places a mortgage that has been subject to eminent domain*  
10 *condemnation or seizure, by a State, municipality, or any*  
11 *other political subdivision of a State.*

12       *SEC. 231. None of the funds made available by this*  
13 *Act may be used to terminate the status of a unit of general*  
14 *local government as a metropolitan city (as defined in sec-*  
15 *tion 102 of the Housing and Community Development Act*  
16 *of 1974 (42 U.S.C. 5302)) with respect to grants under sec-*  
17 *tion 106 of such Act (42 U.S.C. 5306).*

18       *SEC. 232. Amounts made available under this Act*  
19 *which are either appropriated, allocated, advanced on a re-*  
20 *imbursable basis, or transferred to the Office of Policy De-*  
21 *velopment and Research in the Department of Housing and*  
22 *Urban Development and functions thereof, for research,*  
23 *evaluation, or statistical purposes, and which are unex-*  
24 *pended at the time of completion of a contract, grant, or*  
25 *cooperative agreement, may be deobligated and shall imme-*

1 *diately become available and may be reobligated in that fis-*  
2 *cal year or the subsequent fiscal year for the research, eval-*  
3 *uation, or statistical purposes for which the amounts are*  
4 *made available to that Office subject to reprogramming re-*  
5 *quirements in section 405 of this Act.*

6 *SEC. 233. None of the funds provided in this Act or*  
7 *any other act may be used for awards, including perform-*  
8 *ance, special act, or spot, for any employee of the Depart-*  
9 *ment of Housing and Urban Development who has been*  
10 *subject to administrative discipline in fiscal years 2016 or*  
11 *2017, including suspension from work.*

12 *SEC. 234. Funds made available in this title under*  
13 *the heading “Homeless Assistance Grants” may be used by*  
14 *the Secretary to participate in Performance Partnership*  
15 *Pilots authorized under section 526 of division H of Public*  
16 *Law 113–76, section 524 of division G of Public Law 113–*  
17 *235, section 525 of division H of Public Law 114–113, and*  
18 *such authorities as are enacted for Performance Partnership*  
19 *Pilots in an appropriations Act for fiscal year 2017: Pro-*  
20 *vided, That such participation shall be limited to no more*  
21 *than 10 continuums of care and housing activities to im-*  
22 *prove outcomes for disconnected youth.*

23 *SEC. 235. With respect to grant amounts awarded*  
24 *under the heading “Homeless Assistance Grants” for fiscal*  
25 *years 2015, 2016, and 2017 for the continuum of care (CoC)*

1 program as authorized under subtitle C of title IV of the  
2 McKinney-Vento Homeless Assistance Act, costs paid by  
3 program income of grant recipients may count toward  
4 meeting the recipient's matching requirements, provided the  
5 costs are eligible CoC costs that supplement the recipients  
6 CoC program.

7       SEC. 236. (a) From amounts made available under  
8 this title under the heading "Homeless Assistance Grants",  
9 the Secretary may award 1-year transition grants to recipi-  
10 ents of funds for activities under subtitle C of the McKin-  
11 ney-Vento Homeless Assistance Act (42 U.S.C. 11381 et  
12 seq.) to transition from one Continuum of Care program  
13 component to another.

14       (b) No more than 50 percent of each transition grant  
15 may be used for costs of eligible activities of the program  
16 component originally funded.

17       (c) Transition grants made under this section are eli-  
18 gible for renewal in subsequent fiscal years for the eligible  
19 activities of the new program component.

20       (d) In order to be eligible to receive a transition grant,  
21 the funding recipient must have the consent of the Con-  
22 tinuum of Care and meet standards determined by the Sec-  
23 retary.

1        *SEC. 237. (a) Section 302 of the Lead-Based Paint*  
2 *Poisoning Prevention Act (42 U.S.C. 4822) is amended in*  
3 *subsection (e)—*

4            (1) *in paragraph (1)—*

5                    (i) *by striking “handicapped” and inserting*  
6 *“persons with disabilities, or any 0-bedroom*  
7 *dwelling”;*

8                    (ii) *by inserting “or” after “expected to re-*  
9 *side;”; and*

10                    (iii) *by striking “less than 7 years of age”*  
11 *and inserting “under age 6”;*

12            (2) *in paragraph (2) by striking “; or” and in-*  
13 *serting “.”; and*

14            (3) *by striking paragraph (3).*

15        (b) *Section 1004 of the Residential Lead-Based Paint*  
16 *Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is amend-*  
17 *ed in paragraph (27)—*

18            (1) *by inserting “or any 0-bedroom dwelling”*  
19 *after “disabilities,”; and*

20            (2) *by deleting “housing for the elderly or per-*  
21 *sons with disabilities) or any 0 bedroom dwelling”*  
22 *and inserting “housing)”.*

23        (c) *Section 401 of the Toxic Substances Control Act*  
24 *(15 U.S.C. 2681) is amended in paragraph (17)—*

1           (1) by inserting “or any 0-bedroom dwelling”  
2       after “disabilities,”; and

3           (2) by deleting “housing for the elderly or per-  
4       sons with disabilities) or any 0 bedroom dwelling”  
5       and inserting “housing)”.

6       SEC. 238. Section 211 of the Department of Housing  
7       and Urban Development Appropriations Act, 2008, is re-  
8       pealed.

9       SEC. 239. The language under the heading Rental As-  
10      sistance Demonstration in the Department of Housing and  
11      Urban Development Appropriations Act, 2012 (Public Law  
12      112–55), is amended—

13           (1) in the second proviso, by striking “2018”  
14      and inserting “2020”; and

15           (2) in the fourth proviso, by striking “185,000”  
16      and inserting “225,000”.

17      SEC. 240. The Secretary shall establish by notice such  
18      requirements as may be necessary to implement section  
19      78001 of title LXXVIII of the Fixing America’s Surface  
20      Transportation Act (Public Law 114–94), and the notice  
21      shall take effect upon issuance: Provided, That the Secretary  
22      shall commence rulemaking based on the initial notice no  
23      later than the expiration of the 6-month period following  
24      issuance of the notice and the rulemaking shall allow for  
25      the opportunity for public comment.



1        *SEC. 241. For fiscal year 2017 and hereafter, the Sec-*  
2 *retary of Housing and Urban Development may use*  
3 *amounts made available for the Continuum of Care pro-*  
4 *gram under the “Homeless Assistance Grants” heading*  
5 *under this title to renew a grant originally awarded pursu-*  
6 *ant to the matter under the heading “Department of Hous-*  
7 *ing and Urban Development—Permanent Supportive*  
8 *Housing” in chapter 6 of title III of the Supplemental Ap-*  
9 *propriations Act, 2008 (Public Law 110–252; 122 Stat.*  
10 *2351) for assistance under subtitle F of title IV of the*  
11 *McKinney-Vento Homeless Assistance Act (42 U.S.C 11403*  
12 *et seq.). Such renewal grant shall be awarded to the same*  
13 *grantee and be subject to the provisions of such Continuum*  
14 *of Care program except that the funds may be used outside*  
15 *the geographic area of the continuum of care.*

16        *SEC. 242. Section 218(g) of the Cranston-Gonzalez Na-*  
17 *tional Affordable Housing Act (42 U.S.C. 12748(g)) shall*  
18 *not apply with respect to the right of a jurisdiction to draw*  
19 *funds from its HOME Investment Trust Fund that other-*  
20 *wise expired or would expire in 2016, 2017, 2018, or 2019*  
21 *under that section.*

22        *SEC. 243. None of the funds made available by this*  
23 *Act may be used by the Department of Housing and Urban*  
24 *Development to direct a grantee to undertake specific*  
25 *changes to existing zoning laws as part of carrying out the*

1 *final rule entitled “Affirmatively Furthering Fair Hous-*  
2 *ing” (80 Fed. Reg. 42272 (July 16, 2015)) or the notice*  
3 *entitled “Affirmatively Furthering Fair Housing Assess-*  
4 *ment Tool” (79 Fed. Reg. 57949 (September 26, 2014)).*

5 *This title may be cited as the “Department of Housing*  
6 *and Urban Development Appropriations Act, 2017”.*

7 *TITLE III*

8 *RELATED AGENCIES*

9 *ACCESS BOARD*

10 *SALARIES AND EXPENSES*

11 *For expenses necessary for the Access Board, as author-*  
12 *ized by section 502 of the Rehabilitation Act of 1973, as*  
13 *amended, \$8,190,000: Provided, That, notwithstanding any*  
14 *other provision of law, there may be credited to this appro-*  
15 *priation funds received for publications and training ex-*  
16 *penses.*

17 *FEDERAL MARITIME COMMISSION*

18 *SALARIES AND EXPENSES*

19 *For necessary expenses of the Federal Maritime Com-*  
20 *mission as authorized by section 201(d) of the Merchant*  
21 *Marine Act, 1936, as amended (46 U.S.C. 307), including*  
22 *services as authorized by 5 U.S.C. 3109; hire of passenger*  
23 *motor vehicles as authorized by 31 U.S.C. 1343(b); and uni-*  
24 *forms or allowances therefore, as authorized by 5 U.S.C.*  
25 *5901–5902, \$27,490,000: Provided, That not to exceed*

1 \$2,000 shall be available for official reception and represen-  
2 tation expenses.

3 NATIONAL RAILROAD PASSENGER CORPORATION

4 OFFICE OF INSPECTOR GENERAL

5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of Inspector Gen-  
7 eral for the National Railroad Passenger Corporation to  
8 carry out the provisions of the Inspector General Act of  
9 1978, as amended, \$23,274,000: Provided, That the Inspec-  
10 tor General shall have all necessary authority, in carrying  
11 out the duties specified in the Inspector General Act, as  
12 amended (5 U.S.C. App. 3), to investigate allegations of  
13 fraud, including false statements to the government (18  
14 U.S.C. 1001), by any person or entity that is subject to  
15 regulation by the National Railroad Passenger Corpora-  
16 tion: Provided further, That the Inspector General may  
17 enter into contracts and other arrangements for audits,  
18 studies, analyses, and other services with public agencies  
19 and with private persons, subject to the applicable laws and  
20 regulations that govern the obtaining of such services within  
21 the National Railroad Passenger Corporation: Provided  
22 further, That the Inspector General may select, appoint,  
23 and employ such officers and employees as may be nec-  
24 essary for carrying out the functions, powers, and duties  
25 of the Office of Inspector General, subject to the applicable

1 *laws and regulations that govern such selections, appoint-*  
2 *ments, and employment within the Corporation: Provided*  
3 *further, That concurrent with the President's budget request*  
4 *for fiscal year 2018, the Inspector General shall submit to*  
5 *the House and Senate Committees on Appropriations a*  
6 *budget request for fiscal year 2018 in similar format and*  
7 *substance to those submitted by executive agencies of the*  
8 *Federal Government.*

9 *NATIONAL TRANSPORTATION SAFETY BOARD*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the National Transportation*  
12 *Safety Board, including hire of passenger motor vehicles*  
13 *and aircraft; services as authorized by 5 U.S.C. 3109, but*  
14 *at rates for individuals not to exceed the per diem rate*  
15 *equivalent to the rate for a GS-15; uniforms, or allowances*  
16 *therefor, as authorized by law (5 U.S.C. 5901-5902),*  
17 *\$106,000,000, of which not to exceed \$2,000 may be used*  
18 *for official reception and representation expenses. The*  
19 *amounts made available to the National Transportation*  
20 *Safety Board in this Act include amounts necessary to*  
21 *make lease payments on an obligation incurred in fiscal*  
22 *year 2001 for a capital lease.*



1            *UNITED STATES INTERAGENCY COUNCIL ON*  
2                            *HOMELESSNESS*  
3                            *OPERATING EXPENSES*

4            *For necessary expenses (including payment of salaries,*  
5 *authorized travel, hire of passenger motor vehicles, the rent-*  
6 *al of conference rooms, and the employment of experts and*  
7 *consultants under section 3109 of title 5, United States*  
8 *Code) of the United States Interagency Council on Home-*  
9 *lessness in carrying out the functions pursuant to title II*  
10 *of the McKinney-Vento Homeless Assistance Act, as amend-*  
11 *ed, \$3,600,000: Provided, That title II of the McKinney-*  
12 *Vento Homeless Assistance Act (42 U.S.C. 11319) is amend-*  
13 *ed by striking “October 1, 2017” in section 209 and insert-*  
14 *ing “October 1, 2018”.*

15                            *TITLE IV*  
16                            *GENERAL PROVISIONS—THIS ACT*  
17                            *(INCLUDING RESCISSIONS)*

18            *SEC. 401. None of the funds in this Act shall be used*  
19 *for the planning or execution of any program to pay the*  
20 *expenses of, or otherwise compensate, non-Federal parties*  
21 *intervening in regulatory or adjudicatory proceedings fund-*  
22 *ed in this Act.*

23            *SEC. 402. None of the funds appropriated in this Act*  
24 *shall remain available for obligation beyond the current fis-*

1 *cal year, nor may any be transferred to other appropria-*  
2 *tions, unless expressly so provided herein.*

3       *SEC. 403. The expenditure of any appropriation under*  
4 *this Act for any consulting service through a procurement*  
5 *contract pursuant to section 3109 of title 5, United States*  
6 *Code, shall be limited to those contracts where such expendi-*  
7 *tures are a matter of public record and available for public*  
8 *inspection, except where otherwise provided under existing*  
9 *law, or under existing Executive order issued pursuant to*  
10 *existing law.*

11       *SEC. 404. (a) None of the funds made available in this*  
12 *Act may be obligated or expended for any employee training*  
13 *that—*

14               *(1) does not meet identified needs for knowledge,*  
15               *skills, and abilities bearing directly upon the perform-*  
16               *ance of official duties;*

17               *(2) contains elements likely to induce high levels*  
18               *of emotional response or psychological stress in some*  
19               *participants;*

20               *(3) does not require prior employee notification*  
21               *of the content and methods to be used in the training*  
22               *and written end of course evaluation;*

23               *(4) contains any methods or content associated*  
24               *with religious or quasi-religious belief systems or*  
25               *“new age” belief systems as defined in Equal Employ-*

1 *ment Opportunity Commission Notice N-915.022,*  
2 *dated September 2, 1988; or*

3 *(5) is offensive to, or designed to change, partici-*  
4 *pants' personal values or lifestyle outside the work-*  
5 *place.*

6 *(b) Nothing in this section shall prohibit, restrict, or*  
7 *otherwise preclude an agency from conducting training*  
8 *bearing directly upon the performance of official duties.*

9 *SEC. 405. Except as otherwise provided in this Act,*  
10 *none of the funds provided in this Act, provided by previous*  
11 *appropriations Acts to the agencies or entities funded in*  
12 *this Act that remain available for obligation or expenditure*  
13 *in fiscal year 2017, or provided from any accounts in the*  
14 *Treasury derived by the collection of fees and available to*  
15 *the agencies funded by this Act, shall be available for obliga-*  
16 *tion or expenditure through a reprogramming of funds*  
17 *that—*

18 *(1) creates a new program;*

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

20 *(3) increases funds or personnel for any pro-*  
21 *gram, project, or activity for which funds have been*  
22 *denied or restricted by the Congress;*

23 *(4) proposes to use funds directed for a specific*  
24 *activity by either the House or Senate Committees on*  
25 *Appropriations for a different purpose;*



1           (5) *augments existing programs, projects, or ac-*  
2 *tivities in excess of \$5,000,000 or 10 percent, which-*  
3 *ever is less;*

4           (6) *reduces existing programs, projects, or activi-*  
5 *ties by \$5,000,000 or 10 percent, whichever is less; or*

6           (7) *creates, reorganizes, or restructures a branch,*  
7 *division, office, bureau, board, commission, agency,*  
8 *administration, or department different from the*  
9 *budget justifications submitted to the Committees on*  
10 *Appropriations or the table accompanying the explan-*  
11 *atory statement accompanying this Act, whichever is*  
12 *more detailed, unless prior approval is received from*  
13 *the House and Senate Committees on Appropriations:*  
14 *Provided, That not later than 60 days after the date*  
15 *of enactment of this Act, each agency funded by this*  
16 *Act shall submit a report to the Committees on Ap-*  
17 *propriations of the Senate and of the House of Rep-*  
18 *resentatives to establish the baseline for application of*  
19 *reprogramming and transfer authorities for the cur-*  
20 *rent fiscal year: Provided further, That the report*  
21 *shall include—*

22           (A) *a table for each appropriation with a*  
23 *separate column to display the prior year en-*  
24 *acted level, the President's budget request, adjust-*  
25 *ments made by Congress, adjustments due to en-*

1           *acted rescissions, if appropriate, and the fiscal*  
2           *year enacted level;*

3                   *(B) a delineation in the table for each ap-*  
4                   *propriation and its respective prior year enacted*  
5                   *level by object class and program, project, and*  
6                   *activity as detailed in the budget appendix for*  
7                   *the respective appropriation; and*

8                   *(C) an identification of items of special con-*  
9                   *gressional interest.*

10       *SEC. 406. Except as otherwise specifically provided by*  
11 *law, not to exceed 50 percent of unobligated balances re-*  
12 *maining available at the end of fiscal year 2017 from ap-*  
13 *propriations made available for salaries and expenses for*  
14 *fiscal year 2017 in this Act, shall remain available through*  
15 *September 30, 2018, for each such account for the purposes*  
16 *authorized: Provided, That a request shall be submitted to*  
17 *the House and Senate Committees on Appropriations for*  
18 *approval prior to the expenditure of such funds: Provided*  
19 *further, That these requests shall be made in compliance*  
20 *with reprogramming guidelines under section 405 of this*  
21 *Act.*

22       *SEC. 407. No funds in this Act may be used to support*  
23 *any Federal, State, or local projects that seek to use the*  
24 *power of eminent domain, unless eminent domain is em-*  
25 *ployed only for a public use: Provided, That for purposes*

1 *of this section, public use shall not be construed to include*  
2 *economic development that primarily benefits private enti-*  
3 *ties: Provided further, That any use of funds for mass tran-*  
4 *sit, railroad, airport, seaport or highway projects, as well*  
5 *as utility projects which benefit or serve the general public*  
6 *(including energy-related, communication-related, water-re-*  
7 *lated and wastewater-related infrastructure), other struc-*  
8 *tures designated for use by the general public or which have*  
9 *other common-carrier or public-utility functions that serve*  
10 *the general public and are subject to regulation and over-*  
11 *sight by the government, and projects for the removal of an*  
12 *immediate threat to public health and safety or brownfields*  
13 *as defined in the Small Business Liability Relief and*  
14 *Brownfields Revitalization Act (Public Law 107–118) shall*  
15 *be considered a public use for purposes of eminent domain.*

16       *SEC. 408. None of the funds made available in this*  
17 *Act may be transferred to any department, agency, or in-*  
18 *strumentality of the United States Government, except pur-*  
19 *suant to a transfer made by, or transfer authority provided*  
20 *in, this Act or any other appropriations Act.*

21       *SEC. 409. No part of any appropriation contained in*  
22 *this Act shall be available to pay the salary for any person*  
23 *filling a position, other than a temporary position, formerly*  
24 *held by an employee who has left to enter the Armed Forces*  
25 *of the United States and has satisfactorily completed his*

1 *or her period of active military or naval service, and has*  
2 *within 90 days after his or her release from such service*  
3 *or from hospitalization continuing after discharge for a pe-*  
4 *riod of not more than 1 year, made application for restora-*  
5 *tion to his or her former position and has been certified*  
6 *by the Office of Personnel Management as still qualified to*  
7 *perform the duties of his or her former position and has*  
8 *not been restored thereto.*

9       *SEC. 410. No funds appropriated pursuant to this Act*  
10 *may be expended by an entity unless the entity agrees that*  
11 *in expending the assistance the entity will comply with sec-*  
12 *tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*  
13 *8301–8305, popularly known as the “Buy American Act”).*

14       *SEC. 411. No funds appropriated or otherwise made*  
15 *available under this Act shall be made available to any per-*  
16 *son or entity that has been convicted of violating the Buy*  
17 *American Act (41 U.S.C. 8301–8305).*

18       *SEC. 412. None of the funds made available in this*  
19 *Act may be used for first-class airline accommodations in*  
20 *contravention of sections 301–10.122 and 301–10.123 of*  
21 *title 41, Code of Federal Regulations.*

22       *SEC. 413. (a) None of the funds made available by this*  
23 *Act may be used to approve a new foreign air carrier per-*  
24 *mit under sections 41301 through 41305 of title 49, United*  
25 *States Code, or exemption application under section 40109*

1 *of that title of an air carrier already holding an air opera-*  
2 *tors certificate issued by a country that is party to the U.S.-*  
3 *E.U.-Iceland-Norway Air Transport Agreement where such*  
4 *approval would contravene United States law or Article 17*  
5 *bis of the U.S.-E.U.-Iceland-Norway Air Transport Agree-*  
6 *ment.*

7       **(b)** *Nothing in this section shall prohibit, restrict or*  
8 *otherwise preclude the Secretary of Transportation from*  
9 *granting a foreign air carrier permit or an exemption to*  
10 *such an air carrier where such authorization is consistent*  
11 *with the U.S.-E.U.-Iceland-Norway Air Transport Agree-*  
12 *ment and United States law.*

13       **SEC. 414.** *None of the funds made available in this*  
14 *Act may be used to send or otherwise pay for the attendance*  
15 *of more than 50 employees of a single agency or department*  
16 *of the United States Government, who are stationed in the*  
17 *United States, at any single international conference unless*  
18 *the relevant Secretary reports to the House and Senate*  
19 *Committees on Appropriations at least 5 days in advance*  
20 *that such attendance is important to the national interest:*  
21 *Provided, That for purposes of this section the term “inter-*  
22 *national conference” shall mean a conference occurring out-*  
23 *side of the United States attended by representatives of the*  
24 *United States Government and of foreign governments,*

1 *international organizations, or nongovernmental organiza-*  
2 *tions.*

3       *SEC. 415. None of the funds made available by this*  
4 *Act may be used by the Department of Transportation, the*  
5 *Department of Housing and Urban Development, or any*  
6 *other Federal agency to lease or purchase new light duty*  
7 *vehicles for any executive fleet, or for an agency's fleet in-*  
8 *ventory, except in accordance with Presidential Memo-*  
9 *randum—Federal Fleet Performance, dated May 24, 2011.*

10       *SEC. 416. None of the funds appropriated or otherwise*  
11 *made available under this Act may be used by the Surface*  
12 *Transportation Board to charge or collect any filing fee for*  
13 *rate or practice complaints filed with the Board in an*  
14 *amount in excess of the amount authorized for district court*  
15 *civil suit filing fees under section 1914 of title 28, United*  
16 *States Code.*

17       *SEC. 417. All unobligated balances, including recap-*  
18 *tures and carryover, remaining from funds appropriated*  
19 *in division L of Public Law 114–113 for “Department of*  
20 *Transportation-Office of the Secretary-Salaries and Ex-*  
21 *penses”, “Department of Transportation-Office of the Sec-*  
22 *retary-Office of Civil Rights”, “Department of Transpor-*  
23 *tation-Office of the Secretary-Minority Business Outreach”,*  
24 *“Department of Transportation-Federal Transit Adminis-*  
25 *tration-Administrative Expenses”, “Department of Trans-*

1 *portation-Pipeline and Hazardous Materials Safety Ad-*  
2 *ministration-Operational Expenses*”, “*Department of*  
3 *Transportation-Surface Transportation Board-Salaries*  
4 *and Expenses*”, “*Access Board-Salaries and Expenses*”,  
5 “*Federal Maritime Commission-Salaries and Expenses*”,  
6 “*National Railroad Passenger Corporation-Office of Inspec-*  
7 *tor General-Salaries and Expenses*”, “*National Transpor-*  
8 *tation Safety Board-Salaries and Expenses*”, and “*United*  
9 *States Interagency Council on Homelessness-Operating Ex-*  
10 *penses*” are rescinded.

11       *SEC. 418. (a) None of the funds made available in this*  
12 *Act may be used to deny an Inspector General funded under*  
13 *this Act timely access to any records, documents, or other*  
14 *materials available to the department or agency over which*  
15 *that Inspector General has responsibilities under the In-*  
16 *spector General Act of 1978 (5 U.S.C. App.), or to prevent*  
17 *or impede that Inspector General’s access to such records,*  
18 *documents, or other materials, under any provision of law,*  
19 *except a provision of law that expressly refers to the Inspec-*  
20 *tor General and expressly limits the Inspector General’s*  
21 *right of access.*

22       *(b) A department or agency covered by this section*  
23 *shall provide its Inspector General with access to all such*  
24 *records, documents, and other materials in a timely man-*  
25 *ner.*

1       (c) *Each Inspector General shall ensure compliance*  
2 *with statutory limitations on disclosure relevant to the in-*  
3 *formation provided by the establishment over which that In-*  
4 *pector General has responsibilities under the Inspector*  
5 *General Act of 1978 (5 U.S.C. App.).*

6       (d) *Each Inspector General covered by this section*  
7 *shall report to the Committees on Appropriations of the*  
8 *House of Representatives and the Senate within 5 calendar*  
9 *days any failures to comply with this requirement.*

10       *SEC. 419. Notwithstanding any other provision of law,*  
11 *on and after the date of enactment of this Act (without re-*  
12 *gard to fiscal year)—*

13               (1) *subsections (c) and (d) of section 395.3 of*  
14 *title 49, Code of Federal Regulations, as codified on*  
15 *the day before the date of enactment of this Act, are*  
16 *null and void; and*

17               (2) *section 395.3(c) of title 49, Code of Federal*  
18 *Regulations, as in effect on December 26, 2011, is*  
19 *hereby restored to full force and effect.*

20       *SEC. 420. For an additional amount for the Emer-*  
21 *gency Relief Program as authorized by section 125 of title*  
22 *23, United States Code, \$528,000,000, to remain available*  
23 *until expended: Provided, That such amount is designated*  
24 *by the Congress as an emergency requirement pursuant to*



1 *section 251(b)(2)(A)(i) of the Balanced Budget and Emer-*  
2 *gency Deficit Control Act of 1985.*

3       *SEC. 421. For an additional amount for “Department*  
4 *of Housing and Urban Development, Community Planning*  
5 *and Development, Community Development Fund”,*  
6 *\$400,000,000, to remain available until expended, which*  
7 *amounts shall be allocated and used under the same author-*  
8 *ity and conditions as—*

9           *(1) the additional appropriations for fiscal year*  
10 *2016 in section 145(a) of division C of Public Law*  
11 *114–223 and for fiscal year 2017 in section 192(a) of*  
12 *division C of Public Law 114–223 (as added by sec-*  
13 *tion 101(3) of division A of Public Law 114–254) (ex-*  
14 *cept for the last proviso under such section 145(a)*  
15 *and the proviso under such section 192);*

16           *(2) the additional appropriation for fiscal year*  
17 *2016 in section 420 of title IV of division L of Public*  
18 *Law 114–113 (except for the last two provisos under*  
19 *such section); and*

20           *(3) in section 145(a) of division C of Public Law*  
21 *114–223 (except for the last proviso under such sec-*  
22 *tion 145(a)), for additional major disasters declared*  
23 *in calendar year 2017 or later until such funds are*  
24 *fully allocated:*

1 *Provided, That amounts authorized for use under section*  
2 *192(b) of division C of Public Law 114–223 (as added by*  
3 *section 101(3) of division A of Public Law 114–254) may*  
4 *be used for necessary costs, including information tech-*  
5 *nology costs, of administering and overseeing the obligation*  
6 *and expenditure of amounts made available under this sec-*  
7 *tion: Provided further, That amounts made available by*  
8 *this section shall be designated by the Congress as an emer-*  
9 *gency requirement pursuant to section 251(b)(2)(A)(i) of*  
10 *the Balanced Budget and Emergency Deficit Control Act*  
11 *of 1985.*

12       *SEC. 422. (a) A State or territory, as defined in section*  
13 *165 of title 23, United States Code, may use for any project*  
14 *eligible under section 133(b) of title 23 or section 165 of*  
15 *title 23 and located within the boundary of the State or*  
16 *territory any earmarked amount, and any associated obli-*  
17 *gation limitation, provided that the Department of Trans-*  
18 *portation for the State or territory for which the earmarked*  
19 *amount was originally designated or directed notifies the*  
20 *Secretary of Transportation of its intent to use its authority*  
21 *under this section and submits a quarterly report to the*  
22 *Secretary identifying the projects to which the funding*  
23 *would be applied. Notwithstanding the original period of*  
24 *availability of funds to be obligated under this section, such*  
25 *funds and associated obligation limitation shall remain*

1 *available for obligation for a period of 3 fiscal years after*  
2 *the fiscal year in which the Secretary of Transportation*  
3 *is notified. The Federal share of the cost of a project carried*  
4 *out with funds made available under this section shall be*  
5 *the same as associated with the earmark.*

6 (b) *In this section, the term “earmarked amount”*  
7 *means—*

8 (1) *congressionally directed spending, as defined*  
9 *in rule XLIV of the Standing Rules of the Senate,*  
10 *identified in a prior law, report, or joint explanatory*  
11 *statement, which was authorized to be appropriated*  
12 *or appropriated more than 10 fiscal years prior to*  
13 *the current fiscal year, and administered by the Fed-*  
14 *eral Highway Administration; or*

15 (2) *a congressional earmark, as defined in rule*  
16 *XXI of the Rules of the House of Representatives iden-*  
17 *tified in a prior law, report, or joint explanatory*  
18 *statement, which was authorized to be appropriated*  
19 *or appropriated more than 10 fiscal years prior to*  
20 *the current fiscal year, and administered by the Fed-*  
21 *eral Highway Administration.*

22 (c) *The authority under subsection (a) may be exer-*  
23 *cised only for those projects or activities that have obligated*  
24 *less than 10 percent of the amount made available for obli-*  
25 *gation as of October 1 of the current fiscal year, and shall*

1 *be applied to projects within the same general geographic*  
2 *area within 100 miles for which the funding was des-*  
3 *ignated, except that a State or territory may apply such*  
4 *authority to unexpended balances of funds from projects or*  
5 *activities the State or territory certifies have been closed*  
6 *and for which payments have been made under a final*  
7 *voucher.*

8 *(d) The Secretary shall submit consolidated reports of*  
9 *the information provided by the States and territories each*  
10 *quarter to the House and Senate Committees on Appropria-*  
11 *tions.*

12 *SEC. 423. (a) Section 1105(c) of the Intermodal Sur-*  
13 *face Transportation Efficiency Act of 1991 is amended by*  
14 *adding at the end the following:*

15 *“(89) United States Route 67 from Interstate 40*  
16 *in North Little Rock, Arkansas, to United States*  
17 *Route 412.*

18 *“(90) The Edward T. Breathitt Parkway from*  
19 *Interstate 24 to Interstate 69.”.*

20 *(b) Section 1105(e)(5)(A) of the Intermodal Surface*  
21 *Transportation Efficiency Act of 1991 is amended in the*  
22 *first sentence by striking “and subsection (c)(83)” and in-*  
23 *serting “subsection (c)(83), subsection (c)(89), and sub-*  
24 *section (c)(90)”.*

1           (c) Section 1105(e)(5)(C)(i) of the Intermodal Surface  
 2 Transportation Efficiency Act of 1991 is amended by add-  
 3 ing at the end the following: “The route referred to in sub-  
 4 section (c)(89) is designated as Interstate Route I–57. The  
 5 route referred to in subsection (c)(90) is designated as Inter-  
 6 state Route I–169.”.

7           This division may be cited as the “Transportation,  
 8 Housing and Urban Development, and Related Agencies  
 9 Appropriations Act, 2017”.

10 ***DIVISION L—MILITARY CONSTRUCTION***  
 11 ***AND VETERANS AFFAIRS—ADDI-***  
 12 ***TIONAL APPROPRIATIONS ACT, 2017***

13 ***TITLE I***

14 ***OVERSEAS CONTINGENCY OPERATIONS***

15 ***DEPARTMENT OF DEFENSE***

16 ***MILITARY CONSTRUCTION, ARMY***

17           For an additional amount for “Military Construction,  
 18 Army”, \$39,500,000, to remain available until September  
 19 30, 2021: Provided, That such funds may be obligated and  
 20 expended to carry out planning and design and military  
 21 construction projects authorized by law: Provided further,  
 22 That such amount is designated by the Congress for Over-  
 23 seas Contingency Operations/Global War on Terrorism pur-  
 24 suant to section 251(b)(2)(A)(ii) of the Balanced Budget  
 25 and Emergency Deficit Control Act of 1985.

1        *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

2            *For an additional amount for “Military Construction,*  
3 *Navy and Marine Corps”, \$66,708,000, to remain available*  
4 *until September 30, 2021: Provided, That such funds may*  
5 *be obligated and expended to carry out planning and design*  
6 *and military construction projects authorized by law: Pro-*  
7 *vided further, That such amount is designated by the Con-*  
8 *gress for Overseas Contingency Operations/Global War on*  
9 *Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-*  
10 *anced Budget and Emergency Deficit Control Act of 1985.*

11            *MILITARY CONSTRUCTION, AIR FORCE*

12            *For an additional amount for “Military Construction,*  
13 *Air Force”, \$105,300,000, to remain available until Sep-*  
14 *tember 30, 2021: Provided, That such funds may be obli-*  
15 *gated and expended to carry out planning and design and*  
16 *military construction projects authorized by law: Provided*  
17 *further, That such amount is designated by the Congress*  
18 *for Overseas Contingency Operations/Global War on Ter-*  
19 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
20 *Budget and Emergency Deficit Control Act of 1985.*

21            *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

22            *For an additional amount for “Military Construction,*  
23 *Army National Guard”, \$12,000,000, to remain available*  
24 *until September 30, 2021: Provided, That such funds may*  
25 *be obligated and expended to carry out planning and design*

1 *and military construction projects authorized by law: Pro-*  
2 *vided further, That such amount is designated by the Con-*  
3 *gress for Overseas Contingency Operations/Global War on*  
4 *Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-*  
5 *anced Budget and Emergency Deficit Control Act of 1985.*

6 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

7 *For an additional amount for “Military Construction,*  
8 *Air National Guard”, \$13,000,000, to remain available*  
9 *until September 30, 2021: Provided, That such funds may*  
10 *be obligated and expended to carry out planning and design*  
11 *and military construction projects authorized by law: Pro-*  
12 *vided further, That such amount is designated by the Con-*  
13 *gress for Overseas Contingency Operations/Global War on*  
14 *Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-*  
15 *anced Budget and Emergency Deficit Control Act of 1985.*

16 *MILITARY CONSTRUCTION, ARMY RESERVE*

17 *For an additional amount for “Military Construction,*  
18 *Army Reserve”, \$10,000,000, to remain available until Sep-*  
19 *tember 30, 2021: Provided, That such funds may be obli-*  
20 *gated and expended to carry out planning and design and*  
21 *military construction projects authorized by law: Provided*  
22 *further, That such amount is designated by the Congress*  
23 *for Overseas Contingency Operations/Global War on Ter-*  
24 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
25 *Budget and Emergency Deficit Control Act of 1985.*

1            *MILITARY CONSTRUCTION, NAVY RESERVE*

2            *For an additional amount for “Military Construction,*  
3 *Navy Reserve”, \$4,525,000, to remain available until Sep-*  
4 *tember 30, 2021: Provided, That such funds may be obli-*  
5 *gated and expended to carry out planning and design and*  
6 *military construction projects authorized by law: Provided*  
7 *further, That such amount is designated by the Congress*  
8 *for Overseas Contingency Operations/Global War on Ter-*  
9 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
10 *Budget and Emergency Deficit Control Act of 1985.*

11            *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

12            *For an additional amount for “Military Construction,*  
13 *Air Force Reserve”, \$9,000,000, to remain available until*  
14 *September 30, 2021: Provided, That such funds may be obli-*  
15 *gated and expended to carry out planning and design and*  
16 *military construction projects authorized by law: Provided*  
17 *further, That such amount is designated by the Congress*  
18 *for Overseas Contingency Operations/Global War on Ter-*  
19 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
20 *Budget and Emergency Deficit Control Act of 1985.*

21            *ADMINISTRATIVE PROVISION—THIS TITLE*22    *(RESCISSION OF FUNDS)*

23            *SEC. 101. Of the unobligated balances made available*  
24 *by division I of Public Law 113–235 for “European Reas-*  
25 *urance Initiative Military Construction” for “Military*



1 *Construction, Air Force”, \$12,300,000 are hereby rescinded:*  
2 *Provided, That such amount is designated by the Congress*  
3 *for Overseas Contingency Operations/Global War on Ter-*  
4 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*  
5 *Budget and Emergency Deficit Control Act of 1985.*

6

*TITLE II*

7

*DEPARTMENT OF VETERANS AFFAIRS*

8

*VETERANS HEALTH ADMINISTRATION*

9

*MEDICAL SERVICES*

10 *For an additional amount for “Medical Services”,*  
11 *\$50,000,000, to remain available until September 30, 2018:*  
12 *Provided, That such funds shall be for opioid and substance*  
13 *abuse prevention and treatment, and further implementa-*  
14 *tion of the Jason Simcakoski Memorial and Promise Act*  
15 *(Title IX of Public Law 114–198).*

16

*TITLE III*

17

*GENERAL PROVISION—THIS DIVISION*

18

19 *SEC. 301. Notwithstanding any other provision of law,*  
20 *funds made available in this division are in addition to*  
21 *amounts appropriated or otherwise made available for the*  
22 *Department of Defense and the Department of Veterans Af-*  
23 *fairs for fiscal year 2017: Provided, That such amounts*  
24 *shall be subject to the terms and conditions set forth in divi-*  
*sion A of Public Law 114–223.*

1        *This division may be cited as “Military Construction*  
2 *and Veterans Affairs—Additional Appropriations Act,*  
3 *2017”.*

4                    ***DIVISION M—OTHER MATTERS***  
5                    ***TITLE I—HEALTH BENEFITS FOR***  
6                    ***MINERS ACT OF 2017***

7        ***SEC. 101. SHORT TITLE.***

8                    *This title may be cited as “Health Benefits for Miners*  
9 *Act of 2017”.*

10        ***SEC. 102. EXTENSION OF TANF PROGRAM AND DETER-***  
11                    ***MINING WHAT WORKS TO MOVE WELFARE RE-***  
12                    ***CIPIENTS INTO JOBS.***

13                    *(a) IN GENERAL.—Each of the following provisions of*  
14 *the Social Security Act is amended by striking “fiscal year*  
15 *2012” each place it appears and inserting “each of fiscal*  
16 *years 2017 and 2018”:*

17                    *(1) Subparagraphs (A) and (C) of section*  
18 *403(a)(1) (42 U.S.C. 603(a)(1)).*

19                    *(2) Section 403(a)(2)(D) (42 U.S.C.*  
20 *603(a)(2)(D)), except that the 2nd sentence of such*  
21 *section is amended by striking “fiscal year 2012” and*  
22 *inserting “fiscal year 2017 or 2018”.*

23                    *(3) Paragraphs (1)(A) and (2)(A) of section*  
24 *412(a) (42 U.S.C. 612(a)).*

25                    *(4) Section 418(a)(3) (42 U.S.C. 618(a)(3)).*

1           (5) *Section 1108(b)(2) (42 U.S.C. 1308(b)(2)).*

2           (b) *CONTINGENCY FUND.—Section 403(b)(2) of such*  
3 *Act (42 U.S.C. 603(b)(2)) is amended to read as follows:*

4           “(2) *DEPOSITS INTO FUND.—Out of any money*  
5 *in the Treasury of the United States not otherwise*  
6 *appropriated, there are appropriated for fiscal year*  
7 *2018 such sums as are necessary for payment to the*  
8 *Fund in a total amount not to exceed \$608,000,000.”.*

9           (c) *STRENGTHENING WELFARE RESEARCH AND EVAL-*  
10 *UATION AND DEVELOPMENT OF A WHAT WORKS CLEARING-*  
11 *HOUSE.—*

12           (1) *IN GENERAL.—Section 413 of such Act (42*  
13 *U.S.C. 613) is amended to read as follows:*

14 **“SEC. 413. EVALUATION OF TEMPORARY ASSISTANCE FOR**  
15 **NEEDY FAMILIES AND RELATED PROGRAMS.**

16           “(a) *EVALUATION OF THE IMPACTS OF TANF.—The*  
17 *Secretary shall conduct research on the effect of State pro-*  
18 *grams funded under this part and any other State program*  
19 *funded with qualified State expenditures (as defined in sec-*  
20 *tion 409(a)(7)(B)(i)) on employment, self-sufficiency, child*  
21 *well-being, unmarried births, marriage, poverty, economic*  
22 *mobility, and other factors as determined by the Secretary.*

23           “(b) *EVALUATION OF GRANTS TO IMPROVE CHILD*  
24 *WELL-BEING BY PROMOTING HEALTHY MARRIAGE AND*  
25 *RESPONSIBLE FATHERHOOD.—The Secretary shall conduct*

1 *research to determine the effects of the grants made under*  
2 *section 403(a)(2) on child well-being, marriage, family sta-*  
3 *bility, economic mobility, poverty, and other factors as de-*  
4 *termined by the Secretary.*

5       “(c) *DISSEMINATION OF INFORMATION.*—*The Sec-*  
6 *retary shall, in consultation with States receiving funds*  
7 *provided under this part, develop methods of disseminating*  
8 *information on any research, evaluation, or study con-*  
9 *ducted under this section, including facilitating the sharing*  
10 *of information and best practices among States and local-*  
11 *ities.*

12       “(d) *STATE-INITIATED EVALUATIONS.*—*A State shall*  
13 *be eligible to receive funding to evaluate the State program*  
14 *funded under this part or any other State program funded*  
15 *with qualified State expenditures (as defined in section*  
16 *409(a)(7)(B)(i)) if—*

17               “(1) *the State submits to the Secretary a descrip-*  
18 *tion of the proposed evaluation;*

19               “(2) *the Secretary determines that the design*  
20 *and approach of the proposed evaluation is rigorous*  
21 *and is likely to yield information that is credible and*  
22 *will be useful to other States; and*

23               “(3) *unless waived by the Secretary, the State*  
24 *contributes to the cost of the evaluation, from non-*

1 *Federal sources, an amount equal to at least 25 per-*  
2 *cent of the cost of the proposed evaluation.*

3 *“(e) CENSUS BUREAU RESEARCH.—*

4 *“(1) The Bureau of the Census shall implement*  
5 *or enhance household surveys of program participa-*  
6 *tion, in consultation with the Secretary and the Bu-*  
7 *reau of Labor Statistics and made available to inter-*  
8 *ested parties, to allow for the assessment of the out-*  
9 *comes of continued welfare reform on the economic*  
10 *and child well-being of low-income families with chil-*  
11 *dren, including those who received assistance or serv-*  
12 *ices from a State program funded under this part or*  
13 *any other State program funded with qualified State*  
14 *expenditures (as defined in section 409(a)(7)(B)(i)).*  
15 *The content of the surveys should include such infor-*  
16 *mation as may be necessary to examine the issues of*  
17 *unmarried childbearing, marriage, welfare depend-*  
18 *ency and compliance with work requirements, the be-*  
19 *ginning and ending of spells of assistance, work,*  
20 *earnings and employment stability, and the well-*  
21 *being of children.*

22 *“(2) To carry out the activities specified in*  
23 *paragraph (1), the Bureau of the Census, the Sec-*  
24 *retary, and the Bureau of Labor Statistics shall con-*

1       sider ways to improve the surveys and data derived  
2       from the surveys to—

3               “(A) address under reporting of the receipt  
4               of means-tested benefits and tax benefits for low-  
5               income individuals and families;

6               “(B) increase understanding of poverty  
7               spells and long-term poverty, including by facili-  
8               tating the matching of information to better un-  
9               derstand intergenerational poverty;

10              “(C) generate a better geographical under-  
11              standing of poverty such as through State-based  
12              estimates and measures of neighborhood poverty;

13              “(D) increase understanding of the effects of  
14              means-tested benefits and tax benefits on the  
15              earnings and incomes of low-income families;  
16              and

17              “(E) improve how poverty and economic  
18              well-being are measured, including through the  
19              use of consumption measures, material depriv-  
20              ation measures, social exclusion measures, and  
21              economic and social mobility measures.

22              “(f) RESEARCH AND EVALUATION CONDUCTED UNDER  
23       THIS SECTION.—Research and evaluation conducted under  
24       this section designed to determine the effects of a program  
25       or policy (other than research conducted under subsection

1 *(e)) shall use experimental designs using random assign-*  
2 *ment or other reliable, evidence-based research methodolo-*  
3 *gies that allow for the strongest possible causal inferences*  
4 *when random assignment is not feasible.*

5       “(g) *DEVELOPMENT OF WHAT WORKS CLEARING-*  
6 *HOUSE OF PROVEN AND PROMISING APPROACHES TO MOVE*  
7 *WELFARE RECIPIENTS INTO WORK.—*

8               “(1) *IN GENERAL.—The Secretary, in consulta-*  
9 *tion with the Secretary of Labor, shall develop a*  
10 *database (which shall be referred to as the ‘What*  
11 *Works Clearinghouse of Proven and Promising*  
12 *Projects to Move Welfare Recipients into Work’)* of the  
13 *projects that used a proven approach or a promising*  
14 *approach in moving welfare recipients into work,*  
15 *based on independent, rigorous evaluations of the*  
16 *projects. The database shall include a separate listing*  
17 *of projects that used a developmental approach in de-*  
18 *livering services and a further separate listing of the*  
19 *projects with no or negative effects. The Secretary*  
20 *shall add to the What Works Clearinghouse of Proven*  
21 *and Promising Projects to Move Welfare Recipients*  
22 *into Work data about the projects that, based on an*  
23 *independent, well-conducted experimental evaluation*  
24 *of a program or project, using random assignment or*  
25 *other research methodologies that allow for the strong-*

1 *est possible causal inferences, have shown they are*  
2 *proven, promising, developmental, or ineffective ap-*  
3 *proaches.*

4 “(2) *CRITERIA FOR EVIDENCE OF EFFECTIVE-*  
5 *NESS OF APPROACH.—The Secretary, in consultation*  
6 *with the Secretary of Labor and organizations with*  
7 *experience in evaluating research on the effectiveness*  
8 *of various approaches in delivering services to move*  
9 *welfare recipients into work, shall—*

10 “(A) *establish criteria for evidence of effec-*  
11 *tiveness; and*

12 “(B) *ensure that the process for establishing*  
13 *the criteria—*

14 “(i) *is transparent;*

15 “(ii) *is consistent across agencies;*

16 “(iii) *provides opportunity for public*  
17 *comment; and*

18 “(iv) *takes into account efforts of Fed-*  
19 *eral agencies to identify and publicize effec-*  
20 *tive interventions, including efforts at the*  
21 *Department of Health and Human Services,*  
22 *the Department of Education, and the De-*  
23 *partment of Justice.*

24 “(h) *APPROPRIATION.—*



1           “(1) *IN GENERAL.*—Of the amount appropriated  
2           by section 403(a)(1) for each fiscal year, 0.33 percent  
3           shall be available for research, technical assistance,  
4           and evaluation under this section.

5           “(2) *ALLOCATION.*—Of the amount made avail-  
6           able under paragraph (1) for each fiscal year, the  
7           Secretary shall make available \$10,000,000 plus such  
8           additional amount as the Secretary deems necessary  
9           and appropriate, to carry out subsection (e).

10           “(3) *BASELINE.*—The baseline established pursu-  
11           ant to section 257 of the Balanced Budget and Deficit  
12           Control Act of 1985 (2 U.S.C. 907(b)(2)) for the Tem-  
13           porary Assistance for Needy Families Program shall  
14           be recorded by the Office of Management and Budget  
15           and the Congressional Budget Office at the level prior  
16           to any transfers recorded pursuant to section 413(h)  
17           of this Act.”.

18           (2)       *CONFORMING        AMENDMENT.*—Section  
19           403(a)(1)(B) of such Act (42 U.S.C. 603(a)(1)(B)) is  
20           amended by inserting “, reduced by the percentage  
21           specified in section 413(h)(1) with respect to the fiscal  
22           year,” before “as the amount”.

1 **SEC. 103. FULL FUNDING FOR STATE COURTS TO IMPROVE**  
2 **THE HANDLING OF CHILD WELFARE CASES.**

3 *Out of any money in the Treasury of the United States*  
4 *not otherwise appropriated, there are hereby appropriated*  
5 *for fiscal year 2017 \$20,000,000 for grants under section*  
6 *438 of the Social Security Act, in addition to any other*  
7 *amounts appropriated for such purpose. The amounts ap-*  
8 *propriated by the preceding sentence shall be considered to*  
9 *be amounts reserved under section 436(b)(2) of such Act for*  
10 *fiscal year 2017, for purposes of clauses (ii) and (iii) of*  
11 *section 438(c)(3)(A) of such Act.*

12 **SEC. 104. INCLUSION OF CERTAIN RETIREES IN THE MULTI-**  
13 **EMPLOYER HEALTH BENEFIT PLAN.**

14 *(a) IN GENERAL.—Section 402(h)(2)(C) of the Surface*  
15 *Mining Control and Reclamation Act of 1977 (30 U.S.C.*  
16 *1232(h)(2)(C)) is amended—*

17 *(1) by striking clauses (ii), (iii), and (iv); and*  
18 *(2) by inserting after clause (i) the following:*

19 *“(i) CALCULATION OF EXCESS.—The*  
20 *excess determined under clause (i) shall be*  
21 *calculated by taking into account only—*

22 *“(I) those beneficiaries actually*  
23 *enrolled in the Plan as of the date of*  
24 *the enactment of the Health Benefits*  
25 *for Miners Act of 2017 who are eligible*  
26 *to receive health benefits under the*

1           *Plan on the first day of the calendar*  
2           *year for which the transfer is made,*  
3           *other than those beneficiaries enrolled*  
4           *in the Plan under the terms of a par-*  
5           *ticipation agreement with the current*  
6           *or former employer of such bene-*  
7           *ficiaries; and*

8                     *“(II) those beneficiaries whose*  
9                     *health benefits, defined as those benefits*  
10                    *payable, following death or retirement*  
11                    *or upon a finding of disability, di-*  
12                    *rectly by an employer in the bitu-*  
13                    *minous coal industry under a coal*  
14                    *wage agreement (as defined in section*  
15                    *9701(b)(1) of the Internal Revenue*  
16                    *Code of 1986), would be denied or re-*  
17                    *duced as a result of a bankruptcy pro-*  
18                    *ceeding commenced in 2012 or 2015.*

19           *For purposes of subclause (I), a beneficiary*  
20           *enrolled in the Plan as of the date of the en-*  
21           *actment of the Health Benefits for Miners*  
22           *Act of 2017 shall be deemed to have been eli-*  
23           *gible to receive health benefits under the*  
24           *Plan on January 1, 2017.*

1           “(iii) *ELIGIBILITY OF CERTAIN RETIR-*  
2           *EES.—Individuals referred to in clause*  
3           *(ii)(II) shall be treated as eligible to receive*  
4           *health benefits under the Plan.*

5           “(iv) *REQUIREMENTS FOR TRANS-*  
6           *FER.—The amount of the transfer otherwise*  
7           *determined under this subparagraph for a*  
8           *fiscal year shall be reduced by any amount*  
9           *transferred for the fiscal year to the Plan,*  
10           *to pay benefits required under the Plan,*  
11           *from a voluntary employees’ beneficiary as-*  
12           *sociation established as a result of a bank-*  
13           *ruptcy proceeding described in clause (ii).”.*

14           (b) *EFFECTIVE DATE.—The amendments made by this*  
15           *section shall apply to fiscal years beginning after September*  
16           *30, 2016.*

17           **SEC. 105. CUSTOMS USER FEES.**

18           (a) *IN GENERAL.—Section 13031(j)(3)(A) of the Con-*  
19           *solidated Omnibus Budget Reconciliation Act of 1985 (19*  
20           *U.S.C. 58c(j)(3)(A)) is amended by striking “September 30,*  
21           *2025” and inserting “January 14, 2026”.*

22           (b) *RATE FOR MERCHANDISE PROCESSING FEES.—*  
23           *Section 503 of the United States–Korea Free Trade Agree-*  
24           *ment Implementation Act (Public Law 112–41; 19 U.S.C.*

1 3805 note) is amended by striking “September 30, 2025”  
2 and inserting “January 14, 2026”.

3 **TITLE II—PUERTO RICO SEC-**  
4 **TION 1108(g) AMENDMENT OF**  
5 **2017**

6 **SEC. 201. SHORT TITLE.**

7 *This title may be cited as “Puerto Rico Section*  
8 *1108(g) Amendment of 2017”.*

9 **SEC. 202. PUERTO RICO SECTION 1108(g) AMENDMENT OF**  
10 **2017.**

11 *(a) Section 1108(g) of the Social Security Act (42*  
12 *U.S.C. 1308(g)) is amended—*

13 *(1) in paragraph (4), by inserting “and with re-*  
14 *spect to fiscal years beginning with fiscal year 2017,*  
15 *if Puerto Rico qualifies for a payment under section*  
16 *1903(a)(6) for a calendar quarter (beginning on or*  
17 *after July 1, 2017) of such fiscal year” after*  
18 *“1903(a)(3)”;* and

19 *(2) in paragraph (5)—*

20 *(A) in the first sentence, by striking “The*  
21 *Secretary” and inserting “(A) Subject to sub-*  
22 *paragraph (B), the Secretary”;* and

23 *(B) by adding at the end the following new*  
24 *subparagraph:*

1           “(B) *The amount of the increase otherwise pro-*  
 2           *vided under subparagraph (A) for Puerto Rico shall*  
 3           *be further increased by \$295,900,000.”.*

4           *(b) All the unobligated amounts available under sec-*  
 5           *tion 1323(c)(1) of the Patient Protection and Affordable*  
 6           *Care Act (42 U.S.C. 18043(c)(1)) are rescinded imme-*  
 7           *diately upon the date of the enactment of this section.*

## 8    **TITLE III—GENERAL PROVISION**

### 9    **SEC. 301. BUDGETARY EFFECTS.**

10          *(a) STATUTORY PAYGO SCORECARDS.—The budg-*  
 11          *etary effects of this division and each succeeding division*  
 12          *shall not be entered on either PAYGO scorecard maintained*  
 13          *pursuant to section 4(d) of the Statutory Pay-As-You-Go*  
 14          *Act of 2010.*

15          *(b) SENATE PAYGO SCORECARDS.—The budgetary ef-*  
 16          *fects of this division and each succeeding division shall not*  
 17          *be entered on any PAYGO scorecard maintained for pur-*  
 18          *poses of section 201 of S. Con. Res. 21 (110th Congress).*

19          *(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Not-*  
 20          *withstanding Rule 3 of the Budget Scorekeeping Guidelines*  
 21          *set forth in the joint explanatory statement of the committee*  
 22          *of conference accompanying Conference Report 105–217*  
 23          *and section 250(c)(8) of the Balanced Budget and Emer-*  
 24          *gency Deficit Control Act of 1985, the budgetary effects of*

1 *this division and each succeeding division shall not be esti-*  
 2 *mated—*

3 *(1) for purposes of section 251 of such Act; and*

4 *(2) for purposes of paragraph (4)(C) of section*  
 5 *3 of the Statutory Pay-As-You-Go Act of 2010 as*  
 6 *being included in an appropriation Act.*

7 ***DIVISION N—INTELLIGENCE AU-***  
 8 ***THORIZATION ACT FOR FIS-***  
 9 ***CAL YEAR 2017***

10 ***SEC. 1. SHORT TITLE; TABLE OF CONTENTS.***

11 *(a) SHORT TITLE.—This division may be cited as the*  
 12 *“Intelligence Authorization Act for Fiscal Year 2017”.*

13 *(b) TABLE OF CONTENTS.—The table of contents for*  
 14 *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 edu-  
cation 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.*

1 **SEC. 2. DEFINITIONS.**

2 *In this division:*

3 (1) **CONGRESSIONAL INTELLIGENCE COMMIT-**  
 4 **TEES.**—*The term “congressional intelligence commit-*  
 5 *tees” means—*

6 (A) *the Select Committee on Intelligence of*  
 7 *the Senate; and*

8 (B) *the Permanent Select Committee on In-*  
 9 *telligence of the House of Representatives.*

10 (2) **INTELLIGENCE COMMUNITY.**—*The term “in-*  
 11 *telligence community” has the meaning given that*  
 12 *term in section 3(4) of the National Security Act of*  
 13 *1947 (50 U.S.C. 3003(4)).*

14 **SEC. 3. EXPLANATORY STATEMENT.**

15 *The explanatory statement regarding this division,*  
 16 *printed in the House section of the Congressional Record*  
 17 *on or about May 3, 2017, by the Chairman of the Perma-*  
 18 *nent Select Committee on Intelligence of the House of Rep-*  
 19 *resentatives, shall have the same effect with respect to the*

1 *implementation of this division as if it were a joint explan-*  
2 *atory statement of a committee of conference.*

3                   **TITLE I—INTELLIGENCE**  
4                   **ACTIVITIES**

5 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

6           *Funds are hereby authorized to be appropriated for fis-*  
7 *cal year 2017 for the conduct of the intelligence and intel-*  
8 *ligence-related activities of the following elements of the*  
9 *United States Government:*

10                   (1) *The Office of the Director of National Intel-*  
11 *ligence.*

12                   (2) *The Central Intelligence Agency.*

13                   (3) *The Department of Defense.*

14                   (4) *The Defense Intelligence Agency.*

15                   (5) *The National Security Agency.*

16                   (6) *The Department of the Army, the Depart-*  
17 *ment of the Navy, and the Department of the Air*  
18 *Force.*

19                   (7) *The Coast Guard.*

20                   (8) *The Department of State.*

21                   (9) *The Department of the Treasury.*

22                   (10) *The Department of Energy.*

23                   (11) *The Department of Justice.*

24                   (12) *The Federal Bureau of Investigation.*

25                   (13) *The Drug Enforcement Administration.*

1           (14) *The National Reconnaissance Office.*

2           (15) *The National Geospatial-Intelligence Agen-*  
3       *cy.*

4           (16) *The Department of Homeland Security.*

5   **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

6       (a) *SPECIFICATIONS OF AMOUNTS.*—*The amounts au-*  
7       *thorized to be appropriated under section 101 and, subject*  
8       *to section 103, the authorized personnel ceilings as of Sep-*  
9       *tember 30, 2017, for the conduct of the intelligence activities*  
10       *of the elements listed in paragraphs (1) through (16) of sec-*  
11       *tion 101, are those specified in the classified Schedule of*  
12       *Authorizations prepared to accompany this division of this*  
13       *Act.*

14       (b) *AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-*  
15       *THORIZATIONS.*—

16           (1) *AVAILABILITY.*—*The classified Schedule of*  
17       *Authorizations referred to in subsection (a) shall be*  
18       *made available to the Committee on Appropriations*  
19       *of the Senate, the Committee on Appropriations of the*  
20       *House of Representatives, and to the President.*

21           (2) *DISTRIBUTION BY THE PRESIDENT.*—*Subject*  
22       *to paragraph (3), the President shall provide for suit-*  
23       *able distribution of the classified Schedule of Author-*  
24       *izations referred to in subsection (a), or of appro-*

1        *prate portions of such Schedule, within the executive*  
2        *branch.*

3            (3) *LIMITS ON DISCLOSURE.—The President*  
4        *shall not publicly disclose the classified Schedule of*  
5        *Authorizations or any portion of such Schedule ex-*  
6        *cept—*

7            (A) *as provided in section 601(a) of the Im-*  
8        *plementing Recommendations of the 9/11 Com-*  
9        *mission Act of 2007 (50 U.S.C. 3306(a));*

10          (B) *to the extent necessary to implement the*  
11        *budget; or*

12          (C) *as otherwise required by law.*

13 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

14        (a) *AUTHORITY FOR INCREASES.—The Director of Na-*  
15        *tional Intelligence may authorize employment of civilian*  
16        *personnel in excess of the number authorized for fiscal year*  
17        *2017 by the classified Schedule of Authorizations referred*  
18        *to in section 102(a) if the Director of National Intelligence*  
19        *determines that such action is necessary to the performance*  
20        *of important intelligence functions, except that the number*  
21        *of personnel employed in excess of the number authorized*  
22        *under such section may not, for any element of the intel-*  
23        *ligence community, exceed—*

24            (1) *3 percent of the number of civilian personnel*  
25        *authorized under such schedule for such element; or*

1           (2) 10 percent of the number of civilian per-  
2           sonnel authorized under such schedule for such ele-  
3           ment for the purposes of converting the performance  
4           of any function by contractors to performance by ci-  
5           vilian personnel.

6           (b) *TREATMENT OF CERTAIN PERSONNEL.*—The Di-  
7           rector of National Intelligence shall establish guidelines that  
8           govern, for each element of the intelligence community, the  
9           treatment under the personnel levels authorized under sec-  
10          tion 102(a), including any exemption from such personnel  
11          levels, of employment or assignment in—

12           (1) a student program, trainee program, or simi-  
13          lar program;

14           (2) a reserve corps or as a reemployed annu-  
15          itant; or

16           (3) details, joint duty, or long-term, full-time  
17          training.

18          (c) *NOTICE TO CONGRESSIONAL INTELLIGENCE COM-*  
19          *MITTEES.*—Not later than 15 days prior to the exercise of  
20          an authority described in subsection (a), the Director of Na-  
21          tional Intelligence shall submit to the congressional intel-  
22          ligence committees—

23           (1) a written notice of the exercise of such au-  
24          thority; and



1 *by subsection (a), there are authorized to be appro-*  
2 *priated for the Intelligence Community Management*  
3 *Account for fiscal year 2017 such additional amounts*  
4 *as are specified in the classified Schedule of Author-*  
5 *izations referred to in section 102(a). Such additional*  
6 *amounts made available for advanced research and*  
7 *development shall remain available until September*  
8 *30, 2018.*

9 (2) *AUTHORIZATION OF PERSONNEL.—In addi-*  
10 *tion to the personnel authorized by subsection (b) for*  
11 *elements of the Intelligence Community Management*  
12 *Account as of September 30, 2017, there are author-*  
13 *ized such additional personnel for the Community*  
14 *Management Account as of that date as are specified*  
15 *in the classified Schedule of Authorizations referred to*  
16 *in section 102(a).*

17 **TITLE II—CENTRAL INTEL-**  
18 **LIGENCE AGENCY RETIRE-**  
19 **MENT AND DISABILITY SYS-**  
20 **TEM**

21 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

22 *There is authorized to be appropriated for the Central*  
23 *Intelligence Agency Retirement and Disability Fund for fis-*  
24 *cal year 2017 the sum of \$514,000,000.*

1 **TITLE III—GENERAL INTEL-**  
2 **LIGENCE COMMUNITY MAT-**  
3 **TERS**

4 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**  
5 **ACTIVITIES.**

6 *The authorization of appropriations by this division*  
7 *shall not be deemed to constitute authority for the conduct*  
8 *of any intelligence activity which is not otherwise author-*  
9 *ized by the Constitution or the laws of the United States.*

10 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**  
11 **BENEFITS AUTHORIZED BY LAW.**

12 *Appropriations authorized by this division for salary,*  
13 *pay, retirement, and other benefits for Federal employees*  
14 *may be increased by such additional or supplemental*  
15 *amounts as may be necessary for increases in such com-*  
16 *penetration or benefits authorized by law.*

17 **SEC. 303. SUPPORT TO NONPROFIT ORGANIZATIONS AS-**  
18 **SISTING INTELLIGENCE COMMUNITY EM-**  
19 **PLOYEES.**

20 *(a) DIRECTOR OF NATIONAL INTELLIGENCE.—Section*  
21 *102A of the National Security Act of 1947 (50 U.S.C. 3024)*  
22 *is amended by adding at the end the following:*

23 *“(y) FUNDRAISING.—(1) The Director of National In-*  
24 *telligence may engage in fundraising in an official capacity*  
25 *for the benefit of nonprofit organizations that—*



1           “(A) provide support to surviving family mem-  
2           bers of a deceased employee of an element of the intel-  
3           ligence community; or

4           “(B) otherwise provide support for the welfare,  
5           education, or recreation of employees of an element of  
6           the intelligence community, former employees of an  
7           element of the intelligence community, or family  
8           members of such employees.

9           “(2) In this subsection, the term ‘fundraising’ means  
10          the raising of funds through the active participation in the  
11          promotion, production, or presentation of an event designed  
12          to raise funds and does not include the direct solicitation  
13          of money by any other means.

14          “(3) Not later than 7 days after the date the Director  
15          engages in fundraising authorized by this subsection or at  
16          the time the decision is made to participate in such fund-  
17          raising, the Director shall notify the congressional intel-  
18          ligence committees of such fundraising.

19          “(4) The Director, in consultation with the Director  
20          of the Office of Government Ethics, shall issue regulations  
21          to carry out the authority provided in this subsection. Such  
22          regulations shall ensure that such authority is exercised in  
23          a manner that is consistent with all relevant ethical con-  
24          straints and principles, including the avoidance of any pro-  
25          hibited conflict of interest or appearance of impropriety.”.

1           (b) *DIRECTOR OF THE CENTRAL INTELLIGENCE AGEN-*  
2 *CY.—Section 12(f) of the Central Intelligence Agency Act*  
3 *of 1949 (50 U.S.C. 3512(f)) is amended by adding at the*  
4 *end the following:*

5           “(3) *Not later than the date that is 7 days after the*  
6 *date the Director engages in fundraising authorized by this*  
7 *subsection or at the time the decision is made to participate*  
8 *in such fundraising, the Director shall notify the Select*  
9 *Committee on Intelligence of the Senate and the Permanent*  
10 *Select Committee on Intelligence of the House of Represent-*  
11 *atives of the fundraising.”.*

12 **SEC. 304. PROMOTION OF SCIENCE, TECHNOLOGY, ENGI-**  
13 **NEERING, AND MATHEMATICS EDUCATION IN**  
14 **THE INTELLIGENCE COMMUNITY.**

15           (a) *REQUIREMENT FOR INVESTMENT STRATEGY FOR*  
16 *STEM RECRUITING AND OUTREACH ACTIVITIES.—Along*  
17 *with the budget for fiscal year 2018 submitted by the Presi-*  
18 *dent pursuant to section 1105(a) of title 31, United States*  
19 *Code, the Director of National Intelligence shall submit a*  
20 *five-year investment strategy for outreach and recruiting ef-*  
21 *forts in the fields of science, technology, engineering, and*  
22 *mathematics (STEM), to include cybersecurity and com-*  
23 *puter literacy.*

24           (b) *REQUIREMENT FOR INTELLIGENCE COMMUNITY*  
25 *PLANS FOR STEM RECRUITING AND OUTREACH ACTIVI-*

1 *TIES.*—*For each of the fiscal years 2018 through 2022, the*  
2 *head of each element of the intelligence community shall*  
3 *submit an investment plan along with the materials sub-*  
4 *mitted as justification of the budget request of such element*  
5 *that supports the strategy required by subsection (a).*

6 **SEC. 305. RETENTION OF EMPLOYEES OF THE INTEL-**  
7 **LIGENCE COMMUNITY WHO HAVE SCIENCE,**  
8 **TECHNOLOGY, ENGINEERING, OR MATHE-**  
9 **MATICS EXPERTISE.**

10 *(a) SPECIAL RATES OF PAY FOR CERTAIN OCCUPA-*  
11 *TIONS IN THE INTELLIGENCE COMMUNITY.*—*The National*  
12 *Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended*  
13 *by inserting after section 113A the following:*

14 **“SEC. 113B. SPECIAL PAY AUTHORITY FOR SCIENCE, TECH-**  
15 **NOLOGY, ENGINEERING, OR MATHEMATICS**  
16 **POSITIONS.**

17 **“(a) AUTHORITY TO SET SPECIAL RATES OF PAY.**—  
18 *Notwithstanding part III of title 5, United States Code, the*  
19 *head of each element of the intelligence community may es-*  
20 *tablish higher minimum rates of pay for 1 or more cat-*  
21 *egories of positions in such element that require expertise*  
22 *in science, technology, engineering, or mathematics*  
23 *(STEM).*

24 **“(b) MAXIMUM SPECIAL RATE OF PAY.**—*A minimum*  
25 *rate of pay established for a category of positions under*

1 subsection (a) may not exceed the maximum rate of basic  
2 pay (excluding any locality-based comparability payment  
3 under section 5304 of title 5, United States Code, or similar  
4 provision of law) for the position in that category of posi-  
5 tions without the authority of subsection (a) by more than  
6 30 percent, and no rate may be established under this sec-  
7 tion in excess of the rate of basic pay payable for level IV  
8 of the Executive Schedule under section 5315 of title 5,  
9 United States Code.

10       “(c) NOTIFICATION OF REMOVAL FROM SPECIAL RATE  
11 OF PAY.—If the head of an element of the intelligence com-  
12 munity removes a category of positions from coverage under  
13 a rate of pay authorized by subsection (a) after that rate  
14 of pay takes effect—

15               “(1) the head of such element shall provide notice  
16 of the loss of coverage of the special rate of pay to  
17 each individual in such category; and

18               “(2) the loss of coverage will take effect on the  
19 first day of the first pay period after the date of the  
20 notice.

21       “(d) REVISION OF SPECIAL RATES OF PAY.—Subject  
22 to the limitations in this section, rates of pay established  
23 under this section by the head of the element of the intel-  
24 ligence community may be revised from time to time by

1 *the head of such element and the revisions have the force*  
2 *and effect of statute.*

3       “(e) *REGULATIONS.*—*The head of each element of the*  
4 *intelligence community shall promulgate regulations to*  
5 *carry out this section with respect to such element, which*  
6 *shall, to the extent practicable, be comparable to the regula-*  
7 *tions promulgated to carry out section 5305 of title 5,*  
8 *United States Code.*

9       “(f) *REPORTS.*—

10           “(1) *REQUIREMENT FOR REPORTS.*—*Not later*  
11 *than 90 days after the date of the enactment of the*  
12 *Intelligence Authorization Act for Fiscal Year 2017,*  
13 *the head of each element of the intelligence community*  
14 *shall submit to the congressional intelligence commit-*  
15 *tees a report on any rates of pay established for such*  
16 *element under this section.*

17           “(2) *CONTENTS.*—*Each report required by para-*  
18 *graph (1) shall contain for each element of the intel-*  
19 *ligence community—*

20                   “(A) *a description of any rates of pay es-*  
21 *tablished under subsection (a); and*

22                   “(B) *the number of positions in such ele-*  
23 *ment that will be subject to such rates of pay.”.*

24       “(b) *TABLE OF CONTENTS AMENDMENT.*—*The table of*  
25 *contents in the first section of the National Security Act*

1 of 1947 is amended by inserting after the item relating to  
2 section 113A the following:

“Sec. 113B. Special pay authority for science, technology, engineering, or math  
positions.”.

3 **SEC. 306. MANAGEMENT OF INTELLIGENCE COMMUNITY**  
4 **PERSONNEL.**

5 (a) *MULTI-SECTOR WORKFORCE INITIATIVE.*—

6 (1) *REQUIREMENT.*—Beginning on October 1,  
7 2018, the Director of National Intelligence shall im-  
8 prove management of the workforce of the intelligence  
9 community by enabling elements of the intelligence  
10 community to build and maintain an appropriate  
11 mix between employees of the United States Govern-  
12 ment and core contractors.

13 (2) *BRIEFING TO CONGRESS.*—Not later than  
14 July 1, 2017, and each 120 days thereafter until July  
15 1, 2018, the Director of National Intelligence shall  
16 brief the congressional intelligence committees on the  
17 initiative required by paragraph (1).

18 (b) *MANAGEMENT BASED ON WORKLOAD REQUIRE-*  
19 *MENTS AND AUTHORIZED FUNDING.*—

20 (1) *IN GENERAL.*—Beginning on October 1,  
21 2018, the personnel levels of the intelligence commu-  
22 nity shall be managed each fiscal year on the basis  
23 of—

1           (A) *the workload required to carry out the*  
2           *functions and activities of the intelligence com-*  
3           *munity; and*

4           (B) *the funds made available to the intel-*  
5           *ligence community in accordance with section*  
6           *504 of the National Security Act of 1947 (50*  
7           *U.S.C. 3094).*

8           (2) *PROHIBITION ON CONSTRAINTS OR LIMITA-*  
9           *TIONS.—Beginning on October 1, 2018, the manage-*  
10          *ment of such personnel in the intelligence community*  
11          *in any fiscal year shall not be subject to an externally*  
12          *imposed constraint or limitation expressed in terms*  
13          *of man years, end strength, full-time equivalent posi-*  
14          *tions, or maximum number of employees.*

15          (c) *BRIEFING AND REPORT TO CONGRESS.—Not later*  
16          *than 180 days after the date of the enactment of this Act,*  
17          *the Director of National Intelligence shall issue a written*  
18          *report and provide a briefing to the congressional intel-*  
19          *ligence committees on—*

20                 (1) *the methodology used to calculate the number*  
21                 *of civilian and contractor full-time equivalent posi-*  
22                 *tions in the intelligence community;*

23                 (2) *the cost analysis tool used to calculate per-*  
24                 *sonnel costs in the intelligence community; and*

1           (3) *the plans of the Director of National Intel-*  
2           *ligence and the head of each element of the intelligence*  
3           *community to implement a multi-sector workforce as*  
4           *required by subsections (a) and (b).*

5           (d) *REPORT.—Not later than 240 days after date of*  
6           *the enactment of this Act, the Inspector General of the Intel-*  
7           *ligence Community shall submit to the congressional intel-*  
8           *ligence committees a written report on the accuracy of intel-*  
9           *ligence community data for the numbers and costs associ-*  
10          *ated with the civilian and contractor workforce in each ele-*  
11          *ment of the intelligence community.*

12   **SEC. 307. NOTIFICATION OF REPAIR OR MODIFICATION OF**  
13                    **FACILITIES TO BE USED PRIMARILY BY THE**  
14                    **INTELLIGENCE COMMUNITY.**

15          Section 602(a)(2) of the Intelligence Authorization Act  
16 for Fiscal Year 1995 (50 U.S.C. 3304(a)(2)) is amended  
17 by striking “improvement project to” and inserting “project  
18 for the improvement, repair, or modification of”.

19   **SEC. 308. GUIDANCE AND REPORTING REQUIREMENT RE-**  
20                    **GARDING THE INTERACTIONS BETWEEN THE**  
21                    **INTELLIGENCE COMMUNITY AND ENTERTAIN-**  
22                    **MENT INDUSTRY.**

23          (a) *DEFINITIONS.—In this section:*

24                  (1) *ENGAGEMENT.—The term “engagement”—*



1           (A) means any significant interaction be-  
2           tween an element of the intelligence community  
3           and an entertainment industry entity for the  
4           purposes of contributing to an entertainment  
5           product intended to be heard, read, viewed, or  
6           otherwise experienced by the public; and

7           (B) does not include routine inquiries made  
8           by the press or news media to the public affairs  
9           office of an intelligence community.

10          (2) *ENTERTAINMENT INDUSTRY ENTITY.*—The  
11          term “entertainment industry entity” means an enti-  
12          ty that creates, produces, promotes, or distributes a  
13          work of entertainment intended to be heard, read,  
14          viewed, or otherwise experienced by an audience, in-  
15          cluding—

16                (A) theater productions, motion pictures,  
17                radio broadcasts, television broadcasts, podcasts,  
18                webcasts, other sound or visual recording, music,  
19                or dance;

20                (B) books and other published material; and

21                (C) such other entertainment activity, as  
22                determined by the Director of National Intel-  
23                ligence.

24          (b) *DIRECTOR OF NATIONAL INTELLIGENCE GUID-*  
25          *ANCE.*—

1           (1) *IN GENERAL.*—Not later than 180 days after  
2           the date of the enactment of this Act, the Director of  
3           National Intelligence shall issue, and release to the  
4           public, guidance regarding engagements by elements  
5           of the intelligence community with entertainment in-  
6           dustry entities.

7           (2) *CRITERIA.*—The guidance required by para-  
8           graph (1) shall—

9                   (A) permit an element of the intelligence  
10                  community to conduct engagements, if the head  
11                  of the element, or a designee of such head, pro-  
12                  vides prior approval; and

13                  (B) require an unclassified annual report to  
14                  the congressional intelligence committees regard-  
15                  ing engagements.

16           (c) *ANNUAL REPORT.*—Each report required by sub-  
17           section (b)(2)(B) shall include the following:

18                   (1) A description of the nature and duration of  
19                  each engagement included in the review.

20                   (2) The cost incurred by the United States Gov-  
21                  ernment for each such engagement.

22                   (3) A description of the benefits to the United  
23                  States Government for each such engagement.

24                   (4) A determination of whether any information  
25                  was declassified, and whether any classified informa-

1        *tion was improperly disclosed, or each such engage-*  
2        *ment.*

3            (5) *A description of the work produced through*  
4        *each such engagement.*

5        **SEC. 309. PROTECTIONS FOR INDEPENDENT INSPECTORS**

6                    **GENERAL OF CERTAIN ELEMENTS OF THE IN-**  
7                    **TELLIGENCE COMMUNITY.**

8            (a) *LIMITATION ON ACTIVITIES OF EMPLOYEES OF AN*  
9        *OFFICE OF INSPECTOR GENERAL.—*

10            (1) *LIMITATIONS.—Not later than 180 days after*  
11        *the date of the enactment of this Act, the Director of*  
12        *National Intelligence shall develop and implement a*  
13        *uniform policy for each covered office of an inspector*  
14        *general to better ensure the independence of each such*  
15        *office. Such policy shall include—*

16                    (A) *provisions to prevent any conflict of in-*  
17        *terest related to a matter any employee of a cov-*  
18        *ered office of an inspector general personally and*  
19        *substantially participated in during previous*  
20        *employment;*

21                    (B) *standards to ensure personnel of a cov-*  
22        *ered office of an inspector general are free both*  
23        *in fact and in appearance from personal, exter-*  
24        *nal, and organizational impairments to inde-*  
25        *pendence;*

1           (C) provisions to permit the head of each  
2 covered office of an inspector general to waive  
3 the application of the policy with respect to an  
4 individual if such head—

5           (i) prepares a written and signed jus-  
6 tification for such waiver that sets out, in  
7 detail, the need for such waiver, provided  
8 that waivers shall not be issued for in fact  
9 impairments to independence; and

10           (ii) submits to the congressional intel-  
11 ligence committees each such justification;  
12 and

13           (D) any other protections the Director de-  
14 termines appropriate.

15           (2) COVERED OFFICE OF AN INSPECTOR GEN-  
16 ERAL DEFINED.—The term “covered office of an in-  
17 spector general” means—

18           (A) the Office of the Inspector General of the  
19 Intelligence Community; and

20           (B) the office of an inspector general for—

21           (i) the Office of the Director of Na-  
22 tional Intelligence;

23           (ii) the Central Intelligence Agency;

24           (iii) the National Security Agency;

25           (iv) the Defense Intelligence Agency;

1                   (v) the National Geospatial-Intelligence  
2                   Agency; and  
3                   (vi) the National Reconnaissance Of-  
4                   fice.

5                   (3) *BRIEFING TO THE CONGRESSIONAL INTEL-*  
6                   *LIGENCE COMMITTEES.*—Prior to the date that the  
7                   policy required by paragraph (1) takes effect, the Di-  
8                   rector of National Intelligence shall provide the con-  
9                   gressional intelligence committees a briefing on such  
10                  policy.

11                  (b) *LIMITATION ON ROTATION OF EMPLOYEES OF AN*  
12                  *OFFICE OF INSPECTOR GENERAL.*—Section 102A(l)(3) of  
13                  the National Security Act of 1947 (50 U.S.C. 3024(l)(3))  
14                  is amended by adding at the end the following:

15                  “(D) The mechanisms prescribed under subparagraph  
16                  (A) and any other policies of the Director—

17                         “(i) may not require an employee of an office of  
18                         inspector general for an element of the intelligence  
19                         community, including the Office of the Inspector Gen-  
20                         eral of the Intelligence Community, to rotate to a po-  
21                         sition in an office or organization of such an element  
22                         over which such office of inspector general exercises  
23                         jurisdiction; and

24                         “(ii) shall be implemented in a manner that ex-  
25                         empts employees of an office of inspector general from

1        *a rotation that may impact the independence of such*  
2        *office.”.*

3        **SEC. 310. CONGRESSIONAL OVERSIGHT OF POLICY DIREC-**  
4        **TIVES AND GUIDANCE.**

5        *(a) COVERED POLICY DOCUMENT DEFINED.—In this*  
6        *section, the term “covered policy document” means any*  
7        *classified or unclassified Presidential Policy Directive,*  
8        *Presidential Policy Guidance, or other similar policy docu-*  
9        *ment issued by the President, including any classified or*  
10       *unclassified annex to such a Directive, Guidance, or other*  
11       *document, that assigns tasks, roles, or responsibilities to the*  
12       *intelligence community or an element of the intelligence*  
13       *community.*

14       *(b) SUBMISSIONS TO CONGRESS.—The Director of Na-*  
15       *tional Intelligence shall submit to the congressional intel-*  
16       *ligence committees the following:*

17                *(1) Not later than 15 days after the date that a*  
18                *covered policy document is issued, a written notice of*  
19                *the issuance and a summary of the subject matter ad-*  
20                *dressed by such covered policy document.*

21                *(2) Not later than 15 days after the date that the*  
22                *Director issues any guidance or direction on imple-*  
23                *mentation of a covered policy document or imple-*  
24                *ments a covered policy document, a copy of such*

1 *guidance or direction or a description of such imple-*  
2 *mentation.*

3 (3) *Not later than 15 days after the date of the*  
4 *enactment of this Act, for any covered policy docu-*  
5 *ment issued prior to such date that is being imple-*  
6 *mented by any element of the intelligence community*  
7 *or that is in effect on such date—*

8 (A) *a written notice that includes the date*  
9 *such covered policy document was issued and a*  
10 *summary of the subject matter addressed by such*  
11 *covered policy document; and*

12 (B) *if the Director has issued any guidance*  
13 *or direction on implementation of such covered*  
14 *policy document or is implementing such covered*  
15 *policy document, a copy of the guidance or direc-*  
16 *tion or a written description of such implemen-*  
17 *tation.*

18 **SEC. 311. NOTIFICATION OF MEMORANDA OF UNDER-**  
19 **STANDING.**

20 (a) *IN GENERAL.—The head of each element of the in-*  
21 *telligence community shall submit to the congressional in-*  
22 *telligence committees a copy of each memorandum of under-*  
23 *standing or other agreement regarding significant oper-*  
24 *ational activities or policy between or among such element*

1 *and any other entity or entities of the United States Gov-*  
2 *ernment—*

3           (1) *for such a memorandum or agreement that*  
4 *is in effect on the date of the enactment of this Act,*  
5 *not later than 60 days after such date; and*

6           (2) *for such a memorandum or agreement en-*  
7 *tered into after such date, in a timely manner and*  
8 *not more than 60 days after the date such memo-*  
9 *randum or other agreement is entered into.*

10       (b) *ADMINISTRATIVE MEMORANDUM OR AGREE-*  
11 *MENT.—Nothing in this section may be construed to require*  
12 *an element of the intelligence community to submit to the*  
13 *congressional intelligence committees any memorandum or*  
14 *agreement that is solely administrative in nature, including*  
15 *a memorandum or agreement regarding joint duty or other*  
16 *routine personnel assignments.*

17 **SEC. 312. TECHNICAL CORRECTION TO EXECUTIVE SCHED-**  
18 **ULE.**

19       *Section 5313 of title 5, United States Code, is amended*  
20 *by striking the item relating to “Director of the National*  
21 *Counter Proliferation Center.”.*

22 **SEC. 313. MAXIMUM AMOUNT CHARGED FOR DECLASSIFICA-**  
23 **TION REVIEWS.**

24       *In reviewing and processing a request by a person for*  
25 *the mandatory declassification of information pursuant to*



1 *Executive Order No. 13526, a successor executive order, or*  
2 *any provision of law, the head of an element of the intel-*  
3 *ligence community—*

4           (1) *may not charge the person reproduction fees*  
5 *in excess of the amount of fees that the head would*  
6 *charge the person for reproduction required in the*  
7 *course of processing a request for information under*  
8 *section 552 of title 5, United States Code (commonly*  
9 *referred to as the “Freedom of Information Act”); and*

10           (2) *may waive or reduce any processing fees in*  
11 *the same manner as the head waives or reduces fees*  
12 *under such section 552.*

13 ***TITLE IV—MATTERS RELATING***  
14 ***TO ELEMENTS OF THE INTEL-***  
15 ***LIGENCE COMMUNITY***

16 ***Subtitle A—Office of the Director of***  
17 ***National Intelligence***

18 ***SEC. 401. DESIGNATION OF THE DIRECTOR OF THE NA-***  
19 ***TIONAL COUNTERINTELLIGENCE AND SECU-***  
20 ***RITY CENTER.***

21 *(a) IN GENERAL.—*

22           (1) *IN GENERAL.—Section 902 of the Counter-*  
23 *intelligence Enhancement Act of 2002 (50 U.S.C.*  
24 *3382) is amended to read as follows:*

1 **“SEC. 902. DIRECTOR OF THE NATIONAL COUNTERINTEL-**  
2 **LIGENCE AND SECURITY CENTER.**

3       “(a) *ESTABLISHMENT.*—*There shall be a Director of*  
4 *the National Counterintelligence and Security Center (re-*  
5 *ferred to in this section as the ‘Director’), who shall be ap-*  
6 *pointed by the President, by and with the advice and con-*  
7 *sent of the Senate.*

8       “(b) *MISSION.*—*The mission of the Director shall be*  
9 *to serve as the head of national counterintelligence for the*  
10 *United States Government.*

11       “(c) *DUTIES.*—*Subject to the direction and control of*  
12 *the Director of National Intelligence, the duties of the Direc-*  
13 *tor are as follows:*

14               “(1) *To carry out the mission referred to in sub-*  
15 *section (b).*

16               “(2) *To act as chairperson of the National Coun-*  
17 *terintelligence Policy Board established under section*  
18 *811 of the Counterintelligence and Security Enhance-*  
19 *ments Act of 1994 (50 U.S.C. 3381).*

20               “(3) *To act as head of the National Counterintel-*  
21 *ligence and Security Center established under section*  
22 *904.*

23               “(4) *To participate as an observer on such*  
24 *boards, committees, and entities of the executive*  
25 *branch as the Director of National Intelligence con-*  
26 *siders appropriate for the discharge of the mission*

1 *and functions of the Director and the National Counter-*  
 2 *intelligence and Security Center under section*  
 3 *904.”.*

4 (2) *TABLE OF CONTENTS AMENDMENT.—The*  
 5 *table of contents in section 1(b) of the Intelligence Au-*  
 6 *thorization Act for Fiscal Year 2003 (Public Law*  
 7 *107–306; 116 Stat. 2383) is amended by striking the*  
 8 *item relating to section 902 and inserting the fol-*  
 9 *lowing:*

*“Sec. 902. Director of the National Counterintelligence and Security Center.”.*

10 (3) *TECHNICAL EFFECTIVE DATE.—The amend-*  
 11 *ment made by subsection (a) of section 401 of the In-*  
 12 *telligence Authorization Act for Fiscal Year 2016 (di-*  
 13 *vision M of Public Law 114–113) shall not take effect,*  
 14 *or, if the date of the enactment of this Act is on or*  
 15 *after the effective date specified in subsection (b) of*  
 16 *such section, such amendment shall be deemed to not*  
 17 *have taken effect.*

18 (b) *NATIONAL COUNTERINTELLIGENCE AND SECURITY*  
 19 *CENTER.—*

20 (1) *IN GENERAL.—Section 904 of the Counter-*  
 21 *intelligence Enhancement Act of 2002 (50 U.S.C.*  
 22 *3383) is amended—*

23 (A) *by striking the section heading and in-*  
 24 *serting “**NATIONAL COUNTERINTELLIGENCE***  
 25 ***AND SECURITY CENTER.**”;* and

1                   (B) by striking subsections (a), (b), and (c)  
2                   and inserting the following:

3           “(a) *ESTABLISHMENT.*—There shall be a National  
4 *Counterintelligence and Security Center.*

5           “(b) *HEAD OF CENTER.*—The Director of the National  
6 *Counterintelligence and Security Center* shall be the head  
7 *of the National Counterintelligence and Security Center.*

8           “(c) *LOCATION OF CENTER.*—The National Counter-  
9 *intelligence and Security Center* shall be located in the Of-  
10 *fice of the Director of National Intelligence.*”.

11           (2) *FUNCTIONS.*—Section 904(d) of the Counter-  
12 *intelligence Enhancement Act of 2002 (50 U.S.C.*  
13 *3383(d))* is amended—

14                   (A) in the matter preceding paragraph (1),  
15                   by striking “National Counterintelligence Execu-  
16                   tive, the functions of the Office of the National  
17                   Counterintelligence Executive” and inserting  
18                   “Director of the National Counterintelligence  
19                   and Security Center, the functions of the Na-  
20                   tional Counterintelligence and Security Center”;

21                   (B) in paragraph (5), in the matter pre-  
22                   ceding subparagraph (A), by striking “In con-  
23                   sultation with” and inserting “At the direction  
24                   of”; and

1           (C) in paragraph (6), in the matter pre-  
2           ceding subparagraph (A), by striking “Office”  
3           and inserting “National Counterintelligence and  
4           Security Center”.

5           (3) *PERSONNEL*.—Section 904(f) of the Counter-  
6           intelligence Enhancement Act of 2002 (50 U.S.C.  
7           3383(f)) is amended—

8           (A) in paragraph (1), by striking “Office of  
9           the National Counterintelligence Executive may  
10           consist of personnel employed by the Office” and  
11           inserting “National Counterintelligence and Se-  
12           curity Center may consist of personnel employed  
13           by the Center”; and

14           (B) in paragraph (2), by striking “National  
15           Counterintelligence Executive” and inserting  
16           “Director of the National Counterintelligence  
17           and Security Center”.

18           (4) *TREATMENT OF ACTIVITIES UNDER CERTAIN*  
19           *ADMINISTRATIVE LAWS*.—Section 904(g) of the Coun-  
20           terintelligence Enhancement Act of 2002 (50 U.S.C.  
21           3383(g)) is amended by striking “Office shall be treat-  
22           ed as operational files of the Central Intelligence  
23           Agency for purposes of section 701 of the National Se-  
24           curity Act of 1947 (50 U.S.C. 431)” and inserting  
25           “National Counterintelligence and Security Center

1       *shall be treated as operational files of the Central In-*  
2       *telligence Agency for purposes of section 701 of the*  
3       *National Security Act of 1947 (50 U.S.C. 3141)”.*

4               (5) *OVERSIGHT BY CONGRESS.—Section 904(h)*  
5       *of the Counterintelligence Enhancement Act of 2002*  
6       *(50 U.S.C. 3383(h)) is amended—*

7                       (A) *in the matter preceding paragraph (1),*  
8                       *by striking “Office of the National Counterintel-*  
9                       *ligence Executive” and inserting “National*  
10                      *Counterintelligence and Security Center”;* and

11                      (B) *in paragraphs (1) and (2), by striking*  
12                      *“Office” and inserting “Center” both places that*  
13                      *term appears.*

14               (6) *TABLE OF CONTENTS AMENDMENT.—The*  
15       *table of contents in section 1(b) of the Intelligence Au-*  
16       *thorization Act for Fiscal Year 2003 (Public Law*  
17       *107–306; 116 Stat. 2383), as amended by subsection*  
18       *(a)(2), is further amended by striking the item relat-*  
19       *ing to section 904 and inserting the following:*

      “*Sec. 904. National Counterintelligence and Security Center.*”.

20               (c) *OVERSIGHT OF NATIONAL INTELLIGENCE CEN-*  
21       *TERS.—Section 102A(f)(2) of the National Security Act of*  
22       *1947 (50 U.S.C. 3024(f)(2)) is amended by inserting “, the*  
23       *National Counterproliferation Center, and the National*  
24       *Counterintelligence and Security Center” after “National*  
25       *Counterterrorism Center”.*

1           (d) *DIRECTOR OF THE NATIONAL COUNTERINTEL-*  
2 *LIGENCE AND SECURITY CENTER WITHIN THE OFFICE OF*  
3 *THE DIRECTOR OF NATIONAL INTELLIGENCE.*—Paragraph  
4 (8) of section 103(c) of the National Security Act of 1947  
5 (50 U.S.C. 3025(c)) is amended to read as follows:

6           “(8) *The Director of the National Counterintel-*  
7 *ligence and Security Center.*”.

8           (e) *DUTIES OF THE DIRECTOR OF THE NATIONAL*  
9 *COUNTERINTELLIGENCE AND SECURITY CENTER.*—

10           (1) *IN GENERAL.*—Section 103F of the National  
11 *Security Act of 1947 (50 U.S.C. 3031) is amended—*

12           (A) *by striking the section heading and in-*  
13 *serting “DIRECTOR OF THE NATIONAL COUNTER-*  
14 *INTELLIGENCE AND SECURITY CENTER”;*

15           (B) *in subsection (a)—*

16           (i) *by striking the subsection heading*  
17 *and inserting “DIRECTOR OF THE NA-*  
18 *TIONAL COUNTERINTELLIGENCE AND SECU-*  
19 *RITY CENTER.—”;* and

20           (ii) *by striking “National Counter-*  
21 *intelligence Executive under section 902 of*  
22 *the Counterintelligence Enhancement Act of*  
23 *2002 (title IX of Public Law 107–306; 50*  
24 *U.S.C. 402b et seq.)” and inserting “Direc-*  
25 *tor of the National Counterintelligence and*

1           *Security Center appointed under section*  
2           *902 of the Counterintelligence Enhancement*  
3           *Act of 2002 (50 U.S.C. 3382)”; and*

4           *(C) in subsection (b), by striking “National*  
5           *Counterintelligence Executive” and inserting*  
6           *“Director of the National Counterintelligence*  
7           *and Security Center”.*

8           (2) *TABLE OF CONTENTS AMENDMENT.—The*  
9           *table of contents in the first section of the National*  
10          *Security Act of 1947 is amended by striking the item*  
11          *relating to section 103F and inserting the following:*

*“Sec. 103F. Director of the National Counterintelligence and Security Center.”.*

12          (f) *COORDINATION OF COUNTERINTELLIGENCE ACTIVI-*  
13          *TIES.—Section 811 of the Counterintelligence and Security*  
14          *Enhancements Act of 1994 (50 U.S.C. 3381) is amended—*

15                 (1) *in subsection (b), by striking “National*  
16                 *Counterintelligence Executive under section 902 of the*  
17                 *Counterintelligence Enhancement Act of 2002” and*  
18                 *inserting “Director of the National Counterintel-*  
19                 *ligence and Security Center appointed under section*  
20                 *902 of the Counterintelligence Enhancement Act of*  
21                 *2002 (50 U.S.C. 3382)”;*

22                 (2) *in subsection (c)(1), by striking “National*  
23                 *Counterintelligence Executive.” and inserting “Direc-*  
24                 *tor of the National Counterintelligence and Security*  
25                 *Center.”; and*



1           (3) *in subsection (d)(1)(B)(ii)—*

2                   (A) *by striking “National Counterintel-*  
 3 *ligence Executive” and inserting “Director of the*  
 4 *National Counterintelligence and Security Cen-*  
 5 *ter”;* *and*

6                   (B) *by striking “by the Office of the Na-*  
 7 *tional Counterintelligence Executive under sec-*  
 8 *tion 904(e)(2) of that Act” and inserting “pursu-*  
 9 *ant to section 904(d)(2) of that Act (50 U.S.C.*  
 10 *3383(d)(2))”.*

11           (g) *INTELLIGENCE AND NATIONAL SECURITY ASPECTS*  
 12 *OF ESPIONAGE PROSECUTIONS.—Section 341(b) of the In-*  
 13 *telligence Authorization Act for Fiscal Year 2004 (Public*  
 14 *Law 108–177; 28 U.S.C. 519 note) is amended by striking*  
 15 *“Office of the National Counterintelligence Executive,” and*  
 16 *inserting “National Counterintelligence and Security Cen-*  
 17 *ter,”.*

18           **SEC. 402. ANALYSES AND IMPACT STATEMENTS BY DIREC-**  
 19                   **TOR OF NATIONAL INTELLIGENCE REGARD-**  
 20                   **ING INVESTMENT INTO THE UNITED STATES.**

21           *Section 102A of the National Security Act of 1947 (50*  
 22 *U.S.C. 3024), as amended by section 303, is further amend-*  
 23 *ed by adding at the end the following new subsection:*

24           “(z) *ANALYSES AND IMPACT STATEMENTS REGARDING*  
 25 *PROPOSED INVESTMENT INTO THE UNITED STATES.—(1)*

1 *Not later than 20 days after the completion of a review or*  
2 *an investigation of any proposed investment into the*  
3 *United States for which the Director has prepared analytic*  
4 *materials, the Director shall submit to the Select Committee*  
5 *on Intelligence of the Senate and the Permanent Select*  
6 *Committee on Intelligence of the House of Representative*  
7 *copies of such analytic materials, including any supple-*  
8 *ments or amendments to such analysis made by the Direc-*  
9 *tor.*

10       “(2) *Not later than 60 days after the completion of*  
11 *consideration by the United States Government of any in-*  
12 *vestment described in paragraph (1), the Director shall de-*  
13 *termine whether such investment will have an operational*  
14 *impact on the intelligence community, and, if so, shall sub-*  
15 *mit a report on such impact to the Select Committee on*  
16 *Intelligence of the Senate and the Permanent Select Com-*  
17 *mittee on Intelligence of the House of Representatives. Each*  
18 *such report shall—*

19               “(A) *describe the operational impact of the in-*  
20       *vestment on the intelligence community; and*

21               “(B) *describe any actions that have been or will*  
22       *be taken to mitigate such impact.”.*

1 **SEC. 403. ASSISTANCE FOR GOVERNMENTAL ENTITIES AND**  
 2 **PRIVATE ENTITIES IN RECOGNIZING ONLINE**  
 3 **VIOLENT EXTREMIST CONTENT.**

4 (a) *ASSISTANCE TO RECOGNIZE ONLINE VIOLENT EX-*  
 5 *TREMIST CONTENT.*—Not later than 180 days after the date  
 6 of the enactment of this Act, and consistent with the protec-  
 7 tion of intelligence sources and methods, the Director of Na-  
 8 tional Intelligence shall publish on a publicly available  
 9 Internet website a list of all logos, symbols, insignia, and  
 10 other markings commonly associated with, or adopted by,  
 11 an organization designated by the Secretary of State as a  
 12 foreign terrorist organization under section 219(a) of the  
 13 Immigration and Nationality Act (8 U.S.C. 1189(a)).

14 (b) *UPDATES.*—The Director shall update the list pub-  
 15 lished under subsection (a) every 180 days or more fre-  
 16 quently as needed.

17 **Subtitle B—Central Intelligence**  
 18 **Agency**

19 **SEC. 411. ENHANCED DEATH BENEFITS FOR PERSONNEL OF**  
 20 **THE CENTRAL INTELLIGENCE AGENCY.**

21 *Section 11 of the Central Intelligence Agency Act of*  
 22 *1949 (50 U.S.C. 3511) is amended to read as follows:*

23 “*BENEFITS AVAILABLE IN EVENT OF THE DEATH OF*  
 24 *PERSONNEL*

25 “*SEC. 11. (a) AUTHORITY.*—The Director may pay  
 26 *death benefits substantially similar to those authorized for*

1 *members of the Foreign Service pursuant to the Foreign*  
2 *Service Act of 1980 (22 U.S.C. 3901 et seq.) or any other*  
3 *provision of law. The Director may adjust the eligibility*  
4 *for death benefits as necessary to meet the unique require-*  
5 *ments of the mission of the Agency.*

6 “(b) *REGULATIONS.—Regulations issued pursuant to*  
7 *this section shall be submitted to the Select Committee on*  
8 *Intelligence of the Senate and the Permanent Select Com-*  
9 *mittee on Intelligence of the House of Representatives before*  
10 *such regulations take effect.”*

11 **SEC. 412. PAY AND RETIREMENT AUTHORITIES OF THE IN-**  
12 **SPECTOR GENERAL OF THE CENTRAL INTEL-**  
13 **LIGENCE AGENCY.**

14 (a) *IN GENERAL.—Section 17(e)(7) of the Central In-*  
15 *telligence Agency Act of 1949 (50 U.S.C. 3517(e)(7)) is*  
16 *amended by adding at the end the following new subpara-*  
17 *graph:*

18 “(C)(i) *The Inspector General may designate an officer*  
19 *or employee appointed in accordance with subparagraph*  
20 *(A) as a law enforcement officer solely for purposes of sub-*  
21 *chapter III of chapter 83 or chapter 84 of title 5, United*  
22 *States Code, if such officer or employee is appointed to a*  
23 *position with responsibility for investigating suspected of-*  
24 *fenses against the criminal laws of the United States.*

1       “(ii) In carrying out clause (i), the Inspector General  
2 shall ensure that any authority under such clause is exer-  
3 cised in a manner consistent with section 3307 of title 5,  
4 United States Code, as it relates to law enforcement officers.

5       “(iii) For purposes of applying sections 3307(d),  
6 8335(b), and 8425(b) of title 5, United States Code, the In-  
7 spector General may exercise the functions, powers, and du-  
8 ties of an agency head or appointing authority with respect  
9 to the Office.”.

10       (b) *RULE OF CONSTRUCTION.*—Subparagraph (C) of  
11 section 17(e)(7) of the Central Intelligence Agency Act of  
12 1949 (50 U.S.C. 3517(e)(7)), as added by subsection (a),  
13 may not be construed to confer on the Inspector General  
14 of the Central Intelligence Agency, or any other officer or  
15 employee of the Agency, any police or law enforcement or  
16 internal security functions or authorities.

## 17                   **Subtitle C—Other Elements**

### 18       **SEC. 421. ENHANCING THE TECHNICAL WORKFORCE FOR**

#### 19                               **THE FEDERAL BUREAU OF INVESTIGATION.**

20       (a) *REPORT REQUIRED.*—Building on the basic cyber  
21 human capital strategic plan provided to the congressional  
22 intelligence committees in 2015, not later than 180 days  
23 after the date of the enactment of this Act and updated two  
24 years thereafter, the Director of the Federal Bureau of In-  
25 vestigation shall submit to the congressional intelligence

1 *committees, the Committee on the Judiciary of the Senate,*  
2 *and the Committee on the Judiciary of the House of Rep-*  
3 *resentatives a comprehensive strategic workforce report re-*  
4 *garding initiatives to effectively integrate information tech-*  
5 *nology expertise in the investigative process.*

6 (b) *ELEMENTS.—The report required by subsection (a)*  
7 *shall include the following:*

8 (1) *An assessment, including measurable bench-*  
9 *marks, of progress on initiatives to recruit, train, and*  
10 *retain personnel with the necessary skills and experi-*  
11 *ences in vital areas, including encryption, cryptog-*  
12 *raphy, and big data analytics.*

13 (2) *An assessment of whether officers of the Fed-*  
14 *eral Bureau of Investigation who possess such skills*  
15 *are fully integrated into the Bureau’s work, including*  
16 *Agent-led investigations.*

17 (3) *A description of the quality and quantity of*  
18 *the collaborations between the Bureau and private*  
19 *sector entities on cyber issues, including the status of*  
20 *efforts to benefit from employees with experience*  
21 *transitioning between the public and private sectors.*

22 (4) *An assessment of the utility of reinstating,*  
23 *if applicable, and leveraging the Director’s Advisory*  
24 *Board, which was originally constituted in 2005, to*  
25 *provide outside advice on how to better integrate tech-*

1        *nical expertise with the investigative process and on*  
2        *emerging concerns in cyber-related issues.*

3    **SEC. 422. PLAN ON ASSUMPTION OF CERTAIN WEATHER**  
4                    **MISSIONS BY THE NATIONAL RECONNAIS-**  
5                    **SANCE OFFICE.**

6        *(a) PLAN.—*

7                    *(1) IN GENERAL.—Except as provided in sub-*  
8        *section (c), the Director of the National Reconnaiss-*  
9        *sance Office shall develop a plan for the National Re-*  
10       *connaissance Office to address how to carry out cov-*  
11       *ered space-based environmental monitoring missions.*

12       *Such plan shall include—*

13                    *(A) a description of the related national se-*  
14       *curity requirements for such missions;*

15                    *(B) a description of the appropriate man-*  
16       *ner to meet such requirements; and*

17                    *(C) the amount of funds that would be nec-*  
18       *essary to be transferred from the Air Force to the*  
19       *National Reconnaissance Office during fiscal*  
20       *years 2018 through 2022 to carry out such plan.*

21        *(2) ACTIVITIES.—In developing the plan under*  
22       *paragraph (1), the Director may conduct pre-acquisi-*  
23       *tion activities, including with respect to requests for*  
24       *information, analyses of alternatives, study contracts,*

1        *modeling and simulation, and other activities the Di-*  
2        *rector determines necessary to develop such plan.*

3            (3) *SUBMISSION.*—*Not later than July 1, 2017,*  
4        *and except as provided in subsection (c), the Director*  
5        *shall submit to the appropriate congressional commit-*  
6        *tees the plan under paragraph (1).*

7            (b) *INDEPENDENT COST ESTIMATE.*—*The Director of*  
8        *the Cost Assessment Improvement Group of the Office of the*  
9        *Director of National Intelligence, in coordination with the*  
10       *Director of Cost Assessment and Program Evaluation, shall*  
11       *certify to the appropriate congressional committees that the*  
12       *amounts of funds identified under subsection (a)(1)(C) as*  
13       *being necessary to transfer are appropriate and include*  
14       *funding for positions and personnel to support program of-*  
15       *fice costs.*

16           (c) *WAIVER BASED ON REPORT AND CERTIFICATION*  
17       *OF AIR FORCE ACQUISITION PROGRAM.*—*The Director of*  
18       *the National Reconnaissance Office may waive the require-*  
19       *ment to develop a plan under subsection (a), if the Under*  
20       *Secretary of Defense for Acquisition Technology, and Logis-*  
21       *tics and the Chairman of the Joint Chiefs of Staff jointly*  
22       *submit to the appropriate congressional committees a report*  
23       *by not later than July 1, 2017) that contains—*

24            (1) *a certification that the Secretary of the Air*  
25        *Force is carrying out a formal acquisition program*



1 *that has received Milestone A approval to address the*  
2 *cloud characterization and theater weather imagery*  
3 *requirements of the Department of Defense; and*

4 *(2) an identification of the cost, schedule, re-*  
5 *quirements, and acquisition strategy of such acquisi-*  
6 *tion program.*

7 *(d) DEFINITIONS.—In this section:*

8 *(1) APPROPRIATE CONGRESSIONAL COMMIT-*  
9 *TEES.—The term “appropriate congressional commit-*  
10 *tees” means—*

11 *(A) the congressional intelligence commit-*  
12 *tees; and*

13 *(B) the congressional defense committees (as*  
14 *defined in section 101(a)(16) of title 10, United*  
15 *States Code).*

16 *(2) COVERED SPACE-BASED ENVIRONMENTAL*  
17 *MONITORING MISSIONS.—The term “covered space-*  
18 *based environmental monitoring missions” means the*  
19 *acquisition programs necessary to meet the national*  
20 *security requirements for cloud characterization and*  
21 *theater weather imagery.*

22 *(3) MILESTONE A APPROVAL.—The term “Mile-*  
23 *stone A approval” has the meaning given that term*  
24 *in section 2366a(d) of title 10, United States Code.*

1     **TITLE V—MATTERS RELATING**  
2             **TO FOREIGN COUNTRIES**

3     **SEC. 501. COMMITTEE TO COUNTER ACTIVE MEASURES BY**  
4             **THE RUSSIAN FEDERATION TO EXERT COV-**  
5             **ERT INFLUENCE OVER PEOPLES AND GOV-**  
6             **ERNMENTS.**

7     (a) *DEFINITIONS.—In this section:*

8             (1) *ACTIVE MEASURES BY RUSSIA TO EXERT*  
9     *COVERT INFLUENCE.—The term “active measures by*  
10    *Russia to exert covert influence” means activities in-*  
11    *tended to influence a person or government that are*  
12    *carried out in coordination with, or at the behest of,*  
13    *political leaders or the security services of the Russian*  
14    *Federation and the role of the Russian Federation has*  
15    *been hidden or not acknowledged publicly, including*  
16    *the following:*

17             (A) *Establishment or funding of a front*  
18             *group.*

19             (B) *Covert broadcasting.*

20             (C) *Media manipulation.*

21             (D) *Disinformation and forgeries.*

22             (E) *Funding agents of influence.*

23             (F) *Incitement and offensive counterintel-*  
24             *ligence.*

25             (G) *Assassinations.*

1                   (H) *Terrorist acts.*

2                   (2) *APPROPRIATE COMMITTEES OF CONGRESS.—*

3                   *The term “appropriate committees of Congress”*  
4                   *means—*

5                   (A) *the congressional intelligence commit-*  
6                   *tees;*

7                   (B) *the Committee on Armed Services and*  
8                   *the Committee on Foreign Relations of the Sen-*  
9                   *ate; and*

10                  (C) *the Committee on Armed Services and*  
11                  *the Committee on Foreign Affairs of the House*  
12                  *of Representatives.*

13                  (b) *ESTABLISHMENT.—There is established within the*  
14                  *executive branch an interagency committee to counter active*  
15                  *measures by the Russian Federation to exert covert influ-*  
16                  *ence.*

17                  (c) *MEMBERSHIP.—*

18                  (1) *IN GENERAL.—*

19                  (A) *APPOINTMENT.—Each head of an agen-*  
20                  *cy or department of the Government set out*  
21                  *under subparagraph (B) shall appoint one mem-*  
22                  *ber of the committee established by subsection (b)*  
23                  *from among officials of such agency or depart-*  
24                  *ment who occupy a position that is required to*

1           *be appointed by the President, with the advice*  
2           *and consent of the Senate.*

3                   *(B) HEAD OF AN AGENCY OR DEPART-*  
4           *MENT.—The head of an agency or department of*  
5           *the Government set out under this subparagraph*  
6           *are the following:*

7                           *(i) The Director of National Intel-*  
8                           *ligence.*

9                           *(ii) The Secretary of State.*

10                          *(iii) The Secretary of Defense.*

11                          *(iv) The Secretary of the Treasury.*

12                          *(v) The Attorney General.*

13                          *(vi) The Secretary of Energy.*

14                          *(vii) The Director of the Federal Bu-*  
15                          *reau of Investigation.*

16                          *(viii) The head of any other agency or*  
17                          *department of the United States Govern-*  
18                          *ment designated by the President for pur-*  
19                          *poses of this section.*

20           *(d) MEETINGS.—The committee shall meet on a reg-*  
21           *ular basis.*

22           *(e) DUTIES.—The duties of the committee established*  
23           *by subsection (b) shall be as follows:*

24                          *(1) To counter active measures by Russia to*  
25                          *exert covert influence, including by exposing false-*

1        *hoods, agents of influence, corruption, human rights*  
2        *abuses, terrorism, and assassinations carried out by*  
3        *the security services or political elites of the Russian*  
4        *Federation or their proxies.*

5                *(2) Such other duties as the President may des-*  
6        *ignate for purposes of this section.*

7        *(f) STAFF.—The committee established by subsection*  
8        *(b) may employ such staff as the members of such committee*  
9        *consider appropriate.*

10        *(g) BUDGET REQUEST.—A request for funds required*  
11        *for the functioning of the committee established by sub-*  
12        *section (b) may be included in each budget for a fiscal year*  
13        *submitted by the President pursuant to section 1105(a) of*  
14        *title 31, United States Code.*

15        *(h) ANNUAL REPORT.—*

16                *(1) REQUIREMENT.—Not later than 180 days*  
17        *after the date of the enactment of this Act, and annu-*  
18        *ally thereafter, and consistent with the protection of*  
19        *intelligence sources and methods, the committee estab-*  
20        *lished by subsection (b) shall submit to the appro-*  
21        *priate committees of Congress a report describing*  
22        *steps being taken by the committee to counter active*  
23        *measures by Russia to exert covert influence.*

24                *(2) CONTENT.—Each report required by para-*  
25        *graph (1) shall include the following:*

1           (A) *A summary of the active measures by*  
2           *the Russian Federation to exert covert influence*  
3           *during the previous year, including significant*  
4           *incidents and notable trends.*

5           (B) *A description of the key initiatives of*  
6           *the committee.*

7           (C) *A description of the implementation of*  
8           *the committee's initiatives by the head of an*  
9           *agency or department of the Government set out*  
10          *under subsection (c)(1)(B).*

11          (D) *An analysis of the impact of the com-*  
12          *mittee's initiatives.*

13          (E) *Recommendations for changes to the*  
14          *committee's initiatives from the previous year.*

15          (3) *SEPARATE REPORTING REQUIREMENT.—The*  
16          *requirement to submit an annual report under para-*  
17          *graph (1) is in addition to any other reporting re-*  
18          *quirements with respect to Russia.*

1 **SEC. 502. STRICT ENFORCEMENT OF TRAVEL PROTOCOLS**  
2 **AND PROCEDURES OF ACCREDITED DIPLO-**  
3 **MATIC AND CONSULAR PERSONNEL OF THE**  
4 **RUSSIAN FEDERATION IN THE UNITED**  
5 **STATES.**

6 (a) *APPROPRIATE COMMITTEES OF CONGRESS DE-*  
7 *FINED.*—*In this section, the term “appropriate committees*  
8 *of Congress” means—*

- 9 (1) *the congressional intelligence committees;*  
10 (2) *the Committee on Foreign Relations and the*  
11 *Committee on the Judiciary of the Senate; and*  
12 (3) *the Committee on Foreign Affairs and the*  
13 *Committee on the Judiciary of the House of Rep-*  
14 *resentatives.*

15 (b) *ADVANCE NOTIFICATION REQUIREMENT.*—*The Sec-*  
16 *retary of State shall, in coordination with the Director of*  
17 *the Federal Bureau of Investigation and the Director of Na-*  
18 *tional Intelligence, establish a mandatory advance notifica-*  
19 *tion regime governing all travel by accredited diplomatic*  
20 *and consular personnel of the Russian Federation in the*  
21 *United States and take necessary action to secure full com-*  
22 *pliance by Russian personnel and address any noncompli-*  
23 *ance.*

24 (c) *INTERAGENCY COOPERATION.*—*The Secretary of*  
25 *State, the Director of the Federal Bureau of Investigation,*

1 *and the Director of National Intelligence shall develop writ-*  
2 *ten mechanisms to share information—*

3           (1) *on travel by accredited diplomatic and con-*  
4 *sular personnel of the Russian Federation who are in*  
5 *the United States; and*

6           (2) *on any known or suspected noncompliance by*  
7 *such personnel with the regime required by subsection*  
8 *(b).*

9           (d) *QUARTERLY REPORTS.—Not later than 90 days*  
10 *after the date of the enactment of this Act, and quarterly*  
11 *thereafter, and consistent with the protection of intelligence*  
12 *sources and methods—*

13           (1) *the Secretary of State shall submit to the ap-*  
14 *propriate committees of Congress a written report de-*  
15 *tailing the number of notifications submitted under*  
16 *the regime required by subsection (b); and*

17           (2) *the Secretary of State and the Director of the*  
18 *Federal Bureau of Investigation shall jointly submit*  
19 *to the appropriate committees of Congress a written*  
20 *report detailing the number of known or suspected*  
21 *violations of such requirements by any accredited dip-*  
22 *lomatic and consular personnel of the Russian Fed-*  
23 *eration.*



1 **SEC. 503. STUDY AND REPORT ON ENHANCED INTEL-**  
2 **LIGENCE AND INFORMATION SHARING WITH**  
3 **OPEN SKIES TREATY MEMBER STATES.**

4 (a) *DEFINITIONS.—In this section:*

5 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*

6 *The term “appropriate committees of Congress”*  
7 *means—*

8 (A) *congressional intelligence committees;*

9 (B) *the Committee on Armed Services and*  
10 *the Committee on Foreign Relations of the Sen-*  
11 *ate; and*

12 (C) *the Committee on Armed Services and*  
13 *the Committee on Foreign Affairs of the House*  
14 *of Representatives.*

15 (2) *COVERED STATE PARTY.—The term “covered*  
16 *state party” means a foreign country, that—*

17 (A) *was a state party to the Open Skies*  
18 *Treaty on February 22, 2016; and*

19 (B) *is not the Russian Federation or the*  
20 *Republic of Belarus.*

21 (3) *OPEN SKIES TREATY.—The term “Open*  
22 *Skies Treaty” means the Treaty on Open Skies, done*  
23 *at Helsinki March 24, 1992, and entered into force*  
24 *January 1, 2002.*

25 (b) *FEASIBILITY STUDY.—*

1           (1) *REQUIREMENT FOR STUDY.*—Not later than  
2           180 days after the date of the enactment of this Act,  
3           the Director of National Intelligence shall conduct  
4           and submit to the appropriate committees of Congress  
5           a study to determine the feasibility of creating an in-  
6           telligence sharing arrangement and database to pro-  
7           vide covered state parties with imagery that is com-  
8           parable, delivered more frequently, and in equal or  
9           higher resolution than imagery available through the  
10          database established under the Open Skies Treaty.

11          (2) *ELEMENTS.*—The study required by para-  
12          graph (1) shall include an evaluation of the following:

13                (A) *The methods by which the United States*  
14                *could collect and provide imagery, including*  
15                *commercial satellite imagery, national technical*  
16                *means, and through other intelligence, surveil-*  
17                *lance, and reconnaissance platforms, under an*  
18                *information sharing arrangement and database*  
19                *referred to in paragraph (1).*

20                (B) *The ability of other covered state parties*  
21                *to contribute imagery to the arrangement and*  
22                *database.*

23                (C) *Any impediments to the United States*  
24                *and other covered states parties providing such*  
25                *imagery, including any statutory barriers,*

1           *insufficiencies in the ability to collect the im-*  
2           *agery or funding, under such an arrangement.*

3           *(D) Whether imagery of Moscow, Chechnya,*  
4           *the international border between Russia and*  
5           *Georgia, Kaliningrad, or the Republic of Belarus*  
6           *could be provided under such an arrangement.*

7           *(E) The annual and projected costs associ-*  
8           *ated with the establishment of such an arrange-*  
9           *ment and database, as compared with costs to*  
10          *the United States and other covered state parties*  
11          *of being parties to the Open Skies Treaty, in-*  
12          *cluding Open Skies Treaty plane maintenance,*  
13          *aircraft fuel, crew expenses, mitigation measures*  
14          *necessary associated with Russian Federation*  
15          *overflights of the United States or covered state*  
16          *parties, and new sensor development and acqui-*  
17          *sition.*

18          (3) *SUPPORT FROM OTHER FEDERAL AGEN-*  
19          *CIES.—Each head of a Federal agency shall provide*  
20          *such support to the Director as may be necessary for*  
21          *the Director to conduct the study required by para-*  
22          *graph (1).*

23          (c) *REPORT.—*

24                 (1) *REQUIREMENT FOR REPORT.—Not later than*  
25                 *180 days after the date of the enactment of this Act,*

1        *the Director of National Intelligence shall submit to*  
2        *the appropriate committees of Congress the report de-*  
3        *scribed in this subsection.*

4            (2) *CONTENT OF REPORT.*—*The report required*  
5        *by paragraph (1) shall include the following:*

6            (A) *An intelligence assessment of Russian*  
7        *Federation warfighting doctrine and the extent*  
8        *to which Russian Federation flights under the*  
9        *Open Skies Treaty contribute to such doctrine.*

10          (B) *A counterintelligence analysis as to*  
11        *whether the Russian Federation has, could have,*  
12        *or intends to have the capability to exceed the*  
13        *imagery limits set forth in the Open Skies Trea-*  
14        *ty.*

15          (C) *A list of intelligence exchanges with cov-*  
16        *ered state parties that have been updated on the*  
17        *information described in subparagraphs (A) and*  
18        *(B) and the date and form such information was*  
19        *provided.*

20          (d) *FORM OF SUBMISSION.*—*The study required by*  
21        *subsection (b) and the report required by subsection (c) shall*  
22        *be submitted in an unclassified form but may include a*  
23        *classified annex.*

1 **TITLE VI—REPORTS AND OTHER**  
2 **MATTERS**

3 **SEC. 601. DECLASSIFICATION REVIEW WITH RESPECT TO**  
4 **DETAINEES TRANSFERRED FROM UNITED**  
5 **STATES NAVAL STATION, GUANTANAMO BAY,**  
6 **CUBA.**

7 (a) *IN GENERAL.*—For each individual detained at  
8 United States Naval Station, Guantanamo Bay, Cuba, who  
9 was transferred or released from United States Naval Sta-  
10 tion, Guantanamo Bay, Cuba, the Director of National In-  
11 telligence shall—

12 (1)(A) complete a declassification review of intel-  
13 ligence reports regarding past terrorist activities of  
14 that individual prepared by the National Counterter-  
15 rorism Center for the individual's Periodic Review  
16 Board sessions, transfer, or release; or

17 (B) if the individual's transfer or release oc-  
18 curred prior to the date on which the National  
19 Counterterrorism Center first began to prepare such  
20 reports regarding detainees, such other intelligence re-  
21 port or reports that contain the same or similar in-  
22 formation regarding the individual's past terrorist ac-  
23 tivities;

24 (2) make available to the public—

1           (A) any intelligence reports declassified as a  
2           result of the declassification review; and

3           (B) with respect to each individual trans-  
4           ferred or released, for whom intelligence reports  
5           are declassified as a result of the declassification  
6           review, an unclassified summary which shall be  
7           prepared by the President of measures being  
8           taken by the country to which the individual was  
9           transferred or released to monitor the individual  
10          and to prevent the individual from carrying out  
11          future terrorist activities; and

12          (3) submit to the congressional intelligence com-  
13          mittees a report setting out the results of the declas-  
14          sification review, including a description of intel-  
15          ligence reports covered by the review that were not de-  
16          classified.

17          (b) SCHEDULE.—

18           (1) TRANSFER OR RELEASE PRIOR TO ENACT-  
19           MENT.—Not later than 210 days after the date of the  
20           enactment of this Act, the Director of National Intel-  
21           ligence shall submit the report required by subsection  
22           (a)(3), which shall include the results of the declas-  
23           sification review completed for each individual de-  
24           tained at United States Naval Station, Guantanamo  
25           Bay, Cuba, who was transferred or released from

1 *United States Naval Station, Guantanamo Bay,*  
2 *prior to the date of the enactment of this Act.*

3 (2) *TRANSFER OR RELEASE AFTER ENACT-*  
4 *MENT.—Not later than 120 days after the date an in-*  
5 *dividual detained at United States Naval Station,*  
6 *Guantanamo Bay, on or after the date of the enact-*  
7 *ment of this Act is transferred or released from*  
8 *United States Naval Station, Guantanamo Bay, the*  
9 *Director shall submit the report required by sub-*  
10 *section (a)(3) for such individual.*

11 (c) *PAST TERRORIST ACTIVITIES.—For purposes of*  
12 *this section, the past terrorist activities of an individual*  
13 *shall include all terrorist activities conducted by the indi-*  
14 *vidual before the individual's transfer to the detention facil-*  
15 *ity at United States Naval Station, Guantanamo Bay, in-*  
16 *cluding, at a minimum, the following:*

17 (1) *The terrorist organization, if any, with*  
18 *which affiliated.*

19 (2) *The terrorist training, if any, received.*

20 (3) *The role in past terrorist attacks against*  
21 *United States interests or allies.*

22 (4) *The direct responsibility, if any, for the*  
23 *death of United States citizens or members of the*  
24 *Armed Forces.*

1           (5) *Any admission of any matter specified in*  
2           *paragraphs (1) through (4).*

3           (6) *A description of the intelligence supporting*  
4           *any matter specified in paragraphs (1) through (5),*  
5           *including the extent to which such intelligence was*  
6           *corroborated, the level of confidence held by the intel-*  
7           *ligence community, and any dissent or reassessment*  
8           *by an element of the intelligence community.*

9   **SEC. 602. CYBER CENTER FOR EDUCATION AND INNOVA-**  
10                    **TION-HOME OF THE NATIONAL CRYPTOLOGIC**  
11                    **MUSEUM.**

12           (a) *AUTHORITY TO ESTABLISH AND OPERATE CEN-*  
13           *TER.—Chapter 449 of title 10, United States Code, is*  
14           *amended by adding at the end the following new section:*

15   **“§4781. Cyber Center for Education and Innovation-**  
16                    **Home of the National Cryptologic Museum**

17           “(a) *ESTABLISHMENT.—(1) The Secretary of Defense*  
18           *may establish at a publicly accessible location at Fort*  
19           *George G. Meade the ‘Cyber Center for Education and Inno-*  
20           *vation-Home of the National Cryptologic Museum’ (in this*  
21           *section referred to as the ‘Center’).*

22           “(2) *The Center may be used for the identification,*  
23           *curation, storage, and public viewing of materials relating*  
24           *to the activities of the National Security Agency, its prede-*



1 cessor or successor organizations, and the history of  
2 cryptology.

3 “(3) *The Center may contain meeting, conference, and*  
4 *classroom facilities that will be used to support such edu-*  
5 *cation, training, public outreach, and other purposes as the*  
6 *Secretary considers appropriate.*

7 “(b) *DESIGN, CONSTRUCTION, AND OPERATION.—The*  
8 *Secretary may enter into an agreement with the National*  
9 *Cryptologic Museum Foundation (in this section referred*  
10 *to as the ‘Foundation’), a nonprofit organization, for the*  
11 *design, construction, and operation of the Center.*

12 “(c) *ACCEPTANCE AUTHORITY.—(1) If the Foundation*  
13 *constructs the Center pursuant to an agreement with the*  
14 *Foundation under subsection (b), upon satisfactory comple-*  
15 *tion of the Center’s construction or any phase thereof, as*  
16 *determined by the Secretary, and upon full satisfaction by*  
17 *the Foundation of any other obligations pursuant to such*  
18 *agreement, the Secretary may accept the Center (or any*  
19 *phase thereof) from the Foundation, and all right, title, and*  
20 *interest in the Center or such phase shall vest in the United*  
21 *States.*

22 “(2) *Notwithstanding section 1342 of title 31, the Sec-*  
23 *retary may accept services from the Foundation in connec-*  
24 *tion with the design construction, and operation of the Cen-*  
25 *ter. For purposes of this section and any other provision*

1 *of law, employees or personnel of the Foundation shall not*  
2 *be considered to be employees of the United States.*

3       “(d) *FEES AND USER CHARGES.—(1) The Secretary*  
4 *may assess fees and user charges to cover the cost of the*  
5 *use of Center facilities and property, including rental, user,*  
6 *conference, and concession fees.*

7       “(2) *Amounts received under paragraph (1) shall be*  
8 *deposited into the fund established under subsection (e).*

9       “(e) *FUND.—(1) Upon the Secretary’s acceptance of*  
10 *the Center under subsection (c)(1)) there is established in*  
11 *the Treasury a fund to be known as the ‘Cyber Center for*  
12 *Education and Innovation-Home of the National*  
13 *Cryptologic Museum Fund’ (in this subsection referred to*  
14 *as the ‘Fund’).*

15       “(2) *The Fund shall consist of the following amounts:*

16               “(A) *Fees and user charges deposited by the Sec-*  
17 *retary under subsection (d).*

18               “(B) *Any other amounts received by the Sec-*  
19 *retary which are attributable to the operation of the*  
20 *Center.*

21       “(3) *Amounts in the Fund shall be available to the*  
22 *Secretary for the benefit and operation of the Center, in-*  
23 *cluding the costs of operation and the acquisition of books,*  
24 *manuscripts, works of art, historical artifacts, drawings,*  
25 *plans, models, and condemned or obsolete combat materiel.*

1       “(4) *Amounts in the Fund shall be available without*  
2 *fiscal year limitation.*”.

3       (b) *CLERICAL AMENDMENT.*—*The table of sections at*  
4 *the beginning of chapter 449 of title 10, United States Code,*  
5 *is amended by adding at the end the following new item:*  
6       “4781. *Cyber Center for Education and Innovation-Home of the National*  
7       *Cryptologic Museum.*”.

6   **SEC. 603. REPORT ON NATIONAL SECURITY SYSTEMS.**

7       (a) *APPROPRIATE COMMITTEES OF CONGRESS DE-*  
8 *FINED.*—*In this section, the term “appropriate committees*  
9 *of Congress” means—*

10           (1) *the congressional intelligence committees;*

11           (2) *the Committee on Appropriations and the*  
12 *Committee on Armed Services of the Senate; and*

13           (3) *the Committee on Appropriations and the*  
14 *Committee on Armed Services of the House of Rep-*  
15 *resentatives.*

16       (b) *REPORT.*—*Not later than 120 days after the date*  
17 *of the enactment of this Act, and annually thereafter, the*  
18 *Director of the National Security Agency, in coordination*  
19 *with the Secretary of Defense and the Chairman of the Joint*  
20 *Chiefs of Staff, shall submit to the appropriate committees*  
21 *of Congress a report on national security systems.*

22       (c) *CONTENT.*—*Each report submitted under sub-*  
23 *section (b) shall include information related to—*

1           (1) *national security systems or components*  
2 *thereof that have been decertified and are still in*  
3 *operational use;*

4           (2) *extension requests and the current status of*  
5 *any national security systems still in use or compo-*  
6 *nents thereof that have been decertified and are still*  
7 *in use;*

8           (3) *national security systems known to not be in*  
9 *compliance with the policies, principles, standards,*  
10 *and guidelines issued by the Committee on National*  
11 *Security Systems established pursuant to National*  
12 *Security Directive 42, signed by the President on*  
13 *July 5, 1990; and*

14           (4) *organizations which have not provided access*  
15 *or information to the Director of the National Secu-*  
16 *rity Agency that is adequate to enable the Director to*  
17 *make a determination as to whether such organiza-*  
18 *tions are in compliance with the policies, principles,*  
19 *standards, and guidelines issued by such Committee*  
20 *on National Security Systems.*

21 **SEC. 604. JOINT FACILITIES CERTIFICATION.**

22 (a) *FINDINGS.*—*Congress finds the following:*

23           (1) *The Director of National Intelligence set a*  
24 *strategic goal to use joint facilities as a means to save*  
25 *costs by consolidating administrative and support*

1       *functions across multiple elements of the intelligence*  
2       *community.*

3               (2) *The use of joint facilities provides more op-*  
4       *portunities for operational collaboration and informa-*  
5       *tion sharing among elements of the intelligence com-*  
6       *munity.*

7       (b) *CERTIFICATION.—Before an element of the intel-*  
8       *ligence community purchases, leases, or constructs a new*  
9       *facility that is 20,000 square feet or larger, the head of that*  
10       *element of the intelligence community shall submit to the*  
11       *Director of National Intelligence—*

12               (1) *a written certification that, to the best of the*  
13       *knowledge of the head of such element, all prospective*  
14       *joint facilities in the vicinity have been considered*  
15       *and the element is unable to identify a joint facility*  
16       *that meets the operational requirements of such ele-*  
17       *ment; and*

18               (2) *a written statement listing the reasons for*  
19       *not participating in the prospective joint facilities*  
20       *considered by the element.*

21       **SEC. 605. LEADERSHIP AND MANAGEMENT OF SPACE AC-**  
22               **TIVITIES.**

23       (a) *APPROPRIATE COMMITTEES OF CONGRESS DE-*  
24       *FINED.—In this section, the term “appropriate committees*  
25       *of Congress” means the congressional intelligence commit-*

1 *tees, the Committee on Armed Services of the Senate, and*  
2 *the Committee on Armed Services of the House of Represent-*  
3 *atives.*

4       **(b) UPDATE TO STRATEGY FOR COMPREHENSIVE**  
5 **INTERAGENCY REVIEW OF THE UNITED STATES NATIONAL**  
6 **SECURITY OVERHEAD SATELLITE ARCHITECTURE.**—*Not*  
7 *later than 180 days after the date of the enactment of this*  
8 *Act, the Director of National Intelligence, in consultation*  
9 *with the Secretary of Defense and the Chairman of the Joint*  
10 *Chiefs of Staff, shall issue a written update to the strategy*  
11 *required by section 312 of the Intelligence Authorization Act*  
12 *for Fiscal Year 2016 (division M of Public Law 114–113;*  
13 *129 Stat. 2919).*

14       **(c) UNITY OF EFFORT IN SPACE OPERATIONS BE-**  
15 **TWEEN THE INTELLIGENCE COMMUNITY AND DEPARTMENT**  
16 **OF DEFENSE.**—

17           **(1) REQUIREMENT FOR PLAN.**—*Not later than*  
18 *180 days after the date of the enactment of this Act,*  
19 *the Director of National Intelligence, in consultation*  
20 *with the Secretary of Defense, shall submit to the ap-*  
21 *propriate committees of Congress a plan to function-*  
22 *ally integrate the governance, operations, analysis,*  
23 *collection, policy, and acquisition activities related to*  
24 *space and counterspace carried out by the intelligence*  
25 *community. The plan shall include analysis of no*

1 *fewer than 2 alternative constructs to implement this*  
2 *plan, and an assessment of statutory, policy, organi-*  
3 *zational, programmatic, and resources changes that*  
4 *may be required to implement each alternative con-*  
5 *struct.*

6 (2) *APPOINTMENT BY THE DIRECTOR OF NA-*  
7 *TIONAL INTELLIGENCE.*—*Not later than 30 days after*  
8 *the date of the enactment of this Act, the Director of*  
9 *National Intelligence, in consultation with the Sec-*  
10 *retary of Defense, shall appoint a single official to*  
11 *oversee development of the plan required by para-*  
12 *graph (1).*

13 (3) *SCOPE OF PLAN.*—*The plan required by*  
14 *paragraph (1) shall include methods to functionally*  
15 *integrate activities carried out by—*

16 (A) *the National Reconnaissance Office;*

17 (B) *the functional managers for signals in-*  
18 *telligence and geospatial intelligence;*

19 (C) *the Office of the Director of National*  
20 *Intelligence;*

21 (D) *other Intelligence Community elements*  
22 *with space-related programs;*

23 (E) *joint interagency efforts; and*

1                   (F) other entities as identified by the Direc-  
2                   tor of National Intelligence in coordination with  
3                   the Secretary of Defense.

4           (d) *INTELLIGENCE COMMUNITY SPACE WORKFORCE.*—  
5 *Not later than 180 days after the date of the enactment of*  
6 *this Act, the Director of National Intelligence shall submit*  
7 *to the congressional intelligence committees a workforce*  
8 *plan to recruit, develop, and retain personnel in the intel-*  
9 *ligence community with skills and experience in space and*  
10 *counterspace operations, analysis, collection, policy, and*  
11 *acquisition.*

12           (e) *JOINT INTERAGENCY COMBINED SPACE OPER-*  
13 *ATIONS CENTER.*—

14                   (1) *SUBMISSION TO CONGRESS.*—*The Director of*  
15 *the National Reconnaissance Office and the Com-*  
16 *mander of the United States Strategic Command, in*  
17 *consultation with the Director of National Intel-*  
18 *ligence, the Under Secretary of Defense for Intel-*  
19 *ligence, and the Chairman of the Joint Chiefs of*  
20 *Staff, shall submit to the appropriate committees of*  
21 *Congress concept of operations and requirements doc-*  
22 *uments for the Joint Interagency Combined Space*  
23 *Operations Center by the date that is the earlier of—*

24                           (A) *the completion of the experimental*  
25                           *phase of such Center; or*



1                   (B) 30 days after the date of the enactment  
2                   of this Act.

3                   (2) *QUARTERLY BRIEFINGS.*—*The Director of the*  
4                   *National Reconnaissance Office and the Commander*  
5                   *of the United States Strategic Command, in coordina-*  
6                   *tion with the Director of National Intelligence and*  
7                   *Under Secretary of Defense for Intelligence, shall pro-*  
8                   *vide to the appropriate committees of Congress brief-*  
9                   *ings providing updates on activities and progress of*  
10                   *the Joint Interagency Combined Space Operations*  
11                   *Center to begin 30 days after the date of the enact-*  
12                   *ment of this Act. Such briefings shall be quarterly for*  
13                   *the first year following enactment, and annually*  
14                   *thereafter.*

15 **SEC. 606. ADVANCES IN LIFE SCIENCES AND BIO-**  
16 **TECHNOLOGY.**

17                   (a) *REQUIREMENT FOR PLAN.*—*Not later than 180*  
18                   *days after the date of the enactment of this Act, the Director*  
19                   *of National Intelligence shall brief the congressional intel-*  
20                   *ligence committees on a proposed plan to monitor advances*  
21                   *in life sciences and biotechnology to be carried out by the*  
22                   *Director.*

23                   (b) *CONTENTS OF PLAN.*—*The plan required by sub-*  
24                   *section (a) shall include—*

1           (1) *a description of the approach the elements of*  
2           *the intelligence community will take to make use of*  
3           *organic life science and biotechnology expertise, with-*  
4           *in and outside the intelligence community on a rou-*  
5           *tine and contingency basis;*

6           (2) *an assessment of the current collection and*  
7           *analytical posture of the life sciences and bio-*  
8           *technology portfolio as it relates to United States*  
9           *competitiveness and the global bio-economy, the risks*  
10          *and threats evolving with advances in genetic editing*  
11          *technologies, and the implications of such advances on*  
12          *future biodefense requirements; and*

13          (3) *an analysis of organizational requirements*  
14          *and responsibilities, including potentially creating*  
15          *new positions.*

16          (c) *REPORT TO CONGRESS.*—*Not later than 180 days*  
17          *after the date of the enactment of this Act, the Director of*  
18          *National Intelligence shall submit to the congressional intel-*  
19          *ligence committees, the Committee on Armed Services of the*  
20          *Senate, and the Committee on Armed Services of the House*  
21          *of Representatives a report and provide a briefing on the*  
22          *role of the intelligence community in the event of a biologi-*  
23          *cal attack on the United States, including an assessment*  
24          *of the capabilities and gaps in technical capabilities that*

1 *exist to address the potential circumstance of a novel un-*  
2 *known pathogen.*

3 **SEC. 607. REPORTS ON DECLASSIFICATION PROPOSALS.**

4 (a) *COVERED STUDIES DEFINED.*—*In this section, the*  
5 *term “covered studies” means the studies that the Director*  
6 *of National Intelligence requested that the elements of the*  
7 *intelligence community produce in the course of producing*  
8 *the fundamental classification guidance review for fiscal*  
9 *year 2017 required by Executive Order No. 13526 (50*  
10 *U.S.C. 3161 note), as follows:*

11 (1) *A study of the feasibility of reducing the*  
12 *number of original classification authorities in each*  
13 *element of the intelligence community to the min-*  
14 *imum number required and any negative impacts*  
15 *that reduction could have on mission capabilities.*

16 (2) *A study of the actions required to implement*  
17 *a proactive discretionary declassification program*  
18 *distinct from the systematic, automatic, and manda-*  
19 *tory declassification review programs outlined in part*  
20 *2001 of title 32, Code of Federal Regulations, includ-*  
21 *ing section 2001.35 of such part.*

22 (3) *A study of the benefits and drawbacks of im-*  
23 *plementing a single classification guide that could be*  
24 *used by all elements of the intelligence community in*

1 *the nonoperational and more common areas of such*  
2 *elements.*

3 *(4) A study of whether the classification level of*  
4 *“confidential” could be eliminated within agency-gen-*  
5 *erated classification guides from use by elements of*  
6 *the intelligence community and any negative impacts*  
7 *that elimination could have on mission success.*

8 *(b) REPORTS AND BRIEFINGS TO CONGRESS.—*

9 *(1) PROGRESS REPORT.—Not later than 30 days*  
10 *after the date of the enactment of this Act, the Direc-*  
11 *tor of National Intelligence shall submit a report to*  
12 *the congressional intelligence committees and provide*  
13 *the congressional intelligence committees a briefing on*  
14 *the progress of the elements of the intelligence commu-*  
15 *nity in producing the covered studies.*

16 *(2) FINAL REPORT.—Not later than the earlier of*  
17 *120 days after the date of the enactment of this Act*  
18 *or June 30, 2017, the Director of National Intel-*  
19 *ligence shall submit a report and provide a briefing*  
20 *to the congressional intelligence committees on—*

21 *(A) the final versions of the covered studies*  
22 *that have been provided to the Director by the*  
23 *elements of the intelligence community; and*

24 *(B) a plan for implementation of each ini-*  
25 *tiative included in each such covered study.*

1 **SEC. 608. IMPROVEMENT IN GOVERNMENT CLASSIFICATION**  
2 **AND DECLASSIFICATION.**

3 (a) *REVIEW OF GOVERNMENT CLASSIFICATION AND*  
4 *DECLASSIFICATION.*—*Not later than 180 days after the date*  
5 *of the enactment of this Act, the Director of National Intel-*  
6 *ligence shall—*

7 (1) *review the system by which the Government*  
8 *classifies and declassifies information;*

9 (2) *develop recommendations—*

10 (A) *to make such system a more effective*  
11 *tool for the protection of information relating to*  
12 *national security;*

13 (B) *to improve the sharing of information*  
14 *with partners and allies of the Government; and*

15 (C) *to support the appropriate declassifica-*  
16 *tion of information; and*

17 (3) *submit to the congressional intelligence com-*  
18 *mittees a report with—*

19 (A) *the findings of the Director with respect*  
20 *to the review conducted under paragraph (1);*  
21 *and*

22 (B) *the recommendations developed under*  
23 *paragraph (2).*

24 (b) *ANNUAL CERTIFICATION OF CONTROLLED ACCESS*  
25 *PROGRAMS.*—

1           (1) *IN GENERAL.*—Not less frequently than once  
2 each year, the Director of National Intelligence shall  
3 certify in writing to the congressional intelligence  
4 committees whether the creation, validation, or sub-  
5 stantial modification, including termination, for all  
6 existing and proposed controlled access programs, and  
7 the compartments and subcompartments within each,  
8 are substantiated and justified based on the informa-  
9 tion required by paragraph (2).

10           (2) *INFORMATION REQUIRED.*—Each certifi-  
11 cation pursuant to paragraph (1) shall include—

12                   (A) the rationale for the revalidation, vali-  
13 dation, or substantial modification, including  
14 termination, of each controlled access program,  
15 compartment and subcompartment;

16                   (B) the identification of a control officer for  
17 each controlled access program; and

18                   (C) a statement of protection requirements  
19 for each controlled access program.

20 **SEC. 609. REPORT ON IMPLEMENTATION OF RESEARCH**  
21 **AND DEVELOPMENT RECOMMENDATIONS.**

22           Not later than 120 days after the date of the enactment  
23 of this Act, the Director of National Intelligence shall sub-  
24 mit to the congressional intelligence committees a report  
25 that includes the following:

1           (1) *An assessment of the actions each element of*  
2 *the intelligence community has completed to imple-*  
3 *ment the recommendations made by the National*  
4 *Commission for the Review of the Research and De-*  
5 *velopment Programs of the United States Intelligence*  
6 *Community established under section 1002 of the In-*  
7 *telligence Authorization Act for Fiscal Year 2003*  
8 *(Public Law 107–306; 50 U.S.C. 3001 note).*

9           (2) *An analysis of the balance between short-,*  
10 *medium-, and long-term research efforts carried out*  
11 *by each element of the intelligence community.*

12 **SEC. 610. REPORT ON INTELLIGENCE COMMUNITY RE-**  
13 **SEARCH AND DEVELOPMENT CORPS.**

14           *Not later than 120 days after the date of the enactment*  
15 *of this Act, the Director of National Intelligence shall sub-*  
16 *mit to the congressional intelligence committees a report*  
17 *and provide briefing on a plan, with milestones and bench-*  
18 *marks, to implement an Intelligence Community Research*  
19 *and Development Corps, as recommended in the Report of*  
20 *the National Commission for the Review of the Research*  
21 *and Development Programs of the United States Intel-*  
22 *ligence Community, including an assessment—*

23           (1) *of the funding and modification to existing*  
24 *authorities needed to allow for the implementation of*  
25 *such Corps; and*

1           (2) of additional legislative authorities, if any,  
2           necessary to undertake such implementation.

3 **SEC. 611. REPORT ON INFORMATION RELATING TO ACA-**  
4           **DEMIC PROGRAMS, SCHOLARSHIPS, FELLOW-**  
5           **SHIPS, AND INTERNSHIPS SPONSORED, AD-**  
6           **MINISTERED, OR USED BY THE INTEL-**  
7           **LIGENCE COMMUNITY.**

8           (a) *REPORT.*—Not later than 120 days after the date  
9 of the enactment of this Act, the Director of National Intel-  
10 ligence shall submit to the congressional intelligence com-  
11 mittees a report by the intelligence community regarding  
12 covered academic programs. Such report shall include—

13           (1) a description of the extent to which the Di-  
14 rector and the heads of the elements of the intelligence  
15 community independently collect information on cov-  
16 ered academic programs, including with respect to—

17                   (A) the number of applicants for such pro-  
18 grams;

19                   (B) the number of individuals who have  
20 participated in such programs; and

21                   (C) the number of individuals who have  
22 participated in such programs and were hired by  
23 an element of the intelligence community after  
24 completing such program;



1           (2) to the extent that the Director and the heads  
2           independently collect the information described in  
3           paragraph (1), a chart, table, or other compilation il-  
4           lustrating such information for each covered academic  
5           program and element of the intelligence community,  
6           as appropriate, during the three-year period pre-  
7           ceding the date of the report; and

8           (3) to the extent that the Director and the heads  
9           do not independently collect the information described  
10          in paragraph (1) as of the date of the report—

11                 (A) whether the Director and the heads can  
12                 begin collecting such information during fiscal  
13                 year 2017; and

14                 (B) the personnel, tools, and other resources  
15                 required by the Director and the heads to inde-  
16                 pendently collect such information.

17          (b) *COVERED ACADEMIC PROGRAMS DEFINED.*—In  
18          this section, the term “covered academic programs”  
19          means—

20                 (1) the Federal Cyber Scholarship-for-Service  
21                 Program under section 302 of the Cybersecurity En-  
22                 hancement Act of 2014 (15 U.S.C. 7442);

23                 (2) the National Security Education Program  
24                 under the David L. Boren National Security Edu-  
25                 cation Act of 1991 (50 U.S.C. 1901 et seq.);

1           (3) *the Science, Mathematics, and Research for*  
2           *Transformation Defense Education Program under*  
3           *section 2192a of title 10, United States Code;*

4           (4) *the National Centers of Academic Excellence*  
5           *in Information Assurance and Cyber Defense of the*  
6           *National Security Agency and the Department of*  
7           *Homeland Security; and*

8           (5) *any other academic program, scholarship*  
9           *program, fellowship program, or internship program*  
10          *sponsored, administered, or used by an element of the*  
11          *intelligence community.*

12 **SEC. 612. REPORT ON INTELLIGENCE COMMUNITY EMPLOY-**  
13                   **EES DETAILED TO NATIONAL SECURITY**  
14                   **COUNCIL.**

15          *Not later than 60 days after the date of the enactment*  
16          *of this Act, the Director of National Intelligence shall sub-*  
17          *mit to the congressional intelligence committees a classified*  
18          *written report listing, by year, the number of employees of*  
19          *an element of the intelligence community who have been de-*  
20          *tailed to the National Security Council during the 10-year*  
21          *period preceding the date of the report.*

22 **SEC. 613. INTELLIGENCE COMMUNITY REPORTING TO CON-**  
23                   **GRESS ON FOREIGN FIGHTER FLOWS.**

24          (a) *REPORTS REQUIRED.*—*Not later than 60 days*  
25          *after the date of the enactment of this Act, and every 180*

1 *days thereafter, the Director of National Intelligence, con-*  
2 *sistent with the protection of intelligence sources and meth-*  
3 *ods, shall submit to the appropriate congressional commit-*  
4 *tees a report on foreign fighter flows to and from terrorist*  
5 *safe havens abroad.*

6 (b) *CONTENTS.—Each report submitted under sub-*  
7 *section (a) shall include, with respect to each terrorist safe*  
8 *haven, the following:*

9 (1) *The total number of foreign fighters who have*  
10 *traveled or are suspected of having traveled to the ter-*  
11 *rorist safe haven since 2011, including the countries*  
12 *of origin of such foreign fighters.*

13 (2) *The total number of United States citizens*  
14 *present in the terrorist safe haven.*

15 (3) *The total number of foreign fighters who have*  
16 *left the terrorist safe haven or whose whereabouts are*  
17 *unknown.*

18 (c) *FORM.—The reports submitted under subsection (a)*  
19 *may be submitted in classified form. If such a report is*  
20 *submitted in classified form, such report shall also include*  
21 *an unclassified summary.*

22 (d) *SUNSET.—The requirement to submit reports*  
23 *under subsection (a) shall terminate on the date that is two*  
24 *years after the date of the enactment of this Act.*

1           (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
2 *FINED.*—*In this section, the term “appropriate congres-*  
3 *sional committees” means—*

4           (1) *in the Senate—*

5                   (A) *the Committee on Armed Services;*

6                   (B) *the Select Committee on Intelligence;*

7                   (C) *the Committee on the Judiciary;*

8                   (D) *the Committee on Homeland Security*  
9 *and Governmental Affairs;*

10                  (E) *the Committee on Banking, Housing,*  
11 *and Urban Affairs;*

12                  (F) *the Committee on Foreign Relations;*

13                  *and*

14                  (G) *the Committee on Appropriations; and*

15           (2) *in the House of Representatives—*

16                   (A) *the Committee on Armed Services;*

17                   (B) *the Permanent Select Committee on In-*  
18 *telligence;*

19                   (C) *the Committee on the Judiciary;*

20                   (D) *the Committee on Homeland Security;*

21                   (E) *the Committee on Financial Services;*

22                   (F) *the Committee on Foreign Affairs; and*

23                   (G) *the Committee on Appropriations.*

1 **SEC. 614. REPORT ON CYBERSECURITY THREATS TO SEA-**  
2 **PORTS OF THE UNITED STATES AND MARI-**  
3 **TIME SHIPPING.**

4 (a) *REPORT.*—Not later than 180 days after the date  
5 of the enactment of this Act, the Under Secretary of Home-  
6 land Security for Intelligence and Analysis, in consultation  
7 with the Director of National Intelligence, and consistent  
8 with the protection of sources and methods, shall submit to  
9 the appropriate congressional committees a report on the  
10 cybersecurity threats to, and the cyber vulnerabilities with-  
11 in, the software, communications networks, computer net-  
12 works, or other systems employed by—

13 (1) *entities conducting significant operations at*  
14 *seaports in the United States;*

15 (2) *the maritime shipping concerns of the United*  
16 *States; and*

17 (3) *entities conducting significant operations at*  
18 *transshipment points in the United States.*

19 (b) *MATTERS INCLUDED.*—The report under subsection  
20 (a) shall include the following:

21 (1) *A description of any recent and significant*  
22 *cyberattacks or cybersecurity threats directed against*  
23 *software, communications networks, computer net-*  
24 *works, or other systems employed by the entities and*  
25 *concerns described in paragraphs (1) through (3) of*  
26 *subsection (a).*

1           (2) *An assessment of—*

2                   (A) *any planned cyberattacks directed*  
3 *against such software, networks, and systems;*

4                   (B) *any significant vulnerabilities to such*  
5 *software, networks, and systems; and*

6                   (C) *how such entities and concerns are*  
7 *mitigating such vulnerabilities.*

8           (3) *An update on the status of the efforts of the*  
9 *Coast Guard to include cybersecurity concerns in the*  
10 *National Response Framework, Emergency Support*  
11 *Functions, or both, relating to the shipping or ports*  
12 *of the United States.*

13           (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
14 *FINED.—In this section, the term “appropriate congres-*  
15 *sional committees” means—*

16                   (1) *the congressional intelligence committees;*

17                   (2) *the Committee on Homeland Security and*  
18 *Governmental Affairs and the Committee on Com-*  
19 *merce, Science, and Transportation of the Senate;*  
20 *and*

21                   (3) *the Committee on Homeland Security and*  
22 *the Committee on Transportation and Infrastructure*  
23 *of the House of Representatives.*

1 **SEC. 615. REPORT ON REPRISALS AGAINST CONTRACTORS**  
2 **OF THE INTELLIGENCE COMMUNITY.**

3 (a) *REPORT.*—Not later than 180 days after the date  
4 of the enactment of this Act, the Inspector General of the  
5 Intelligence Community, consistent with the protection of  
6 sources and methods, shall submit to the congressional intel-  
7 ligence committees a report on reprisals made against cov-  
8 ered contractor employees.

9 (b) *ELEMENTS.*—The report under subsection (a) shall  
10 include the following:

11 (1) *Identification of the number of known or*  
12 *claimed reprisals made against covered contractor*  
13 *employees during the 3-year period preceding the date*  
14 *of the report and any evaluation of such reprisals.*

15 (2) *An evaluation of the usefulness of estab-*  
16 *lishing a prohibition on reprisals against covered con-*  
17 *tractor employees as a means of encouraging such*  
18 *contractors to make protected disclosures.*

19 (3) *A description of any challenges associated*  
20 *with establishing such a prohibition, including with*  
21 *respect to the nature of the relationship between the*  
22 *Federal Government, the contractor, and the covered*  
23 *contractor employee.*

24 (4) *A description of any approaches taken by the*  
25 *Federal Government to account for reprisals against*  
26 *non-intelligence community contractors who make*

1       *protected disclosures, including pursuant to section*  
2       *2409 of title 10, United States Code, and sections*  
3       *4705 and 4712 of title 41, United States Code.*

4               *(5) Any recommendations the Inspector General*  
5       *determines appropriate.*

6       *(c) DEFINITIONS.—In this section:*

7               *(1) COVERED CONTRACTOR EMPLOYEE.—The*  
8       *term “covered contractor employee” means an em-*  
9       *ployee of a contractor of an element of the intelligence*  
10       *community.*

11               *(2) REPRISAL.—The term “reprisal” means the*  
12       *discharge or other adverse personnel action made*  
13       *against a covered contractor employee for making a*  
14       *disclosure of information that would be a disclosure*  
15       *protected by law if the contractor were an employee*  
16       *of the Federal Government.*

Attest:

*Clerk.*





115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H.R. 244**

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**HOUSE AMENDMENT TO  
SENATE AMENDMENT**